

Position 5

UNITED STATES DEPARTMENT OF AGRICULTURE
Farmers Home Administration

QUITCLAIM DEED

The UNITED STATES OF AMERICA, acting through the Administrator of the Farmers Home Administration, United States Department of Agriculture, CONVEYS and QUITCLAIMS to Larry A. Hughes and Marilyn L. Hughes, as joint tenants with rights of survivorship and not as tenants in common.

for the sum of \$1 (One Dollar and other valuable consideration).

all interest in the following described real estate situated in the County of Madison, State of Iowa,

to wit: See Attachment B

Subject to: See Attachment A

Subject to: U.S. Fish & Wild Life Service
Conservation Easement
Exhibit 1 and Exhibit A

FILED NO. 996

BOOK 128 PAGE 225

90 NOV -2 PM 4: 23

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee \$ 80.00
Transfer \$ 35.00

This instrument in which
the United States is
grantor is excepted from
the Iowa Transfer tax by
I.C.A. 428A.2

IND.
REC.
PAGE

United States of America

By 

R.R. Pim, State Director
Farmers Home Administration
873 Federal Building
210 Walnut
Des Moines, IA. 50309

FmHA 1955-49(Rev. 10-28-81)

This deed is executed and delivered pursuant to the provisions of

authority set forth in 7 CFR 1900, Subpart A.

No member of Congress shall be admitted to any share or part of this deed or to any benefit that may arise therefrom.

Dated September 25, 1990

UNITED STATES OF AMERICA (Grantor)

By R.R. Pim

R.R. Pim
State Director
Farmers Home Administration
United States Department of
Agriculture

In the presence of:

A C K N O W L E D G M E N T

STATE OF IOWA)
) SS
COUNTY OF POLK)

On this 25th day of September, 1990, before me, a Notary Public in and for the State of Iowa, personally appeared R.R. Pim, to me personally known, who being by me duly sworn, did say that he is the State Director of the Farmers Home Administration for the State of Iowa, United States Department of Agriculture, and acknowledged that he executed the foregoing instrument as the voluntary act and deed of the United States of America, pursuant to authority duly conferred upon him.

Dorothy I. Jamison

Dorothy I. Jamison
Notary Public



My Commission Expires 8-26-91

Attachment A

Deed Restriction

As long as this property is to be used for farming purposes as defined in Iowa Code §172 C.1 (6) (1985); the purchaser ("Grantee" herein) of the above described real property (the "subject property" herein) covenants and agrees with the United States acting by and through Farmers Home Administration (the "Grantor" herein) that the subject property must be farmed and or operated in accordance with an approved conservation plan that meets the requirements of the United States Department of Agriculture Soil Conservation Services "Field Office Technical Guide" as amended for the local conservation district as provided for in accordance with the Food Security Act of 1985. This covenant shall be binding on Grantee and Grantee's heirs, assigns and successors and will be construed as both a covenant running with the subject property and as an equitable servitude. This covenant will be enforceable by the United States in a court of competent jurisdiction.

Attachment B

The South Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Twenty-two (22), in Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa,

AND

The Southeast Quarter ($\frac{1}{4}$) of Section Twenty (20), and a tract of land described as follows: - Commencing at the Northwest corner of Section Twenty-eight (28) and running thence East 26 rods, thence South 7 rods, thence in a Northwesterly direction on a straight line to a point $5\frac{1}{2}$ rods South of the place of beginning, thence North to the place of beginning, all in Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa,

AND

Commencing at the Southeast corner of Section Nine (9) and running thence West 20 chains to the Southwest corner of the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of said Section, thence North 14.50 chains to Middle River, thence South, 74° East, 7 chains, thence South, 34° East, 7.50 chains, thence South, 59° East, 9.66 chains to the East line of said Section, thence South 3.69 chains to the place of beginning, containing 17.48 acres; also the following-described tract of land, to-wit: - Commencing at the Southwest corner of Section Ten (10) and running thence North 3.69 chains to Middle River, thence South, 76° East, 7 chains, thence South, 58° East, 4.25 chains, thence North, 71° East, 10.27 chains to the East line of the Southwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of said Section Ten (10), thence South 3.30 chains to the Section line, thence West 20 chains to place of beginning, containing 3.75 acres; also the following-described tract of land, to-wit: - Commencing at the Southwest corner of the Southeast Quarter ($\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Ten (10) and running thence North 3.30 chains to Middle River, thence North, 79° East, 6.54 chains, thence South, 20° East, 4.75 chains to the Section line, thence West 8 chains to the place of beginning, containing 2.86 acres; also the following-described tract of land, to-wit: - Commencing at the Northwest corner of the Northeast Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Fifteen and running thence East 8 chains to Middle River, thence down Middle River South, 13° West, to the South line of said 40-acre tract, thence West 3 chains to the Southwest corner of said 40-acre tract, thence North 20 chains to the place of beginning, containing 11 acres, and the Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Fifteen (15), excepting from said land in Section Fifteen (15) the following-described tract of land, to-wit: - Commencing at a point 1306.59 feet North and 143.94 feet East of the West Quarter ($\frac{1}{4}$) corner of said Section Fifteen (15), running thence North $26^{\circ} 25' 30''$ East 234 feet along the centerline of county road, thence Northeasterly 261.65 feet

