

Courthouse at Winterset
Madison County, Iowa
Built in 1876 of native limestone.

Madison County Office of Zoning and Environmental Health

Scott J. Vander Hart, Administrator

REGS No
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FEE'S _____

COMPLETED
RECORDED
INDEXED

FILED NO. **004299**
BOOK 46 PAGE 344
2000 MAY 16 PM 2:01
MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

SPECIAL USE PERMIT AND VARIANCE

PERMIT NO: 2334

DATE: May 9, 2000

After the Public Hearing held on May 2, 2000, the Madison County Board of Adjustment hereby grants a Special Use Permit and Variance to Digital Teleport, Inc. on the following described real estate:

EXHIBIT A

The Special Use Permit and Variance will allow the construction of a 24 ft x 32 ft x 12 ft building to house light regenerating equipment on 0.248 acres

A Special Use Permit is granted to allow a Public Utility Service Company to construction a building as required by Section 14 "SPECIAL USES" L.

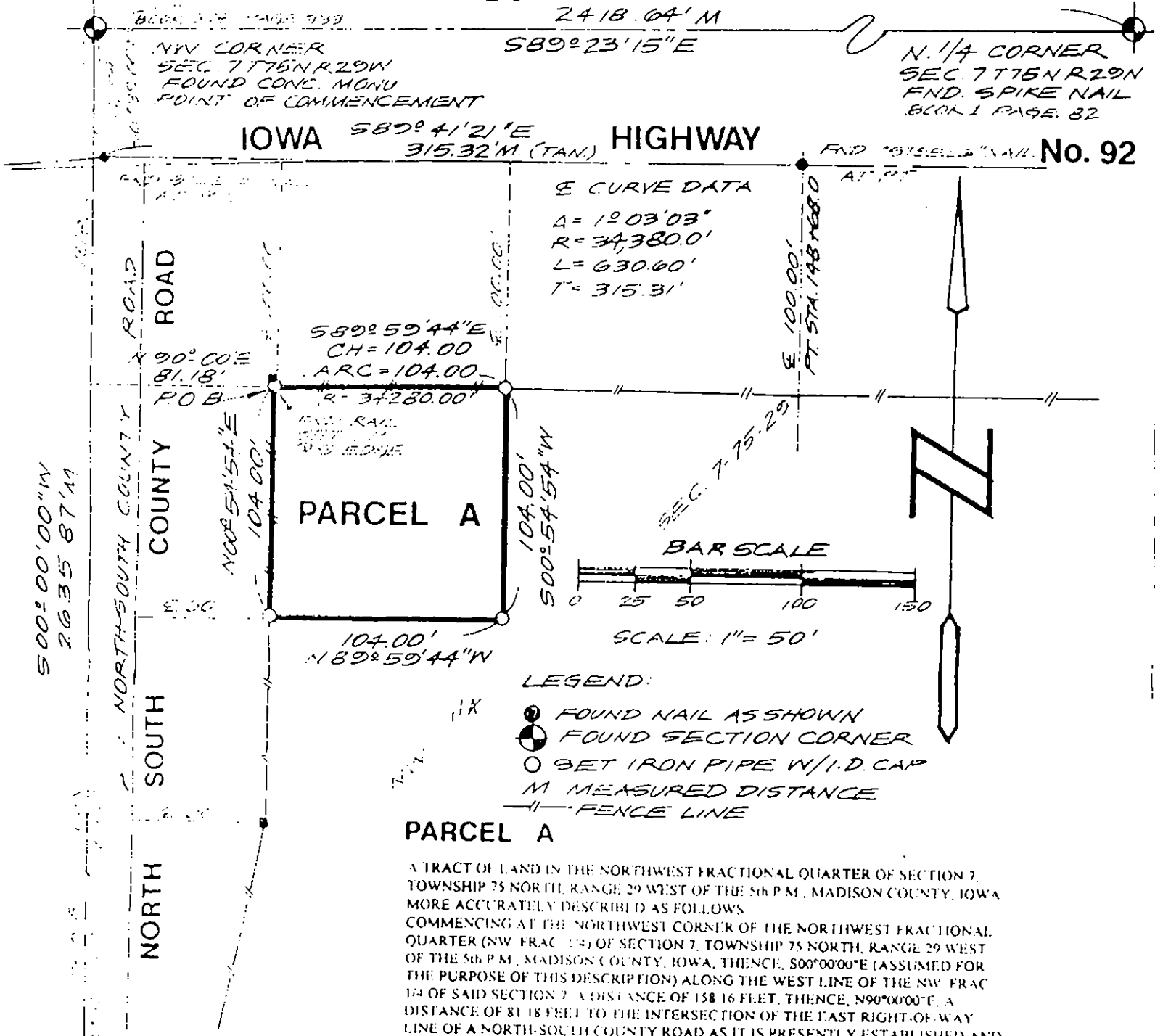
A Variance of 2.752 acres and a Variance of ten (10) feet on the front yard set back and ten (10) feet on the back yard set back has also been granted. These Variance were granted under the provision of Section 17, D.1.(b)(c) and D.2. (a) through (g).

