Del. Co. AB.

DELAWARE COUNTY IOWA
FILED
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BOOK 4008 PAGE 4328
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
12.00

Preparer Information: Leonard, Street and Deinard c/o David G. Baratti,
150 S. Fifth Street, Suite 2300, Minneapolis, Minnesota 55402; phone (612) 335-1500

Space above this line for recorder

Site No. 12-046 – Manchester (Easement B & C)

GRANT OF EASEMENT

For valuable consideration, receipt of which is acknowledged, GARY R. NIEMAN and ZETA F. NIEMAN, husband and wife, as tenants in common ("***Grantors***"), do hereby grant and convey to IOWA RSA #12, LLC, a Wisconsin limited liability company ("***Grantee***"), whose address is 450 Security Blvd., Green Bay, WI 54313, the easement described in **Exhibit A** attached hereto (hereafter the "***Easement***"), together with all hereditaments and appurtenances belonging thereto.

Grantors hereby covenant with Grantee, and its successors in interest, that

1. Grantors have good and lawful authority to convey the Easement; and
2. This grant conveys after-acquired title; and
3. Grantors have not made, done, executed or suffered any act or thing whereby the above-described Easement or any part thereof, now or at any time hereafter, shall or may be imperiled, charged or encumbered in any manner, and Grantors will warrant and defend the title to the above-described Easement against all persons claiming the same from or through Grantors as a result of any such act or thing; and
4. The Easement is appurtenant to Grantee's real property serviced by the Easement ("***Benefited Property***") which Benefited Property is described as Parcel E in the NW 1/4 of the SW 1/4 Section 6, T88N, R5W of the Fifth P.M., Delaware County, Iowa according to plat recorded in Book 8 Plats, Page 90; and

5. The Easement shall inure to the benefit of Grantee and the successive owners of the Benefited Property and shall be binding upon Grantors and the successive owners of the Easement property.

GRANTORS have executed this Grant of Easement effective as of October 15, 2003.

Gary R. Nieman
GARY R. NIEMAN

Zeta F. Nieman
ZETA F. NIEMAN

STATE OF IOWA)
) SS.
COUNTY OF Delaware)

BEFORE ME, a Notary Public in and for said county and state, personally appeared **Gary R. Nieman** and **Zeta F. Nieman**, husband and wife, who acknowledged before me that the foregoing instrument was executed for the purposes therein stated and as their act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Manchester, said county and state, this 12th day of February, 2004.

John Heffernan
Notary Public, Delaware County, Iowa
My Commission: 2-19-05

2-19-05

EXHIBIT A
LEGAL DESCRIPTION OF EASEMENT

Manchester #12-046 – Delaware County, Iowa.

A nonexclusive easement appurtenant to the Benefited Property for pedestrian and vehicular access, ingress and egress and installation and maintenance of driveway and utility improvements (***"Easement"***) over, upon, and across the following described real property:

Parcel 1 (Easement Area B)

A strip of land 30 feet in width located within the West 50 feet of the North 300 feet of Parcel B in the SW 1/4 of Section 6, T88N, R5W of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 7 Plats, Page 96.

To the extent possible, Grantee and Grantee's successors, assigns and lessees shall use the existing private driveway located on the Parcel 1 property described above when accessing and servicing the Benefited Property pursuant to the Easement.

Parcel 2 (Easement Area C)

Commencing at the Northwest corner of the Southwest Fractional Quarter of Section 6, Township 88 North, Range 5 West of the Fifth Principal Meridian, thence South 88 degrees 54 minutes East 780.4 feet along the North line of the Northwest Quarter of the Southwest Fractional Quarter of said Section 6; thence South 46 degrees 35 minutes West 418.6 feet; thence Southwesterly 266.5 feet along a 663.0 feet radius curve, concave Southeasterly and tangent to the preceding course; thence South 61 degrees 14 minutes West 103.1 feet; thence South 24 degrees 30 minutes West 106.9 feet; thence South 00 degrees 23 minutes East 550.00 feet; thence South 8 degrees 08 minutes West 105.0 feet to the POINT OF BEGINNING OF THE EASEMENT TO BE DESCRIBED *(Said Point of Beginning being the intersection of the East line of Highway No. 13 and the South boundary line of the tract of land described in Warranty Deed recorded in Book 112, L.D., Page 174. Said Point of Beginning also being the Northwest corner of Parcel B in the Southwest Quarter of Section 6, T88N, R5W, according to the plat recorded in book 7 of Plats, Page 96)*; thence North on the East line of said Highway No. 13 a distance of forty five (45) feet; thence Southeasterly a distance of seventy five (75) feet to the northerly boundary of Parcel B per plat recorded in book 7 of Plats, Page 96 (*said northerly boundary of Parcel B also being the South line of the tract described in Warranty Deed recorded in Book 112, L.D., Page 174*); thence Southwesterly seventy five (75) feet to a point on the East line of said Highway No. 13 which is forty five (45) feet South of the point of beginning; thence North along the East boundary line of said Highway No. 13 to the point of beginning.

The Easement over Parcel 2 above includes, to the extent necessary, a nonexclusive assignment of Grantor's rights in the easement as granted and reserved in the Warranty Deed recorded in Book 112, L.D., Page 174.