

Prepared By/Return To:
Katie Johnson, Iowa Department of Transportation, Office of Right of Way, 800 Lincoln Way, Ames, IA 50010 (515)239-1633

State of Iowa

OFFICE OF THE SECRETARY OF STATE STATE LAND OFFICE

Easement No. 6110E

The **STATE OF IOWA**, pursuant to Iowa Code Section 306.45, subject to conditions listed in this easement, hereby conveys a permanent easement for pipeline to **NuStar Pipeline Operating Partnership, L.P.**, and its heirs, assigns, and successors in interest in real estate in **Pottawattamie County, Iowa**, described as:

See Exhibits "A" and "B", subject to Exhibit "C" (Safety Requirements), attached hereto and by this reference made a part hereof.

CONDITIONS: Consideration for the grant of this easement pursuant to Iowa Code section 306.45 is set forth in the certificate of the **Right of Way Director of the Iowa Department of Transportation** filed with the State Land Office. This easement is subject to the conditions imposed by Iowa Code sections 306.24, and 306.45, and to all other conditions imposed by law, and to the right of a utility association, company or corporation to continue in possession of a right of way in use at the time of this conveyance.



I, **Terry E. Branstad**, Governor of the State of Iowa, have caused this instrument to be issued and the Great Seal of the State of Iowa to be affixed at Des Moines, on this 11th day of August, 2016.



Terry E. Branstad, Governor of Iowa



Paul D. Pate, Iowa Secretary of State

I hereby certify that the foregoing Easement is recorded in Vol. 27 Page 160 in the State Land Office.



Paul D. Pate, Iowa Secretary of State

EASEMENT EXHIBIT

-FOR-



A 50 foot wide perpetual easement for pipeline purposes over, under and across that part of the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 7, Township 74 North, Range 43 West of the 5th P.M., in the City of Council Bluffs, Pottawattamie County, Iowa, the northerly line of said 50 foot wide perpetual easement is described as follows:

Commencing at the northwest corner of the Northeast Quarter of said Section 7; thence South 01 degree 48 minutes 53 seconds West, bearings based on Iowa State Plane, South Zone coordinate grid, along the west line of said Northeast Quarter, a distance of 1986.99 feet to the southwesterly right of way line of the CBEC Railway; thence South 42 degrees 20 minutes 11 seconds East, along said right of way line, a distance of 752.13 feet to the Point of Beginning of said line to be described; thence South 67 degrees 24 minutes 50 seconds West, a distance of 162.81 feet to the future westerly right of way line of the CBEC Railway and said described line there terminating.

The sidelines of said perpetual easement to be prolonged or shortened to terminate on said southwesterly right of way line of the CBEC Railway and on said future westerly right of way line of the CBEC Railway.

REFER TO EXHIBIT "B" FOR THE DRAWING
 THAT ACCOMPANIES THIS DESCRIPTION.



1229 Tyler Street NE, Suite 100
 Minneapolis, Minnesota 55413
 PHONE: (612) 466-3300
 FAX: (612) 466-3383
 WWW.EFNSURVEY.COM

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 land surveyors since 1872

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EASEMENT EXHIBIT
 EXHIBIT "A"
 CBEC RAILWAY INC.