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along said centerline being a 286.48 foot radius curve concave South-easterly (chord North 52° 36' 44" East 252.65 feet), thence North 1° 02' 22" East 308.72 feet, thence North 88° 57' 51" West 319.15 feet, thence South 0° 43' 45" East 677.46 feet to the point of beginning, containing 3.12 acres more or less, and also excepting all that part of the North Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Fifteen (15) lying South of the county road and West of Middle River, and also excepting the following-described tract of land, to-wit: - Commencing at a point 70 feet East of the Southwest corner of the Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Fifteen (15) and on the South line thereof, thence continuing South 89° 25' 30" East 75.8 feet along said South line, thence North 0° 15' 40" East 683 feet, thence North 89° 25' 30" West 82 feet to a point of intersection with the Easterly right of way line of Madison County Highway #53, thence South 0° 15' 50" East 683.1 feet along said Easterly right of way line to the point of beginning, containing 1.2 acres more or less; and the North Half of the Northeast Quarter ($\frac{1}{4}$) of Section Sixteen (16); all in Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, and all subject to easements for public highways.

Exhibit 1

Conservation Easement Reservations in the United States

By this instrument there is reserved in the UNITED STATES OF AMERICA, its successors and assigns, a perpetual conservation easement on the property conveyed by this deed.

This easement is under the authority and in furtherance of the provisions of federal law, including sections 331 and 335 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981, 1985), Executive Order 11990 providing for the protection of wetlands, and Executive Order 11988 providing for the management of floodplains. The restrictions and covenants contained in this easement constitute a perpetual servitude on and run with the property. The Grantee and all successors and assigns ("landowner") under this deed covenants with the United States to do or refrain from doing, severally and collectively, the various acts mentioned later in this easement. The United States is reserved the rights enumerated in this easement for itself and its successors, agents and assigns.

I. Description of the Easement Area.

T. 75 N., R. 29 W., 5th P.M.

A Conservation Easement on that part of the Northwest Quarter of the Northeast Quarter of Section 16, Township 75 North, Range 29 West of the 5th Principal Meridian, Madison County, Iowa, described as follows:

Beginning at the Northwest corner of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 16, T75N, R29W of the 5th P.M., Madison County, Iowa; thence along the North line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, North 88°29'52" East 540.00 feet; thence South 18°04'59" East 1,367.75 feet to the South line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence along said South line, South 88°57'52" West 970.00 feet to the Southwest Corner of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence North 00°14'89" East 1,303.57 feet to the point of beginning. Said easement area contains 22.636 Acres.

AND

A Conservation Easement on that part of the Southeast Quarter of the Southeast Quarter of Section 9, Township 75 North, Range 29 West of the 5th Principal Meridian, Madison County, Iowa, more particularly described as follows:

Commencing at the Southeast Corner of Section 9, T75N, R29W of the 5th P.M., Madison County, Iowa; thence, along the East line of said Section 9, North 00°05'30" West 43.71 feet to the Point of Beginning. Thence North 70°03'30" West 573.85 feet; thence North 57°36'22" West 946.11 feet to the West line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 9; thence, along said West line, North 00°16'47" East 457.27 feet to the centerline of Middle River; thence along said centerline, South 38°09'15" East 232.10 feet; thence

South 03°30'27" West 133.84 feet; thence South 54°17'56" East 115.86 feet; thence South 86°03'36" East 212.97 feet; thence North 75°48'16" East 334.02 feet; thence South 24°35'32" East 251.96 feet; thence South 55°44'52" East 378.08 feet; thence South 23°24'32" East 75.93 feet; thence South 46°05'30" East 169.70 feet to the East line of said Section 9; thence, departing said centerline of Middle River and along said East line, South 00°05'30" East 214.12 feet to the Point of Beginning. Said Easement Area contains 11.836 Acres.

