Compared.

STATE OF IOWA, MADISON COUNTY, ss.

Inst. No. 215 Filed for Record this 16 day of August 19 82 at 3:25 PM

Book 34 Page 265 Recording Fee 12.00 Mary E. Welty, Recorder By M Welty Deputy

FILED BY Iowa title abst
AGENT OF OWNERS IN POSSESSION OF THE REAL ESTATE INVOLVED HEREIN.
M. Egge DEPUTY RECORDER

INST. NO. 36765
POLK COUNTY, IOWA
FILED FOR RECORD
205 MAR 11 1981 A.M. P.M.
AT
KATIE SWINSTINE HOLSCHUH, Recorder
By Deputy

AFFIDAVIT OF IDENTITY

STATE OF NEW YORK)
) SS:
COUNTY OF NEW YORK)

I, Richard F. Egge, being first duly sworn on oath, depose and state that I am Secretary of Penn-Dixie Industries, Inc. and have held that position since March 15, 1978; that in the course of my employment with Penn-Dixie Industries, Inc., I have become familiar with the history of said corporation; that Penn-Dixie Industries, Inc., which claims title to the property described by Exhibit A attached hereto and by this reference made a part hereof, was formerly known as Penn-Dixie Cement Corp., having changed its name to Penn-Dixie Industries, Inc. on or about April 17, 1973; that prior to being known as Penn-Dixie Cement Corp., said corporation was known as Pennsylvania-Dixie Cement Corporation, having changed its name to Penn-Dixie Cement Corp. on or about April 17, 1951; and that wherever the names Pennsylvania-Dixie Cement Corporation, Penn-Dixie Cement Corporation, or Penn-Dixie Industries, Inc. appear in the chain of title to the property described as Exhibit A attached hereto and by this reference made a part hereof, they refer to one and the same corporation, that is the corporation now known as Penn-Dixie Industries, Inc.

That I am familiar with the Penn-Dixie Cement Corporation Hourly Pension Trust and the succession of Trustees of said Trust. That Chemical Bank served as Trustee of said Trust from May 1, 1962, to July 2, 1970, at which time Chemical Bank resigned as Trustee and was succeeded and replaced by Jerome Castle, Stephen Modell and Meyer L. Kamin, who on September 2, 1970, began to serve as Trustees of the Penn-Dixie Corporation Hourly Pension Trust and continued

IND. ✓
REC. ✓
PAGE ✓

Return to:
Duncan law firm
404 Equitable Bldg
Des Moines, Iowa 50309

BOOK 5081 PAGE 913

to serve in said capacity through December 1, 1971.

Richard F. Egge

Subscribed and sworn to before me by said Richard F. Egge, known to me to be the Secretary of Penn-Dixie Industries, Inc., this 4th day of March, 1981.

Notary Public, State of New York

MARY M. McLOUGHLIN
Notary Public, State of New York
No. 41-4520695
Qualified in Queens County
Commission Expires March 30, 19[illegible]

BOOK 5081 PAGE 914

PARCEL 1

An irregular shaped tract of land that is located in the NW 1/4 of the NE 1/4 and the SW 1/4 of the NE 1/4 and the NE 1/4 of the NW 1/4 and the SE 1/4 of the NW 1/4 of Section 15T78NR25 West of the 5th P.M. West Des Moines, Polk County, Iowa, and which is also located in Lots "A", "B", 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 Pyramid Place, West Des Moines, Polk County, Iowa, and which is also located in a portion of Lot 2, Bray Farm, West Des Moines, Polk County, Iowa and which is also located in a portion of Lots 1 and 3 in the Official Plat of the West 854.0 feet of Lot "F" Valley Junction, West Des Moines, Polk County, Iowa, and which is also located in a portion of Lots "E" and "F" in said Valley Junction, and which lies South of South Railroad Avenue, and which lies South of the Minneapolis and St. Louis Railroad, and which lies North of the Chicago-Rock Island and Pacific Railroad, and which lies North of an East-West City Street, and which lies East of South 17th Street and which lies West of South 11th Street, all of which is located in the City of West Des Moines, Polk County, Iowa, and all of which is more accurately described as follows: Commencing at the North 1/4 Corner of Section 15T78NR25 West of the 5th P.M., West Des Moines, Polk County, Iowa, thence S0°-00'E, along the West Line of the NE 1/4 of said Section 15, 245.21 feet, to the Point of Beginning, thence N87°-26 1/2'W, along the South Right-Of-Way Line of South Railroad Avenue, as it is presently established, and parallel with and 110.0 feet normally distant from and South of the Center Line of the Main Line Track of the Minneapolis and St. Louis Railroad, as it is presently established, 1254.36 feet, thence S0°-06'W, along the East Right-Of-Way Line of South 17th Street, as it is presently established and parallel with and 60.0 feet normally distant from and East of the West Line of the NE 1/4 of the NW 1/4 of said Section 15, 924.88 feet, thence S13°-42'-14"E, 163.28 feet, to a point that is 33.0 feet North of the South Line of the NE 1/4 of the NW 1/4 of said Section 15, thence S89°-05'E, parallel with and 33.0 feet North of the South line of the NE 1/4 of the NW 1/4 of said Section 15, 361.38 feet, thence N45°-27 1/2'E, along the Northwesterly Right-Of-Way Line of Fuller Road, as it is presently established, and parallel with and 33.0 feet normally distant from and Northwesterly of the Center Line of the presently established pavement in said Fuller Road, 1001.54 feet, thence Easterly, and Northerly, along the Westerly Right-Of-Way Line of said Fuller Road, and along a 10.6111 Degree Curve to the Left, 374.66 feet, to the South Right-Of-Way Line of said South Railroad Avenue, thence N87°-26 1/2'W, along the South Right-Of-Way Line of said South Railroad Avenue, 17.82 feet, to the Point of Beginning; AND, Commencing at the North 1/4 Corner of Section 15T78NR25 West of the 5th P.M., West Des Moines, Polk County, Iowa, thence S0°-00'E, along the West Line of the NE 1/4 of said Section 15, 185.15 feet, to the South Right-Of-Way Line of the Minneapolis and St. Louis Railroad, as it is presently established, thence S87°-26 1/2'E, along said South Right-Of-Way Line, 67.12 feet, to the Point of Beginning, thence continuing S87°-26 1/2'E, along the South Right-Of-Way Line of the Minneapolis and St. Louis Railroad, and parallel with and 50.0 feet normally distant from and South of the Center Line of said Minneapolis and St. Louis Railroad 367.73 feet, thence S0°-00'E, parallel to and 854.0 feet East of the West Line of the NE 1/4 of said Section 15, 375.8 feet, thence N90°-00'E, 200.0 feet, thence S0°-00'E, parallel with and 1054.0 feet East of the West Line of the NE 1/4 of said Section 15, 1018.8 feet, thence S30°-44'W, 173.88 feet, to the Northwesterly Right-Of-Way Line of the Chicago-Rock Island and Pacific Railroad, as it is presently established, thence S47°-42 1/2'W, parallel with and 200.0 feet normally distant from and Northwesterly of the Center Line of the Main Line Track of the Chicago-Rock Island and Pacific Railroad, and along the Northwesterly Right-Of-Way of said Chicago-Rock Island and Pacific Railroad, 1304.74

