

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

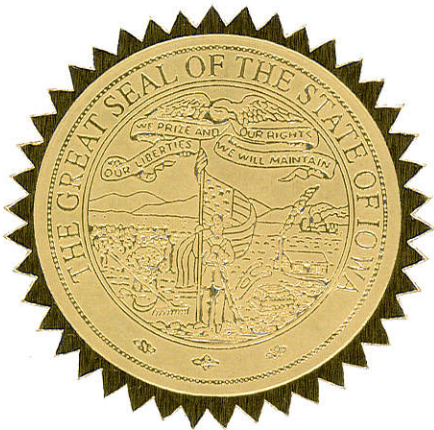
Easement No. 6100E

The **STATE OF IOWA**, pursuant to Iowa Code Section 306.45, subject to conditions listed in this easement, hereby conveys a permanent easement for rail purposes to **BNSF RAILWAY COMPANY**, and their heirs, assigns, and successors in interest in real estate in Pottawattamie County, Iowa, described as:

A parcel of land located in the NW¼ NE¼ and SW¼ NE¼ and the NW¼ SE¼ of Section 18, Township 74 North, Range 43 West of the 5th P.M., City of Council Bluffs, Pottawattamie County, Iowa, as shown on Plat of Survey Attachment C-1A, attached hereto and by this reference made a part hereof, more particularly described as follows:

Commencing at the Center of said Section 18, thence S88°22'39"E 970.49 feet along the south line of the SW¼ NE¼ of said Section 18; thence N1°37'21"E 67.93 feet to a point on the present northeasterly right of way line of Burlington Northern Railroad, the Point of Beginning; thence N2°32'06"W 116.24 feet; thence northerly 266.43 feet along a 967.86 foot radius curve, concave easterly and having a chord bearing N3°48'11"W 265.59 feet; thence N5°28'48"E 70.45 feet; thence N6°10'55"E 1415.83 feet to a point on the present westerly right of way line of Interstate Route No. 29; thence S37°05'33"E 105.76 feet along said present westerly right of way line; thence S6°10'55"W 364.95 feet; thence S83°49'05"E 17.00 feet; thence S6°10'55"W 904.50 feet; thence N83°49'05"W 17.00 feet; thence S6°10'55"W 69.37 feet; thence S5°29'19"W 68.06 feet; thence southeasterly 670.67 feet along a 895.36 foot radius curve, concave easterly and having a chord bearing S16°15'27"E 655.10 feet to a point on said present northeasterly right of way line of Burlington Northern Railroad; thence N42°36'47"W 344.05 feet along said Present northeasterly right of way line to the Point of Beginning, said parcel contains 157,979 square feet or 3.63 acres.

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.

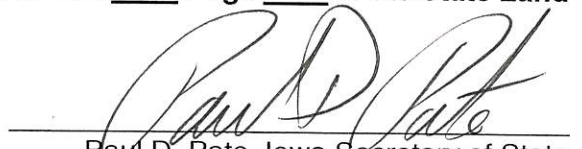


I, **Terry E. Branstad**, Governor of the State of Iowa, have caused this instrument to be issued and the Great Seal of the State of Iowa to be affixed at Des Moines, on this 6th day of June, 2016.


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 150 in the State Land Office.


Paul D. Pate, Iowa Secretary of State