DELAWARE COUNTY IOWA
FILED
1999 MR -9 PM 1:00
BOOK 8 PAGE 808
DENNIS L. PEYTON
DELAWARE CO RECORDER
32.00

(X)

Prepared by: Michael J. Coyle 200 Security Bldg. Dubuque, IA 52001-6832 (319)556-4011

IN THE MATTER OF THE
CONDEMNATION OF EASEMENT RIGHTS IN
LAND BY ALLIANCE PIPELINE L.P.
TO CONSTRUCT, OWN, OPERATE
AND MAINTAIN A PIPELINE FOR THE
TRANSPORTATION OF NATURAL GAS
IN DELAWARE COUNTY, IOWA

WITHDRAWAL OF APPLICATION FOR CONDEMNATION

COMES NOW Alliance Pipeline L.P ("Alliance") and hereby withdraws it Application for Condemnation in the above-captioned proceedings EXCEPT as to the following property, designated as Tract No. IA-DE-0396:

	Description	**Owner**
1.	Described on Exhibit "A" attached hereto.	Described on Exhibit "B" attached hereto.

A hearing on Tract No. IA-DE-0396 was held February 16, 1999 and the award of the Compensation Commission has been appealed.

The Application to the Chief Judge of the First Judicial District for condemnation and for the Appointment of a Commission to Appraise Damages, filed the 15th day of December 1998 and recorded as Instrument No. 2067 in Book 8 at Page 160 of the Delaware County Records and the Amended and Reinstituted Application filed January 21, 1999 and recorded as Instrument No. 244 in Book 1999 at Page 244 of the Delaware County Records stand withdrawn and of no further force or effect as to all properties described therein EXCEPT the above-described property only, and such proceedings are dismissed without prejudice and terminated as to such other properties.

Dated this 9th day of March, 1999.

ALLIANCE PIPELINE L.P.

By: _____

Michael J. Coyle, 000001036
Fuerste, Carew, Coyle, Juergens
& Sudmeier, P.C.
200 Security Building
151 West 8th Street
Dubuque, Iowa 52001
Phone: (319) 556-4011
Fax: (319) 556-7134)
ATTORNEYS FOR APPLICANT
ALLIANCE PIPELINE L.P.

STATE OF IOWA)
) ss:
DUBUQUE COUNTY)