(Cont.)

BOOK 5081 PAGE 915

Exhibit A

point on the West Line of the NE 1/4 of said [illegible] said point being 8.9 feet North of the Center of said Section 15, thence N0°-00'E, along the West Line of the NE 1/4 of said Section 15, 1101.8 feet, thence N89°-05'W, 125.0 feet, thence N0°-00'E, parallel with and 125 feet West of the East Line of the NW 1/4 of said Section 15, 217.0 feet, thence N89°-05'W, along the South Line of the NE 1/4 of the NW 1/4 of said Section 15,670.19 feet, thence N45°-27 1/2'E, along the Southeasterly Right-Of-Way Line of Fuller Road, as it is presently established, and parallel with and 33.0 feet normally distant from and Southeasterly of the Center Line of the presently established pavement in said Fuller Road, 982.88 feet, thence Easterly and Northerly, along the Easterly Right-Of-Way Line of said Fuller Road, and along a 9.4554455 Degree Curve, to the Left, 453.71 feet, thence N2°-33 1/2'E, 29.2 feet, to the Point of Beginning. Said tracts of land all being subject to and together with any and all easements of record. All of the above-described property lying in Sections 15 and 16, Township 78 North, Range 25, West of the 5th Principal Meridian, West Des Moines, Polk County, Iowa.

Except so much of the above-described property (Parcel 1) as described as Parcels 2, 3, 4, 5, 6, and 7 below:

PARCEL 2

The South 33 feet of the East 494 feet of the NE 1/4 of the NW 1/4 of Section 15, Township 78 North, Range 25 West of the 5th P.M., West Des Moines, Polk County, Iowa.

PARCEL 3

The strip 66 feet North and South by 1054 feet East and West lying immediately to the North and adjacent to the North line of the West 1054 feet of Lot E, Valley Junction, an Official Plat, now included in and forming a part of the City of West Des Moines, Polk County, Iowa.

PARCEL 4

Lot 3 of the Official Plat of the West 854 feet of Lot F, Valley Junction, an Official Plat, now included in and forming a part of the City of West Des Moines, Polk County, Iowa.

PARCEL 5

The North 217 feet of the East 125 feet of Lot 2 in Bray Farm, an Official Plat, now included in and forming a part of the City of West Des Moines, Polk County, Iowa.

PARCEL 6

That property conveyed to the City of West Des Moines by deed recorded in Book 4340 at Page 783.

PARCEL 7

A tract of land described as follows: Commencing at a point 159.1 feet South of the S 1/4 corner of Section 10, Township 78 North, Range 25 West of the 5th P.M., Polk County, Iowa, thence in an easterly direction 60 feet along the South side of the Minneapolis and St. Louis Railroad Right-Of-Way, thence in a southerly direction 60 feet, thence in a westerly direction 1316.76 feet, thence in a northerly direction 60 feet, thence in an easterly direction 1256.76 feet along the South line of the M. & St. L. Ry., Right-Of-Way to the point of commencing. Said property being a part of former Pyramid Place located in West Des Moines, Iowa.

BOOK 5081 PAGE 916

Exhibit A

State of Iowa }
County of Polk } ss

Kate Shinstine Holschuh, Recorder of said County, hereby certify the foregoing writing is a photographic copy from the original record in my office, and from the whole thereof, which is recorded in Book 5081 Page 916 in Polk County, Iowa.

Witness my official signature and seal of office this 12 day of Dec, 1988

Kate Shinstine Holschuh
Recorder

By: Donna Bergmann
Deputy

SEAL OF IOWA