Recorded: 6/12/2020 at 1:40:07.0 PM
County Recording Fee: $17.00
Iowa E-Filing Fee: $3.32
Combined Fee: $20.32
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2020 PG: 1923

CORRECTED
AFFIDAVIT OF COMMENCEMENT
Recorder's Cover Sheet

Preparer Information: Jennifer Hodge Burkett
505 East Grand Avenue, Suite 200
Des Moines, IA 50309-1972
(515) 242-8906

Taxpayer Information: N/A

Return Document To: Jennifer Hodge Burkett
505 E Grand Avenue, Ste 200
Des Moines, IA 50309

Grantors: Austin Goodnight

Grantees: FTC Tower Co., LLC, Steven A. Lueken and Jill J. Lueken

Legal Description: See Page 2

Document or instrument number of previously recorded documents: Book 2019 at page 1648

43 Colesburg

CORRECTED
AFFIDAVIT OF COMMENCEMENT

RE: See Exhibit A

STATE OF IOWA; COUNTY OF POLK, ss:

The undersigned, being first duly sworn (or affirmed) under oath, state of my own personal knowledge that:

1. I am an attorney and represent FTC Tower Co., LLC ("FTC").

2. FTC is the lessee under that certain lease agreement (the "Lease") with Steven A. Lueken and Jill J. Lueken, husband and wife, ("Lessor"), dated as of October 2, 2018, and relating to the land set forth on Exhibit A attached hereto and incorporated herein (the "Real Estate"), a memorandum of which was filed in the office of the Delaware County, Iowa Recorder on January 15, 2019 and recorded in Book 2019 at page 185, as corrected by a corrected memorandum filed April 19, 2019 and recorded in Book 2019 at page 858 (the "Memorandum").

3. I filed an Affidavit of Commencement on June 27, 2019, which was recorded in Book 2019 at page 1648 (the "Commencement Affidavit").

4. Due to mistake or error, Commencement Affidavit contained an incorrect date for the start of the initial term of the Lease.

5. The correct commencement date for the initial term of the Lease is December 19, 2018, as stated in the Memorandum, thus the initial term ends December 19, 2043, unless earlier terminated as provided in the Lease.

Austin Goodnight, Affiant
Austin Goodnight

Signed and sworn to (or affirmed) before me this 12th day of June, 2020, by Austin Goodnight

Chris Harrison
Signature of Notary Public

NOTARIAL SEAL IOWA
CHRIS HARRISON
Commission Number 778812
My Commission Expires
06/07/2022

EXHIBIT A
LEASE PARCEL

A part of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of Section Nine (9), Township Ninety (90) North, Range Three (3) West of the Fifth Principal Meridian, Delaware County, Iowa containing 244,023 square feet (5.602 acres) of land and being described by:

Commencing at the North Quarter Corner of said Section 9; thence N88°-45'-54"E 702.23 feet along the North line of the NE1/4 of said Section 9; thence S01°-14'-06"E 1809.79 feet to the point of beginning; thence S53°-03'-38"E 500.00 feet; thence S36°-56'-22"W 500.00 feet; thence N53°-03'-38"W 381.18 feet to point on the Easterly Right of Way line of Highway 3; thence N12°-48'-06"W (recorded as S11°-37'E) 155.70 feet along said Easterly Right of Way line; thence N36°-56'-22"E 399.38 feet to the point of beginning, being subject to any and all easements and restrictions of record.

30' WIDE UTILITY & INGRESS/EGRESS EASEMENT

A part of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of Section Nine (9), Township Ninety (90) North, Range Three (3) West of the Fifth Principal Meridian, Delaware County, Iowa containing 16,588 square feet (0.381 acres) of land and being Fifteen (15) feet each side of and parallel with the following described line:

Commencing at the North Quarter Corner of said Section 9; thence N88°-45'-54"E 702.23 feet along the North line of the NE1/4 of said Section 9; thence S01°-14'-06"E 1809.79 feet; thence S53°-03'-38"E 302.50 feet; thence S36°-56'-22"W 262.50 feet to the point of beginning; thence continue S36°-56'-22"W 37.50 feet to a point herein after referred to as "Point A"; thence continue S36°-56'-22"W 52.50 feet; thence N53°-03'-38"W 52.50 feet to the point of termination. Also, beginning at said "Point A", thence S53°-03'-38"E 159.24 feet; thence S08°-03'-38"E 38.56 feet; thence S36°-56'-22"W 212.62 feet to a point on the North Right of Way line of 115th Street and the point of termination. The side lot lines of said easement are to be shortened or lengthened to terminate on said north line of 115th Street.