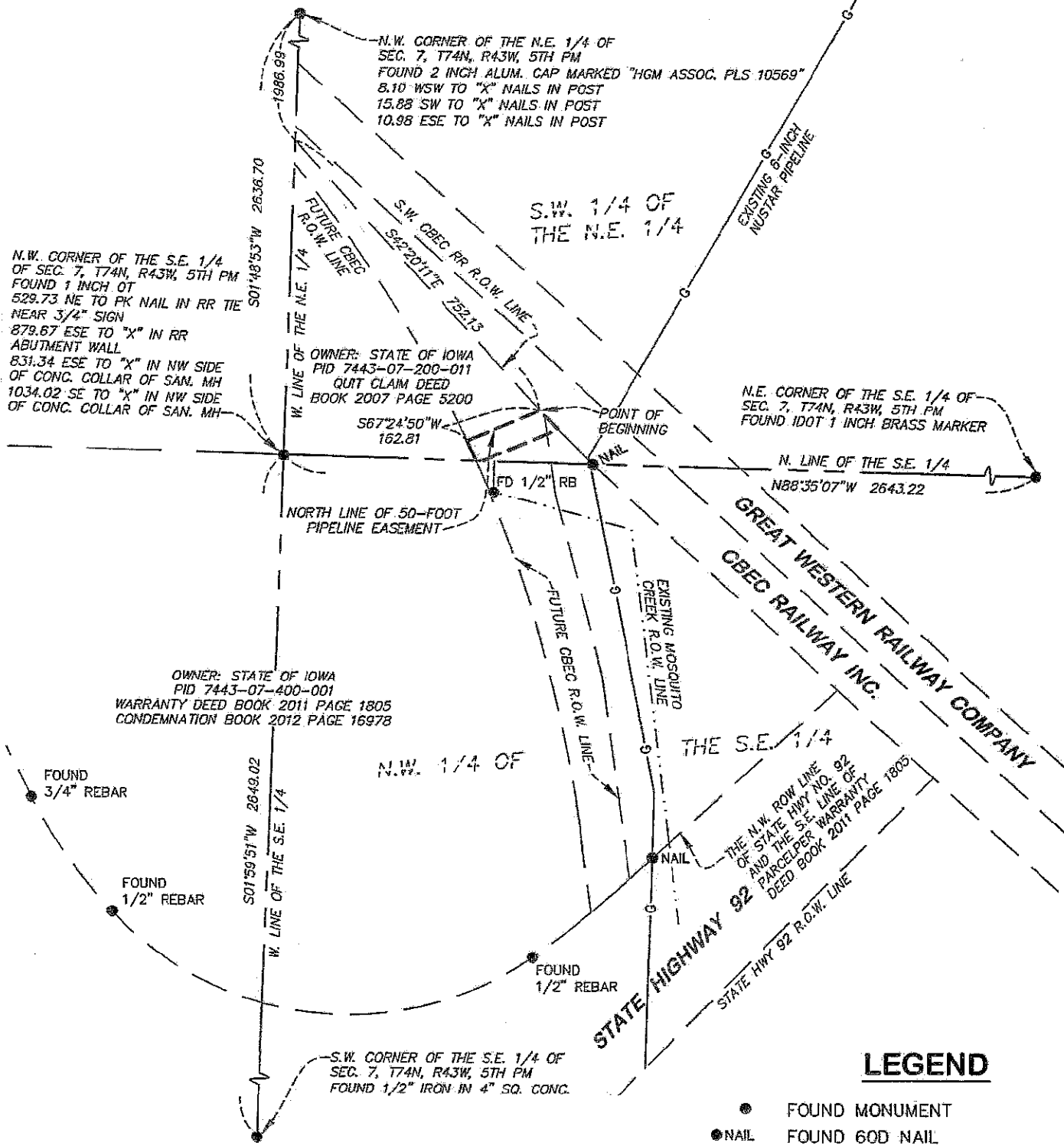
SECTION 7, TOWNSHIP 74 N, RANGE 43 W,
 5TH P.M. POTTAWATTAMIE COUNTY, IOWA



SHEET 1 OF 1

EASEMENT EXHIBIT

-FOR-



LEGEND

- FOUND MONUMENT
- NAIL FOUND 60D NAIL
- G— UNDERGROUND GAS

SUMMARY

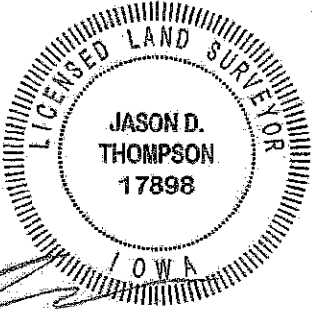
PIPELINE EASEMENT AREA
8,595 sq. ft. / 0.197 acres



SCALE IN FEET
Bearings based on NAD 83,
Iowa State Plane, South Zone

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

Date of original survey: January 22, 2014
Date of revised drawing: January 11, 2016
Date of signature: January 11, 2016



Jason D. Thompson
Iowa License No. 17898
My license renewal date is December 31, 2017

REFER TO EXHIBIT "A" FOR THE DESCRIPTION THAT ACCOMPANIES THIS DRAWING.