AND

A Conservation Easement on that part of the South Half of the Southwest Quarter of Section 10, and that part of the Northwest Quarter of the Northwest Quarter of Section 15, all in Township 75 North, Range 29 West of the 5th Principal Meridian, Madison County, Iowa, more particularly described as follows:

Commencing at the Southwest Corner of Section 10, T75N, R29W of the 5th P.M., Madison county, Iowa; thence along the West line of said Section 10, North 00°05'30" West 43.71 feet to the point of beginning. Thence continuing along said West line, North 00°05'30" West 214.12 feet to the centerline of Middle River; thence along said centerline, South 60°44'00" East 183.60 feet; thence South 63°04'02" East 391.07 feet; thence South 89°34'36" East 281.84 feet; thence North 67°45'42" East 896.52 feet; thence North 85°57'20" East 80.85 feet; thence South 59°11'27" East 76.31 feet; thence South 27°53'09" East 86.14 feet; thence south 12°50'19" East 116.66 feet; thence South 03°25'54" East 103.69 feet to the South line of said Section 10; thence, departing said centerline of Middle River and along said South line, South 89°57'25" West 150.13 feet; thence North 07°40'04" West 184.30 feet; thence South 67°57'50" West 922.35 feet; thence North 89°34'07" West 327.95 feet; thence North 63°30'37" West 424.96 feet; thence North 82°11'11" West 101.71 feet to the point of beginning. Said Easement Area contains 7.222 Acres.

AND

A Conservation Easement on that part of the Northeast Quarter of the Northwest Quarter of Section 15, Township 75 North, Range 29 West of the 5th Principal Meridian, Madison County, Iowa, more particularly described as follows:

Commencing at the Northwest Corner of Section 15, T75N, R29W of the 5th P.M., Madison County, Iowa; thence, along the North line of said Section 15, North 89°57'25" East 1,688.55 feet to the point of beginning. Thence continuing along said North line, North 89°57'25" East 150.13 feet to the centerline of Middle River; thence along said centerline South 03°25'54" East 38.76 feet; thence South 12°30'08" West 344.02 feet; thence South 19°04'51" West 210.79 feet; thence South 12°05'56" West 361.25 feet to the centerline of an Abandoned County Road; thence departing said centerline of Middle River and along said centerline of an Abandoned County Road, South 89°57'25" West 161.30 feet; thence North 13°48'52" East 954.61 feet to the point of beginning. Said Easement Area contains 3.413 Acres.

AND

Access across the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 16, Township 75 North, Range 29 West of the 5th Principal Meridian, Madison County, Iowa

The easement area is shown on the attached Exhibit A.

II. Covenants by the Landowner

- A. No dwellings, barns, outbuildings or other structures shall be built within the easement area.
- B. The vegetation or hydrology of the described easement area will not be altered in any way or by any means or activity on the property conveyed by this deed, or property owned or under the control of the landowner, including (1) cutting or mowing; (2) cultivation; (3) grazing;¹ (4) harvesting wood products; (5) burning; (6) placing of refuse, wastes, sewage, or other debris; (7) draining, dredging, channeling, filling, discing, pumping, diking, impounding and related activities, or (8) diverting or affecting the natural flow of surface or underground waters into, within, and out of the easement area.
- C. Notwithstanding the provisions of paragraph II-B above, the landowner shall be responsible for compliance with all federal, state and local laws for the control of noxious or other undesirable plants on the easement area. The responsibility for such plant control may be assumed in writing by and at the option of the easement manager where the control or manipulation of such plants is deemed by the manager to affect easement management programs or policies.²
- D. Cattle or other stock shall not be permitted on the easement area, except that the easement manager shall permit access to and use of waters within the area necessary for stock watering under such terms and conditions as the easement manager deems necessary to protect and further the purposes of this easement, provided:
- (1) the easement manager bears the costs of building and maintaining fencing or other facilities reasonably necessary to preclude stock from entering the easement area; and

¹If cattle are to be excluded, the burden of fence construction and maintenance is the responsibility of the easement manager. If the fencing is not constructed, the landowner cannot be required to keep his stock out of the easement area.

²The landowner, as stated in the conservation easement language, is responsible for weed control within the easement area. The method of control will be chosen in consultation with the easement manager and can include mowing, cutting or spraying. The landowner will not be prohibited from controlling weeds, as required by law, by appropriate methods. If it is deemed desirable by the easement manager, the responsibility for weed control can be assumed by the manager.