Donald Lynch
Donald Lynch, Chairperson
Madison County
Board of Adjustment

EXHIBIT A

PREPARED BY: JOEL R. ROMEY BISHOP ENGINEERING CO., INC 3503 104TH STREET URBANDALE IOWA 50322 PH.(515) 276-0467

PLAT OF SURVEY



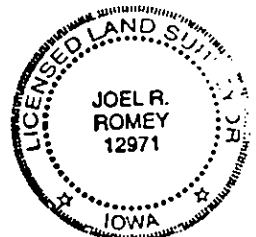
PARCEL A

A TRACT OF LAND IN THE NORTHWEST FRACTIONAL QUARTER OF SECTION 7, TOWNSHIP 75 NORTH, RANGE 29 WEST OF THE 5th P.M., MADISON COUNTY, IOWA MORE ACCURATELY DESCRIBED AS FOLLOWS COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST FRACTIONAL QUARTER (NW FRAC 1/4) OF SECTION 7, TOWNSHIP 75 NORTH, RANGE 29 WEST OF THE 5th P.M., MADISON COUNTY, IOWA, THENCE, S00°00'00"E (ASSUMED FOR THE PURPOSE OF THIS DESCRIPTION) ALONG THE WEST LINE OF THE NW FRAC 1/4 OF SAID SECTION 7, A DISTANCE OF 158.16 FEET, THENCE, N90°00'00"E, A DISTANCE OF 81.18 FEET TO THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF A NORTH-SOUTH COUNTY ROAD AS IT IS PRESENTLY ESTABLISHED AND THE SOUTH RIGHT-OF-WAY LINE OF IOWA HIGHWAY No. 92 AS IT IS PRESENTLY ESTABLISHED AND TO THE POINT OF BEGINNING, THENCE EASTERLY ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID IOWA HIGHWAY No. 92 AND ALONG A 34,280.00 FEET RADIUS CURVE CONCAVE SOUTHERLY, A DISTANCE OF 104.00 FEET, SAID CURVE HAVING A CHORD BEARING OF S89°59'44"E AND A CHORD LENGTH OF 104.00 FEET, THENCE, S00°54'54"W ALONG A LINE PARALLEL WITH AND 104.00 FEET EAST OF THE EAST RIGHT-OF-WAY LINE OF SAID NORTH-SOUTH COUNTY ROAD, A DISTANCE OF 104.00 FEET; THENCE, N89°59'44"W, A DISTANCE OF 104.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID NORTH-SOUTH COUNTY ROAD, THENCE, N00°54'54"E ALONG THE EAST RIGHT-OF-WAY LINE OF SAID NORTH-SOUTH COUNTY ROAD, A DISTANCE OF 104.00 FEET TO THE POINT OF BEGINNING

SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD
 SAID TRACT OF LAND CONTAINS 0.248 ACRES MORE OR LESS

PROPRIETORS:
 AUDRA W. RICE
 MAIZIE L. RICE
 ROGER L. RICE
 SHERRY RICE
 R. R. 2 BOX 179
 GREENFIELD, IOWA
 50849

SURVEY FOR:
 DIGITAL TELEPORT INC.
 c/o DICKINSON MACKAMAN TYLER & HAGEN, P.C.
 1000 HUB TOWER
 399 WALNUT STREET
 DES MOINES, IOWA 50309-3986



DATE OF FIELD WORK: 03 FEB 2000