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SHEET 1 OF 1

EXHIBIT C

The Parties acknowledge that the underlying fee to a portion of the easement area will be transferred by the Grantor to BNSF Railway Company ("BNSF") or CBEC Rail Company ("CBEC") at a later date. Any part of the easement area granted by this document, included in said future transfer, that will intersect or lie within BNSF's or CBEC's rail corridor shall be subject to the following:

Safety Requirements:

Prior to entering the Premises, and at all times during the term of this Easement Agreement, Grantee shall comply, and shall cause its contractor, any subcontractor, any assignee, and any contractor or subcontractor of any assignee performing work on the Premises or entering the Premises on behalf of Grantee (collectively, "Grantee's Contractors"), to comply, with all applicable federal, state and local laws, regulations, ordinances, restrictions, covenants and court or administrative decisions and orders, including Environmental Laws (defined below) (collectively, "Laws"), and all of BNSF's or CBEC's applicable safety rules and regulations including those found on the website noted below.

No Grantee Party may enter the Premises without first having completed the safety orientation found on the website: www.contractororientation.com.

Grantee shall not conduct any activities on, or be present on, any portion of the Premises or BNSF's or CBEC's rail corridor or property that is within twenty-five (25) feet of any active railroad track, except in the presence of a flagman. In any case where a flagman or flagmen are required in connection with the presence of individuals on BNSF's or CBEC's rail corridor or the Premises, Grantee shall provide as much advance notice as possible prior to any entry upon the Premises. BNSF or CBEC shall arrange for the presence of the flagman or flagmen as soon as practicable after receipt of such notice from Grantee.

Grantee will only use public roadways for vehicular crossings from one side of the tracks to the other.

If BNSF premises are to be entered, grantee shall notify BNSF's Roadmaster at 4302 GIBSON ROAD, Omaha, NE, telephone 402-422-5249 or 402-440-3717, at least ten (10) business days prior to construction of the Electric Supply Line and prior to entering the Premises for any subsequent maintenance thereon.

If CBEC premises are to be entered the grantee shall notify Iowa Interstate Roadmaster, Rance Lund, Located at 4 Locust St., Atlantic, IA 50022, Telephone 712-243-6723 or Cell number 319-330-4395, at least ten (10) business days prior to construction of the Electric Supply Line and prior to entering the Premises for any subsequent maintenance thereon.

IN THE MATTER OF THE CONVEYANCE OF CERTAIN EASEMENT RIGHTS, CERTIFICATE
OF PAYMENT AND REQUEST FOR EASEMENT

TO: THE GOVERNOR AND SECRETARY OF STATE OF THE STATE OF IOWA:

COMES NOW THE IOWA DEPARTMENT OF TRANSPORTATION AND RESPECTFULLY
STATES:

That heretofore the State acquired title to real estate in Pottawattamie County, as fully described
below.

See Exhibits "A" and "B" attached.

That in the judgment of the Iowa Department of Transportation, the conveyance of a permanent
easement shall not adversely affect the improvement, maintenance or use of any Primary Highway
of the State of Iowa.

That the said Iowa Department of Transportation, after fully examining the proposed easement and
being advised in the premises did on the 14th day of April, 2014, approve a conveyance of said
easement for the purpose of pipeline to NuStar Pipeline Operating Partnership, L.P., Attn: ROW
and Real Estate 19003 IH-10, San Antonio, Texas 78257, for the sum of \$0, all of which has been
paid.

The entity entitled to the Easement is NuStar Pipeline Operating Partnership, L.P., Attn: ROW and
Real Estate 19003 IH-10, San Antonio, Texas 78257.

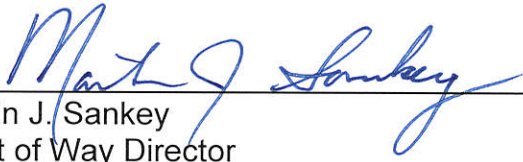
That the statements made and contained in this Certificate of Payment and Request for Easement
are true and correct, that an Easement has not been issued to the purchaser, and that all of the
provisions of Iowa Code Sections 306.24 and 306.45, have been fully complied with.

That the Governor of the State of Iowa and the Secretary of State of the State of Iowa are hereby
requested to execute a good and sufficient conveyance conveying said easement hereinbefore
described to **NuStar Pipeline Operating Partnership, L.P.**

under and in accordance with the aforesaid statutory provisions and form of conveyance presented
with this Certificate of Payment and Request for Easement is hereby approved.

Dated at Ames, Iowa, this 24th day of February, 2016.