- (2) access for stock watering need not be permitted where other waters are reasonably available from other sources outside the easement area.

III. Rights Reserved in the United States.

The United States, on behalf of itself, its successors or assigns, reserves and retains the right, at its sole discretion, to manage the easement area including the following authorities:

- A. The right of ingress and egress to conduct wetlands management, monitoring, and easement enforcement activities. The easement manager may utilize any reasonably convenient route of access to the easement area access across Section 14, the W $\frac{1}{2}$ SW $\frac{1}{4}$. However, the landowner may provide a designated route to and from the easement area so that damage to farm operations can be reasonably avoided.
- B. The right to install, operate, and maintain structures for the purpose of reestablishing, protecting, and enhancing wetlands functional values including the taking of construction materials to and from said sites.
- C. The right to establish or reestablish vegetation through seedings, plantings, or natural succession.
- D. The right to manipulate vegetation, topography and hydrology on the easement areas through diking, pumping, water management, excavating, island construction, burning, cutting, pesticide application, fertilizing, and other appropriate practices.
- E. The right to conduct predator management activities.
- F. The right to construct and maintain fences in order to prevent grazing or other types of encroachment on the easement area.
- G. Notwithstanding permissive provisions of State or Federal law, the right to prohibit or regulate hunting or fishing or other taking of migratory birds, fish and wildlife. This right to prohibit any of these activities shall be effected by (1) the easement manager posting the area, or (2) otherwise giving notice of the prohibitions to the landowner.
- H. The right to exclude landowner and or public entry, if such entry is deemed to pose a threat to fish and wildlife or their habitat.

IV. Easement Management and Administration.

- A. All right, title and interests of the United States in this easement are assigned to the Secretary of the Interior for administration by the United States Fish and Wildlife Service as part of the National Wildlife Refuge System pursuant to the National Wildlife Refuge System Administration Act, 16 U.S.C. 668dd et.seq. The U.S. Fish and Wildlife Service may enforce all the terms and conditions of this easement, along with exercising all rights and powers reserved in this easement

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 through such general or specific regulations or orders as have been or may be, from time to time, promulgated under the authority of the Secretary of the Interior. Notwithstanding the above rights in paragraphs III. A through H retained by the United States, the U.S. Fish and wildlife Service may permit the landowner to pursue such activities on said sites as would be consistent with the preservation and enhancement of floodplain and wetland functional values.

B. As used in this easement, the term "easement manager" shall refer to the authorized official of the U.S. Fish and Wildlife Service.