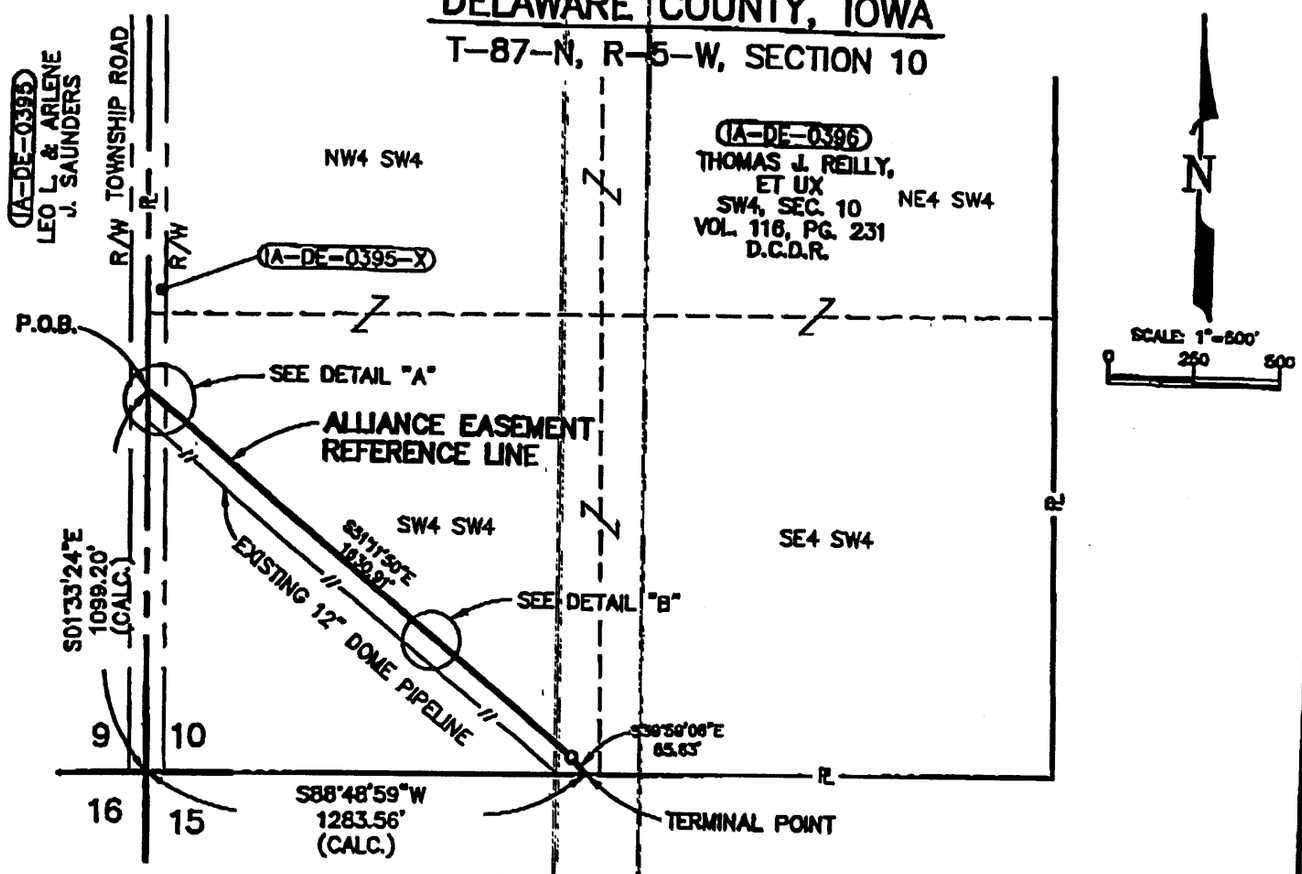
On this 9th day of March, 1999, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Michael J. Coyle of the law firm of Fuerste, Carew, Coyle, Juergens & Sudmeier, P.C., to me known to be the person named in and who executed the foregoing instrument on behalf of Alliance Pipeline L.P. and acknowledged that said person executed the same as his voluntary act and deed.

NOTARIAL SEAL IOWA
MARK J. WILLGING
MY COMMISSION EXPIRES
MAY 31, 1999

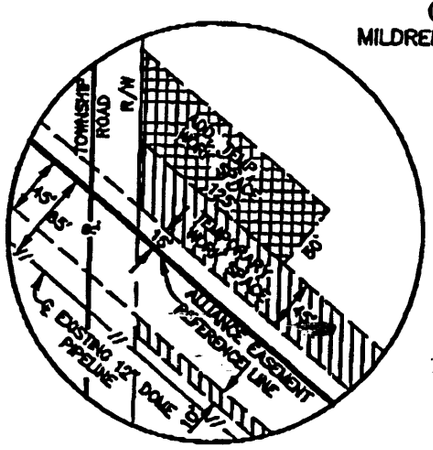
_____
Notary Public in and for said State

DELAWARE COUNTY, IOWA

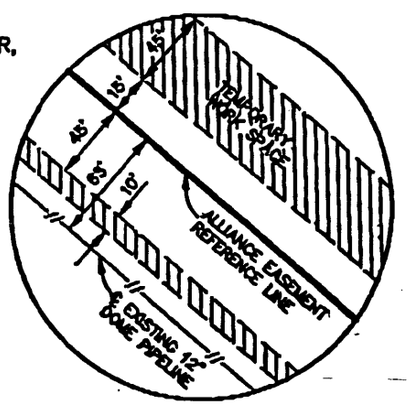
T-87-N, R-5-W, SECTION 10



(IA-DE-0397)
MILDRED S. SCHAFENACKER, ET AL



DETAIL "A"
N.T.S.



DETAIL "B"
N.T.S.

