

**THIRD RELEASE OF RETAINED RIGHTS BY MARTIN MARIETTA CORPORATION**

Martin Marietta Corporation gave a Special and General Warranty Deed (Corporate) to Kenneth A. Bellamy, Doris Bellamy, Jack E. Bellamy and Marlys Bellamy, dated June 29, 1982, and recorded August 16, 1982, in Deed Record 116 on Page 154, which covered the real property described in the attached and incorporated Exhibit "A", plus additional real property. As part of that Special and General Warranty Deed (Corporate), Martin Marietta Corporation retained certain rights to prohibit the sale of limestone, rock or aggregate extracted from the said premises for resale in commercial quantities for a period 30 years from the date of delivery of the deed and retained a right of first refusal should anyone make an offer to lease or buy any part of the premises covered by the deed for the purpose of removing from the premises limestone, rock, stone or aggregate for use in the manufacture of Portland Cement, as well as the right to notice of any such sale or lease and rights under a specific procedure to exercise the right of first refusal. Martin Marietta Corporation thereafter assigned such rights to Martin Marietta Materials, Inc. (Materials) on November 12, 1993. Materials is satisfied that because of the location of the property described in the attached Exhibit "A" with relationship to the developed part of the City of Winterset, Iowa, the property will not be used in the immediate future for the purpose of removing limestone, rock, stone or aggregate for use in the manufacture of Portland Cement.

Materials therefore releases all rights retained by it in the real property described in the attached incorporated Exhibit "A", under the above described Special and General Warranty Deed (Corporate) dated June 29, 1982, and recorded August 16, 1982, in Deed Record 116, on Page 154 in the office of the Madison County, Iowa Recorder.

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 BOOK 59 PAGE 64  
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 MICHELLE UTSLER  
 RECORDER  
 MADISON COUNTY, IOWA

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 R.M.F.



## DESCRIPTION:

A parcel of land in the Northeast Quarter of Section 31, Township 76 North, Range 27 West of the 5th P.M., Cjty of Winterset, Madison County, Iowa; described as commencing at the North Quarter Corner of said Section 31, thence South 89°02'11" East 1070.01 feet along the North line of the Northeast Quarter of said Section 31 to the Northeast Corner of Bellamy Addition to Winterset, Iowa Plat No. 1 which is the Point of Beginning; thence South 00°00'00" 935.86 feet; thence South 00°00'56" West 1404.76 feet to the Southeast Corner of Bellamy Addition to Winterset, Iowa, Plat No. 2; thence South 89°20'34" East 572.07 feet; thence North 00°00'00" 2337.57 feet to the North line of the Northeast Quarter of said Section 31; thence North 89°02'11" West 571.73 feet to the Point of Beginning. Said parcel is divided into Lot "A" which is Buchanan Street; Lot "B" which is a future Street; Lot "C" which is Iowa Highway No. 92 right-of-way and lots 1,2, and 3 containing acreage as noted for a total area of 30.7030 acres.

EXHIBIT A