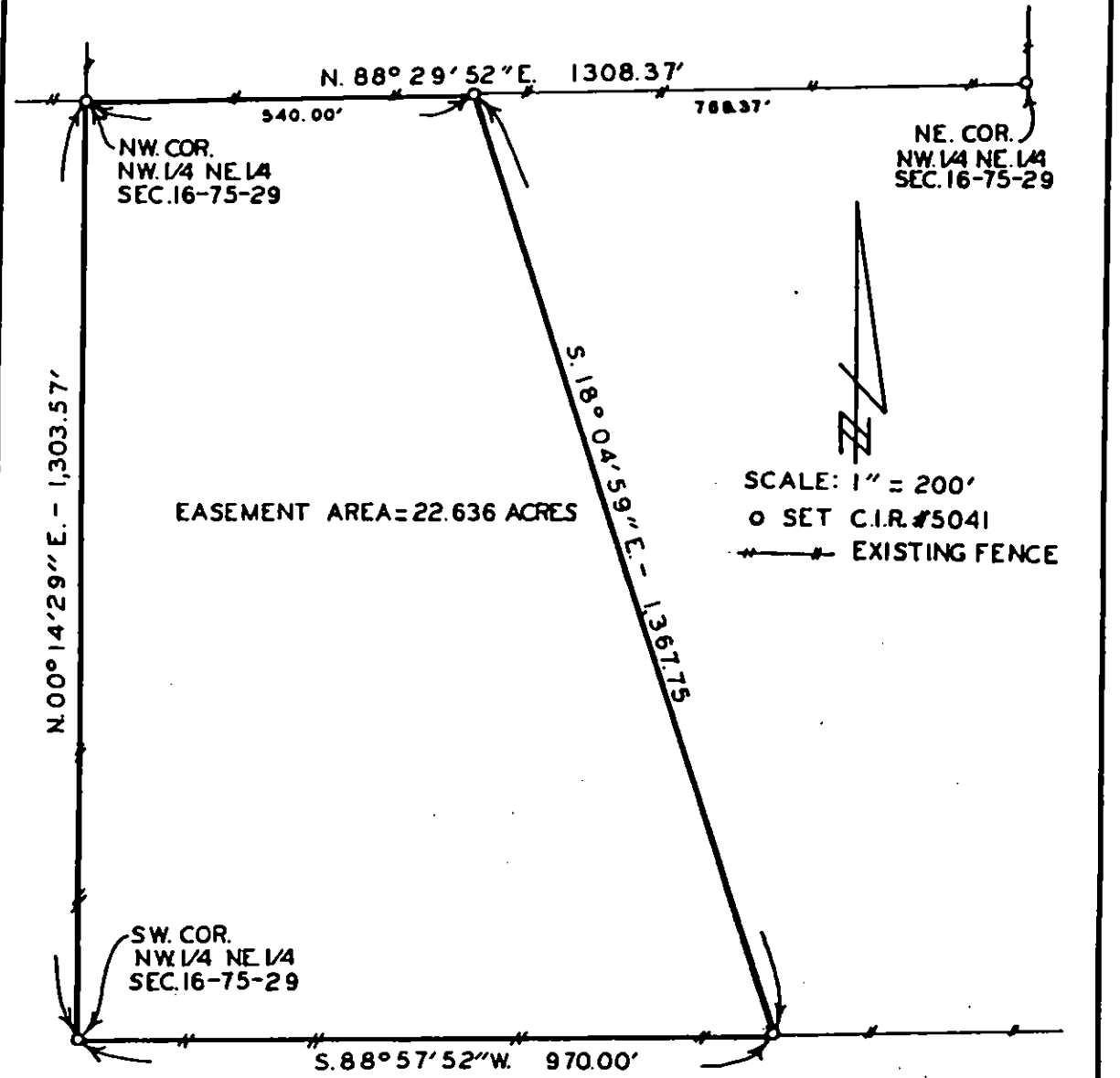
V. General Provisions.

- A. The agreed upon purposes of this reservation are the preservation and maintenance of wetland and floodplain areas existing as of the date of this conveyance as well as protection and enhancement of plant and animal habitat and populations. Such purposes shall constitute the dominant estate within the easement area. A. "wetland" is defined by reference to section 7(c) of Executive Order 11990 and a "floodplain" is defined by reference to section 6(c) of Executive Order 11988. Any ambiguities in this easement shall be construed in a manner which best effectuates wetland preservation and fish and wildlife purposes.
- B. Any subsequent amendment to or repeal of any federal law or order which authorizes this reservation shall not affect the rights reserved by the United States or subsequently held by its successors or assigns.
- C. For purposes of this easement, wetland management rights reserved by the United States include, but are not limited to, inspection for compliance with the terms of this easement; research regarding water, wetlands, fish and wildlife and associated ecology; and any other activity consistent with the preservation and enhancement of wetland functional values.
- D. The United States, its successors and assigns, including the easement manager, shall have the right to make surveys, take photographs and prepare such other documentation as may be necessary or desirable to administer the provisions of this easement. Any such map, plat or other suitable document may be recorded in the land records of the respective county in which the property is located.
- E. The easement reservation does not authorize public entry upon or use of land. Unless the easement manager prohibits public entry, the landowner may permit it at the landowner's discretion.
- F. Subject to paragraph III-G in this easement, the landowner and invitees may hunt and fish on the easement area in accordance with all federal, state and local game and fishery regulations.
- G. This easement shall be binding on the landowner, and the landowner's heirs, successors or assigns. The landowner covenants to warrant and defend unto the United States, its successors or assigns, the quiet and peaceable use and enjoyment of the land and interests in the land constituting this reservation against all claims and demands.

H. The easement manager shall be the agent of the United States or its successors and assigns. The manager shall have all discretionary powers of the United States under this easement. In the performance of any rights of the United States under this easement, the manager may permit, contract or otherwise provide for action by employees, agents, or assigns which may include the landowner.

EXHIBIT A Map 1 of 3

PLAT OF SURVEY FOR FARMERS HOME ADMINISTRATION
IN THE NW. 1/4 OF THE NE. 1/4 OF SECTION 16, T75N,
R29W OF THE 5TH P.M., MADISON COUNTY, IOWA.