TOTAL LENGTH: 1696.54 FEET
PERMANENT EASEMENT : 2.30 ACRES
TEMPORARY WORK SPACE : 2.11 ACRES
ADD. TEMP. WORK SPACE : 0.17 ACRE

NO.	DATE	REVISION	BY	CKD.	APR.
2	9/24	SURVEY	JJE	LAG	

ALLIANCE pipeline

LINE LIST NO.: IA-DE-0396

THOMAS J. REILLY, ET UX
PROPERTY PLAT

DELAWARE COUNTY, IOWA

DRAWN BY: JSR	DATE: 7/2/98	APPROVED BY: LAG
CHECKED BY: CG	DATE: 7/2/98	DATE: 7/2/98
SCALE: 1" = 500'	DWG NO.: APL-2604A-8396P	

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 SOUTHWEST QUARTER OF SECTION 10, BEING MORE SPECIFICALLY DESCRIBED AS THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, TOWNSHIP 87 NORTH, RANGE 5 WEST, DELAWARE COUNTY, IOWA, SAID PROPERTY BEING DESCRIBED IN A DEED RECORDED IN VOLUME 116, PAGE 231 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 SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, FROM WHICH SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, SAID SOUTHWEST CORNER ALSO BEING A COMMON CORNER TO SECTIONS 9, 10, 15 AND 16, BEARS SOUTH 01°33'24" EAST, A DISTANCE OF 1099.20 FEET, BEING APPROXIMATELY SIXTY FIVE (65) FEET NORTHEASTERLY OF AND PARALLEL WITH AN EXISTING 12" DOME PIPELINE THE FOLLOWING COURSES AND DISTANCES;

THENCE SOUTH 51°11'50" EAST, A DISTANCE OF 1630.91 FEET TO A POINT;

THENCE SOUTH 39°59'06" EAST, A DISTANCE OF 65.63 FEET TO THE TERMINAL POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, FROM WHICH THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, BEARS SOUTH 88°48'59" WEST, A DISTANCE OF 1283.56 FEET, EXTENDING OR SHORTENING AT THE SIDELINES OF SAID PERMANENT EASEMENT AND RIGHT OF WAY TO INTERSECT WITH AND TERMINATE AT SAID WEST AND SOUTH LINES OF SAID SOUTHWEST QUARTER OF THE SOUTH-WEST QUARTER OF SECTION 10. SAID REFERENCE LINE BEING A TOTAL DISTANCE OF 1696.54 FEET AND SAID PERMANENT EASEMENT CONTAINING 2.30 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 THE EAST RIGHT OF WAY LINE OF A TOWNSHIP ROAD, AS DEPICTED IN DETAIL "A" AND SAID SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10. THE FIRST AND SECOND TEMPORARY WORK SPACE EASEMENTS CONTAINING 2.11 ACRES OF LAND.

ADDITIONAL TEMPORARY WORK SPACE DESCRIPTION

BEING A FIFTY (50) FOOT WIDE BY ONE HUNDRED TWENTY FIVE (125) FEET IN LENGTH (ONE HUNDRED TWENTY FIVE (125) FEET SHALL BE THE SHORTEST SIDE IN LENGTH) STRIP OF LAND, CONTIGUOUS TO SAID EAST RIGHT OF WAY LINE OF SAID TOWNSHIP ROAD, AS DEPICTED IN DETAIL "A", CONTIGUOUS TO AND PARALLEL WITH THE NORTHEASTERLY LINE OF THE ABOVE DESCRIBED FORTY FIVE (45) FOOT WIDE TEMPORARY WORK SPACE EASEMENT, CONTAINING 0.17 ACRE OF LAND.

NOTE: BEARINGS ARE BASED ON UTM ZONE 15, AND DERIVED FROM G.P.S. METHODS.

ISSUED WITH SURVEY REV. 2 DATE: 9/9/98

FILE INFO: IA396P.DWG 1=500 09/08/1998 11:02 DRS

IA-DE-0396

Thomas J. Reilly
Rose Ann Reilly
Box 176
Ryan, IA 52330

Farm Credit Bank of Omaha
n/k/a AgAmerica, FCB
c/o Dale Huffman
206 S. 19th Street
Omaha, NE 68102

Terry Ryan, et ux.
RR1
Coggon, IA 52218

Maquoketa Valley Rural Electrical Cooperative
c/o Dorothy A. Postel
109 N. Huber Street
Anamosa, IA 52205

Dome Pipeline Corporation
c/o C. T. Corporation
2222 Grand Avenue
Des Moines, IA 50312

Delaware County, Iowa
c/o Delaware County Auditor
Delaware County Courthouse
301 E. Main Street
Manchester, IA 52057

All other persons, companies, corporations, or other entities having any interest in or owning any portion of the real estate identified as Tract IA-DE-0396 as described in Exhibit "A"

EXHIBIT "B"