IA-DE-0374

Alliance Pipeline
99 Navajo Avenue
Suite 101
Mankato, MN
56001

DELAWARE COUNTY IOWA
FILED
1998 NO 30 AM 11:08
BOOK 8 PAGE 148
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
6.00

1876

RETURN TO Farm Credit Services, PO Box 665
PREPARER: Cedar Falls, IA 50613

Kristine Ham
1-800-869-3322

Do not write above this line - recorder use only.

FCSM 5086 (3-96)

CTL2: 300 CTL3: 122 CIF: 20990 Note #: 202

Farm Credit Services

EASEMENT PRIORITY AGREEMENT

For valuable consideration, AgAmerica, FCB, formerly known as Farm Credit Bank of Omaha, Mortgagee/Beneficiary, declares that the lien of the mortgage/trust deed executed by Lawrence G. Werner and Inez T. Werner, husband and wife, and recorded in Book 115, Page 165, (or as Instrument No. 174-2739), of the real estate records of Delaware County, Iowa, is inferior to the easement for construction of natural gas pipeline purposes granted to Alliance Pipeline which easement is more particularly described as follows:

REFERENCE LINE DESCRIPTION
Being a sixty (60) foot wide permanent easement and right of way over, under and across that certain parcel of land described as the Southeast Quarter of Section 14, Township 88 North, Range 6 West, Delaware County, Iowa, said property being described in a deed recorded in Volume 111, Page 186 of the deed records of Delaware County, Iowa. Said permanent easement and right of way being fifteen (15) feet Northeasterly and forty five (45) feet Southwesterly of the following described reference line:

Beginning at a point on the West line of said Southeast Quarter of Section 14, from which the Northwest corner of said Southeast Quarter of Section 14, bears North 01°10'43" West, a distance of 1301.82 feet, being approximately sixty five (65) feet Northeasterly of and parallel with an existing 12" dome pipeline the following course and distance:

Thence South 43°55'14" East, a distance of 1850.23 feet to the terminal point on the South line of said Southeast Quarter of Section 14, from which a 1/2" iron rod found marking the Southeast corner of said Southeast Quarter of Section 14, said corner also being the common corner to Sections 13, 14, 23 and 24, bears North 89°24'17" East, a distance of 1379.32 feet, said permanent easement containing 2.51 acres of land.

TEMPORARY WORK SPACE DESCRIPTION
Being two (2) temporary work space easements, the first being a forty five (45) foot wide strip of land, parallel with and adjacent to the Northeasterly line of the above described sixty (60) foot wide permanent easement and right of way. The second being a ten (10) foot wide strip of land parallel with and adjacent to the Southwesterly line of the above described sixty (60) foot wide permanent easement and right of way, both easements extending or shortening at their sidelines to intersect with and terminate at said West and South lines of said Southeast Quarter of Section 14. The first and second temporary work space easements containing 2.39 acres of land.

Said mortgage/trust deed retains its priority in all respects except as provided

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed on the date set out in the acknowledgment.

(SEAL)

Farm Credit Services Of The Midlands, FLCA CORPORATE Seal CHARTERED SEPT. 30, 1993 OMAHA, NEB.

AgAMERICA, FCB
By Farm Credit Services of the Midlands, FLCA,
Its Agent and Attorney-in-Fact

By _____
Edward J. Narigon, Vice President

STATE OF IOWA)
) ss
COUNTY OF BLACK HAWK)

On this 13th day of November, 1998, before me, a Notary Public, personally appeared Edward J. Narigon being by me personally known, and duly sworn, did say that he is Vice President of the corporation executing the foregoing instrument; that the seal affixed to the instrument is the seal of the corporation; that the instrument was signed and sealed on behalf of the corporation by authority of its board of directors, as agent and attorney-in-fact for, and on behalf of, the AgAmerica, FCB as principal; and acknowledged the execution of the instrument to be the voluntary act and deed of the principal, the agent, and attorney-in-fact, and him/her.

NOTARIAL SEAL IOWA JOANN K. CONLON MY COMMISSION EXPIRES

Joann K. Conlon
Joann K. Conlon
Notary Public in and for said County and State

My commission expires March 26, 1999.

DATE 11-30-98 BOOK 8 PAGE 148