DESCRIPTION:

A Conservation Easement on that part of the Northwest Quarter of the Northeast Quarter of Section 16, Township 75 North, Range 29 West of the 5th Principal Meridian, Madison County, Iowa, described as follows:

Beginning at the Northwest Corner of the NW. 1/4 of the NE. 1/4 of Section 16, T75N, R29W of the 5th P.M., Madison County, Iowa; thence along the North line of said NW. 1/4 of the NE. 1/4, North 88°29'52" East 540.00 feet; thence South 18°04'59" East 1,367.75 feet to the South line of said NW. 1/4 of the NE. 1/4; thence along said South line, South 88°57'52" West 970.00 feet to the Southwest Corner of said NW. 1/4 of the NE. 1/4; thence North 00° 14'29" East 1,303.57 feet to the point of beginning. Said easement area contains 22.636 Acres.

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, PLAT, MAP, SURVEY OR REPORT WAS MADE BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA

SIGNED *Charles T. Vance* DATE *31 Oct. 1989*
Charles T. Vance, P.E. & L.S. Iowa Reg. No. 5041

VANCE & HOCHSTETLER, P.C.
CONSULTING ENGINEERS
71 JEFFERSON
WINTERSET, IOWA 50273

EXHIBIT A MAP 2 of 3

PLAT OF SURVEY FOR FARMERS HOME ADMINISTRATION
 IN THE SE. 1/4 OF THE SE. 1/4 OF SECTION 9, T75N,
 R29W OF THE 5TH P.M., MADISON COUNTY, IOWA.

