Book 2019 Page 2397
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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

W.O. No.: 01123855
Line No.: IAB73701

EAV

Prepared by and return to: Jason Gould, Northern Natural Gas Company, 8101 Birchwood Court Ste. F, Attn: Right of Way Department, Johnston, IA 50131: 402-530-2011

PIPELINE FACILITY EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS:

That the undersigned (hereinafter referred to as "Grantor" whether one or more), for and in consideration of the sum of Ten and No/100 Dollars ($10.00) and other valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, convey, and warrant unto NORTHERN NATURAL GAS COMPANY, a Delaware corporation (hereinafter referred to as "Grantee"), the right, privilege, and easement to construct, inspect, repair, maintain, operate, replace, and remove below ground and above ground natural gas facilities, including launchers/receivers, regulating and measuring stations, buildings, valves, fencing and appurtenances thereto (including, without limitation, cathodic protection equipment), upon the following described lands situated in the County of ~~Dubuque~~ Delaware, and State of Iowa; to-wit:

"EXIBIT A"

TO HAVE AND TO HOLD unto said Grantee, its successors and assigns, so long as such facilities and appurtenances thereto shall be maintained, together, with the right of ingress to and egress from said premises, for the purpose of constructing, inspecting, repairing, maintaining, operating, replacing, and removing the property of the Grantee located thereon, or the removal thereof, in whole or in part, at the will of the Grantee.

It is agreed that the facilities, fencing, and appurtenances thereto to be constructed upon the above-described lands shall not become affixed to the realty in the sense of permanent fixtures forming part of the freehold, but that they shall remain personal property, with the right of removal by the Grantee as herein provided.

Grantee shall at all times indemnify, protect, and hold harmless Grantor from any and all loss, damage, claims, or liabilities legally established arising out of or growing from the construction, operation, maintenance, and removal of said facilities and appurtenances thereto.

TO THE FULLEST EXTENT PERMITTED BY LAW, EACH OF THE PARTIES HERETO WAIVES ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN RESPECT OF LITIGATION DIRECTLY OR INDIRECTLY ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS AGREEMENT. EACH PARTY FURTHER WAIVES ANY RIGHT TO CONSOLIDATE ANY ACTION IN WHICH A JURY TRIAL HAS BEEN WAIVED WITH ANY OTHER ACTION IN WHICH A JURY TRIAL CANNOT BE OR HAS NOT BEEN WAIVED, AND AGREES ANY SUCH ACTIONS MAY NOT IN ANY EVENT BE CONSOLIDATED TOGETHER.

W.O. No.: 01123855
Line No.: IAB73701

Signed and delivered this 15 day of March, 2019.

GRANTORS:

Boge Land LLC.

James A. Boge

James A. Boge

STATE OF Iowa)
)SS
COUNTY OF Delaware)

The foregoing instrument was acknowledged before me this 15th day of March, 2019, by James A. Boge.

(SEAL)

CAROLYN KLEIN
Commission Number 790809
My Commission Expires
07-01-2021

Carolyn Klein
Notary Public
My Commission Expires 07-01-2021

STATE OF)
)SS
COUNTY OF)