IOWA DEPARTMENT OF TRANSPORTATION



Martin J. Sankey
Right of Way Director
Highway Division

EASEMENT EXHIBIT

-FOR-



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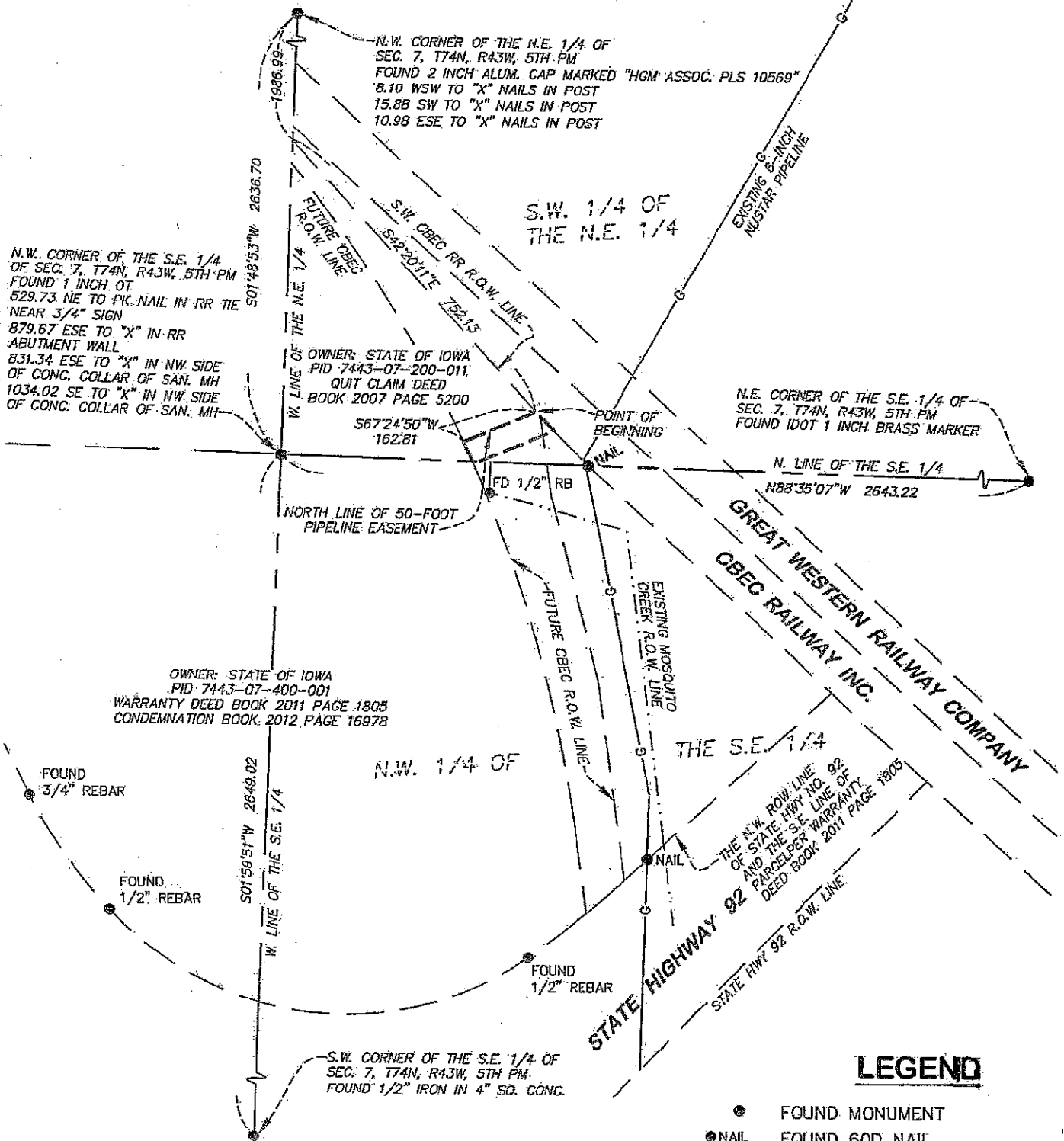
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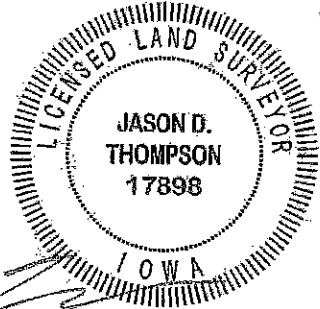


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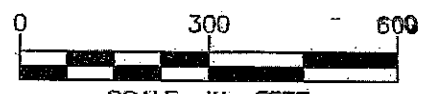
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NuStar
 PIPELINE OPERATING PARTNERSHIP, L.P.
 SHEET 1 OF 1