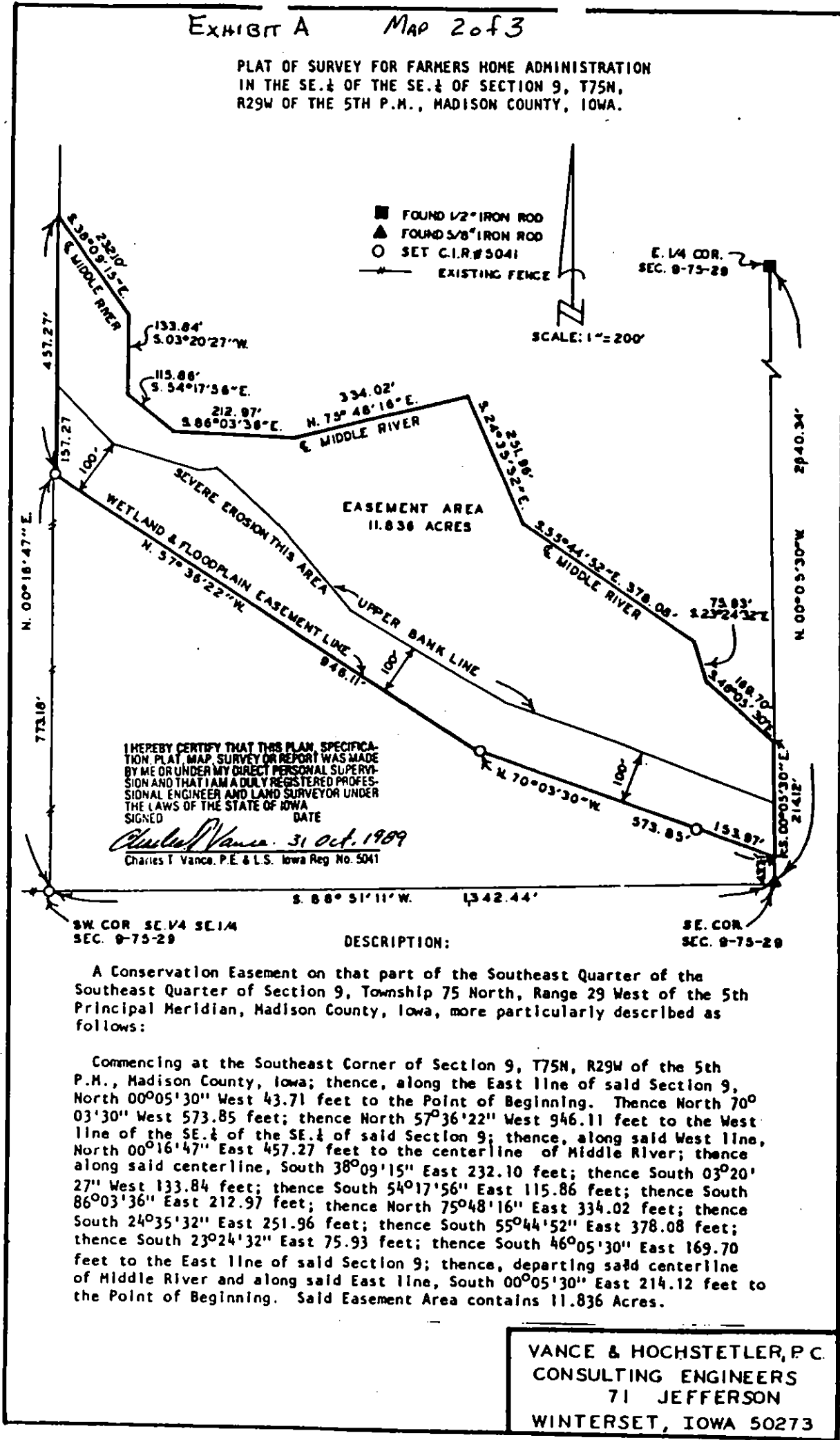
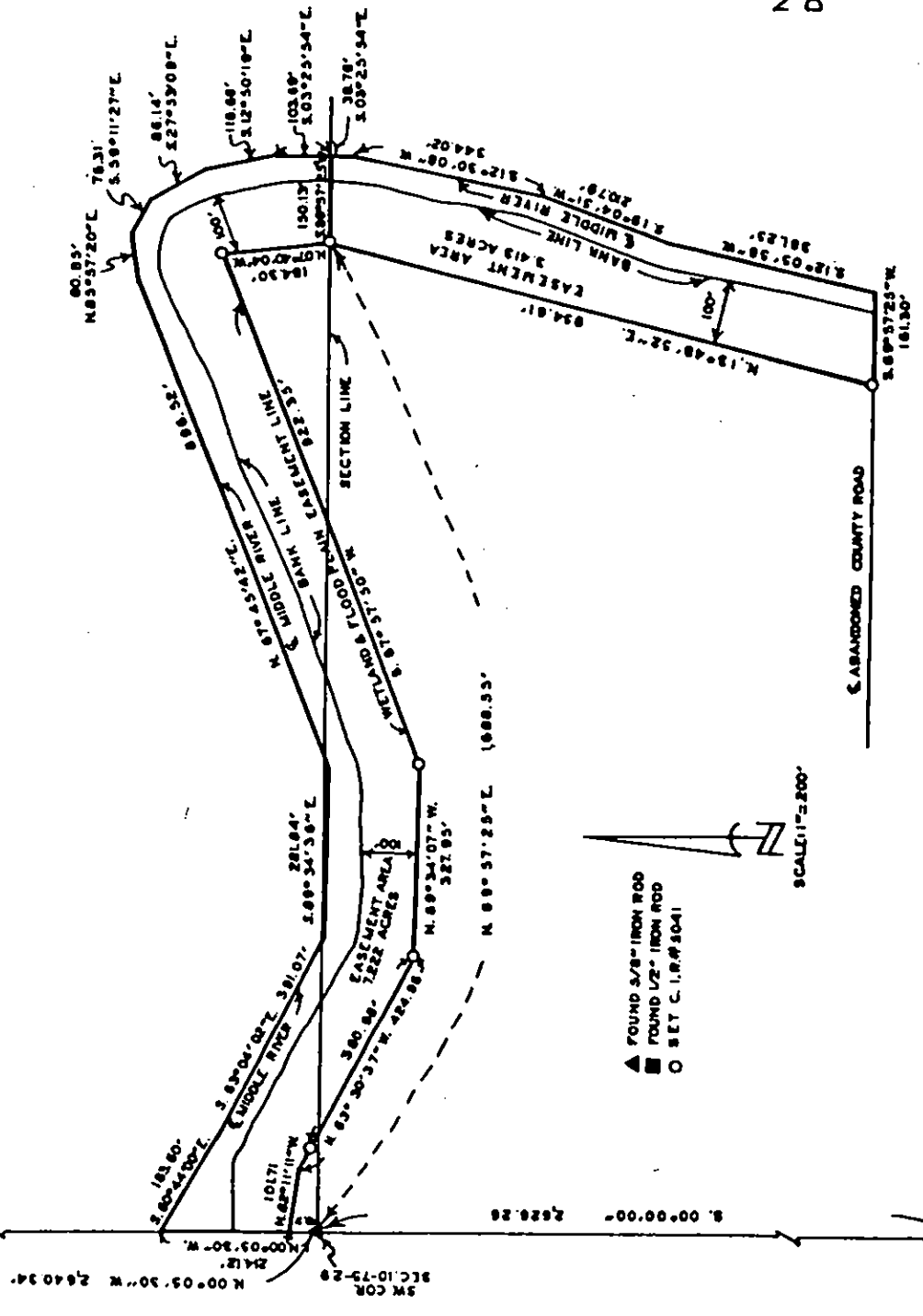


EXHIBIT A MAP 3043

PLAT OF SURVEY FOR FARMERS HOME ADMINISTRATION IN THE S. 3 OF THE SW. 4 OF SECTION 10, AND IN THE N. 1/2 OF THE NW. 1/4 OF SECTION 15, ALL IN T75N, R25W OF THE 5TH P.M., MADISON COUNTY, IOWA.