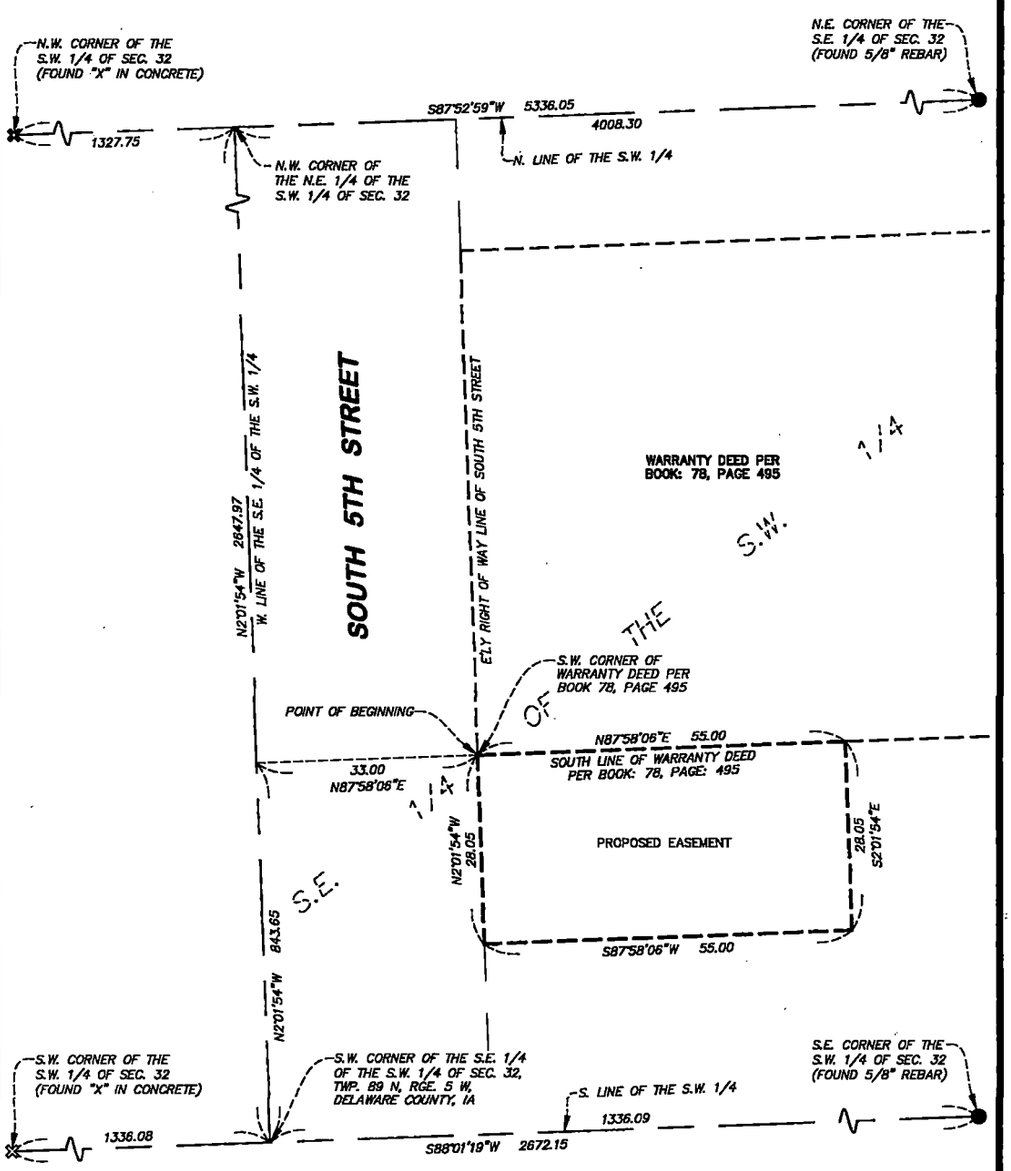
The foregoing instrument was acknowledged before me this _____ day of _____, 2019, by _____.

(SEAL)

Notary Public
My Commission Expires_____

EASEMENT EXHIBIT

-FOR- Northern Natural Gas



LEGEND

- ● FOUND IRON MONUMENT
- ⊠ FOUND "X" IN CONCRETE

SUMMARY

EASEMENT AREA
1,543 sq. ft. / 0.03541 acres

0 20 40
SCALE IN FEET

Bearings based on NAD 83,
Iowa State Plane, North Zone grid system

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

Date: February 25, 2019

LICENSED LAND SURVEYOR
JASON D. THOMPSON
17898
IOWA

Jason D. Thompson
Iowa License No. 17898

Egan, Field & Nowak, Inc.
Land surveyors since 1872
1229 Tyler Street NE, Suite 100
Minneapolis, Minnesota 55413
PHONE: (612) 466-3300
FAX: (612) 466-3383
WWW.EFNSURVEY.COM

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EXHIBIT "A"
EASEMENT EXHIBIT
S.E 1/4 OF THE S.W 1/4 SEC. 32, TOWNSHIP 89 N, RANGE 5 W, DELAWARE COUNTY, IOWA

Northern Natural Gas

FILE NO. 01123855

SHEET 1 OF 2

C149/08

EFN FILE NO. 1661

EFN PROJECT NO. 38382

EASEMENT EXHIBIT

–FOR–

Northern Natural Gas

A perpetual easement for pipeline facilities purposes over, under and across part of the following described parcel:

A tract of land in the Southeast Quarter of the Southwest Quarter of Section 32, Township 89 North, Range 5 West of the 5th P.M., described as follows: Beginning at a point 843.65 feet North and 33 feet East of the Southwest corner of the Southeast Quarter of the Southwest Quarter of said Section 32; thence North 75 feet; thence East 125 feet; thence South 75 feet; thence West 125 feet to the point of beginning, containing 0.22 acres, more or less.

Said facilities easement is described as follows:

Commencing at the southeast corner of the Southwest Quarter of said Section 32; thence South 88 degrees 01 minute 19 seconds West, bearings based on the Iowa State Plane, North Zone Coordinate System, along the south line of said Southwest Quarter, a distance of 1336.09 feet to the southwest corner of said Southeast Quarter of the Southwest Quarter; thence North 02 degrees 01 minute 54 seconds West, along the west line of said Southeast Quarter of the Southwest Quarter, a distance of 843.65 feet; thence North 87 degrees 58 minutes 06 seconds East, a distance of 33.00 feet to the east right of way line of South 5th Street and the southeast corner of the parcel as described in Warranty Deed per Book: 78, Page: 495 and the point of beginning of said easement to be described; thence North 87 degrees 58 minutes 06 seconds East, along the south line of last said parcel, a distance of 55.00 feet; thence South 02 degrees 01 minute 54 seconds East, a distance of 28.05 feet; thence South 87 degrees 58 minutes 06 seconds West, a distance of 55.00 feet to said right of way line; thence North 02 degrees 01 minute 54 seconds West, along said right of way line, a distance of 28.05 feet to the point of beginning.

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