

BNSF RAILWAY COMPANY
INSTRUCTIONS FOR A DEFINITE OR INDEFINITE TERM LAND LEASE

Iron Horse Development, L.L.C.
c/o Almon Commercial Real Estate
111 University Parkway, Suite 200
Yakima, WA 98901



APPLICATION PROCESS

1. Complete the attached Lease Application Packet which includes:
 - Lease Application
 - Law of Agency
 - Agency Disclosure
 - Credit Application
2. Return with the **\$500.00 non-refundable, processing fee.** Checks should be made payable to Almon Commercial Real Estate, Railroad Property Management. BNSF requires the processing fee to be returned with the application or it will be returned.
3. Mail application and processing fee to: Iron Horse Development, L.L.C., c/o Almon Commercial Real Estate, 111 University Parkway, Suite 200, Yakima, WA 98901.

Inaccurate and incomplete information will delay the process

LEASE PROCESS

1. Once Almon Commercial Real Estate has received the above information, it will be forwarded to local BNSF operations for approval.
2. A copy of the application and map will be forwarded to the BNSF Engineering Firm for review. At this time an Exhibit A print will be prepared. This process will take approximately 10-15 working days.
3. When the Exhibit A print is complete, a contract will be prepared and two original copies forwarded to you for signature.
4. Two signed original copies must be returned to Almon Commercial Real Estate along with the lease payment and a Certificate of Insurance evidencing coverage as stated in the contract.
5. BNSF Property Management in Fort Worth, Texas will perform final review of the contracts. If acceptable the contracts will be signed and returned to Almon Commercial Real Estate for execution.
6. Once executed, an original copy will be returned to you for your records.

TIMEFRAME

The rate of completion of this process and execution of the documents varies but can take from **90 to 120 days**. Accuracy of the information provided will assist in expediting the process. If there are changes requested to be made to the lease agreement there will be an additional processing fee charged and the process will take longer.

INSURANCE REQUIREMENTS

Lessee shall, at its sole cost and expense, procure and maintain during the life of this Lease the following insurance coverage:

- **Commercial General Liability Insurance.** Contractual liability with a combined single limit of a minimum of \$1,000,000 each occurrence and an aggregate limit of at least \$ 2,000,000.

- **Business Automobile Insurance.** This insurance shall contain a combined single limit of at least \$1,000,000 per occurrence
- **Workers Compensation and Employers Liability insurance** Employers' Liability with limits of at least \$500,000 each accident, \$500,000 by disease policy limit, \$500,000 by disease each employee.

If construction is to be performed on the Premises by Lessee, Lessee shall procure Railroad Protective Liability insurance naming only the Lessor as the Insured with coverage of at least \$2,000,000 per occurrence and \$6,000,000 in the aggregate.

NOTE... Insurance requirements can change at any time. The lease document mailed to you will contain the most current insurance required by the BNSF Railway Company.