I HEREBY CERTIFY THAT THIS PLAN SPECIFICALLY COMES WITHIN THE PROVISIONS OF THE IOWA SURVEYING ACT AND THAT THE SURVEY WAS MADE BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A LICENSED SURVEYOR IN THE STATE OF IOWA AND THAT I AM REGISTERED UNDER THE LAWS OF THE STATE OF IOWA.

Charles E. Vance 31 Oct 1989
 CHARLES E. VANCE, P.E. & L.L. Survey Reg. No. 501

NOTE:
 DESCRIPTIONS ARE ATTACHED

VANCE & HOCHSTETLER, P.C.
 CONSULTING ENGINEERS
 71 JEFFERSON
 WINTERSET, IOWA 50273

- ▲ FOUND 3/8" IRON ROD
- FOUND 1/2" IRON ROD
- SET C.I.R.#2041



SCALE: 1" = 200'

W 1/4 COR.
 SEC. 10-73-28

W 1/4 COR.
 SEC. 15-73-28

5W COR. SEC. 10-73-28

DESCRIPTION:

A Conservation Easement on that part of the South Half of the Southwest Quarter of Section 10, and that part of the Northwest Quarter of the Northwest Quarter of Section 15, all in Township 75 North, Range 29 West of the 5th Principal Meridian, Madison County, Iowa, more particularly described as follows:

Commencing at the Southwest Corner of Section 10, T75N, R29W of the 5th P.M., Madison County, Iowa; thence along the West line of said Section 10, North $00^{\circ}05'30''$ West 43.71 feet to the point of beginning. Thence continuing along said West line, North $00^{\circ}05'30''$ West 214.12 feet to the centerline of Middle River; thence along said centerline, South $60^{\circ}44'00''$ East 183.60 feet; thence South $63^{\circ}04'02''$ East 391.07 feet; thence South $89^{\circ}34'36''$ East 281.84 feet; thence North $67^{\circ}45'42''$ East 896.52 feet; thence North $85^{\circ}57'20''$ East 80.85 feet; thence South $59^{\circ}11'27''$ East 76.31 feet; thence South $27^{\circ}53'09''$ East 86.14 feet; thence South $12^{\circ}50'19''$ East 116.66 feet; thence South $03^{\circ}25'54''$ East 103.69 feet to the South line of said Section 10; thence, departing said centerline of Middle River and along said South line, South $89^{\circ}57'25''$ West 150.13 feet; thence North $07^{\circ}40'04''$ West 184.30 feet; thence South $67^{\circ}57'50''$ West 922.35 feet; thence North $89^{\circ}34'07''$ West 327.95 feet; thence North $63^{\circ}30'37''$ West 424.96 feet; thence North $82^{\circ}11'11''$ West 101.71 feet to the point of beginning. Said Easement Area contains 7.222 Acres

DESCRIPTION:

A Conservation Easement on that part of the Northeast Quarter of the Northwest Quarter of Section 15, Township 75 North, Range 29 West of the 5th Principal Meridian, Madison County, Iowa; more particularly described as follows:

Commencing at the Northwest Corner of Section 15, T75N, R29W of the 5th P.M., Madison County, Iowa; thence, along the North line of said Section 15, North $89^{\circ}57'25''$ East 1,688.55 feet to the point of beginning. Thence continuing along said North line, North $89^{\circ}57'25''$ East 150.13 feet to the centerline of Middle River; thence along said centerline South $03^{\circ}25'54''$ East 38.76 feet; thence South $12^{\circ}30'08''$ West 344.02 feet; thence South $19^{\circ}04'51''$ West 210.79 feet; thence South $12^{\circ}05'56''$ West 361.25 feet to the centerline of an Abandoned County Road; thence departing said centerline of Middle River and along said centerline of an Abandoned County Road, South $89^{\circ}57'25''$ West 161.30 feet; thence North $13^{\circ}48'52''$ East 954.61 feet to the point of beginning. Said Easement Area contains 3.413 Acres.