

10-1-15

### RIGHT OF WAY AGREEMENT

Received in consideration of the sum of Two 00 00 Dollars (\$ 2.00 )

in hand paid by THE NATIONAL COOPERATIVE REFINERY ASSOCIATION, a Corporation of McPherson, Kansas, the receipt of which is hereby acknowledged.

Thomas M. Davis, Trustee under the will of E. M. Davis, Deceased,  
Thomas M. Davis, Margaret Davis Spinks, and Mary E. Jackson

do hereby grant to THE NATIONAL COOPERATIVE REFINERY ASSOCIATION, its successors or assigns, the right to lay, maintain, operate, re-lay and remove at any time a pipe line ~~conduits~~ for the transportation of oil or oil products, gas and water, with right of ingress and egress to and from the same, to, over and through certain lands situate in the County of Pottawatomie and State of Kans. and described as follows:

North 1/2 of SE 1/4 and that part of the SE 1/4 of NE 1/4 being  
North of Highway No 272, Section 22, Township 13, Range 13E, extending  
therefrom through SE 1/4 of NE 1/4, lying north of and parallel  
with said Highway 272, owned by the State of Iowa.

The pipeline shall be located and laid on the said  
premises as shown on the plat attached hereto,  
marked Exhibit 'A' and made a part hereof.

The said grantors, their heirs or assigns are to fully use and enjoy the said premises except the easement for the purposes heretofore granted to the said THE NATIONAL COOPERATIVE REFINERY ASSOCIATION, its successors and assigns.

The said THE NATIONAL COOPERATIVE REFINERY ASSOCIATION for itself and its successors or assigns hereby covenants to bury the lines of pipe so that the same will not interfere with the cultivation of said premises.

All damages to crops, surfaces, fences or other improvements on said premises for and because of the laying of said line of pipe shall be paid for as soon as said line is ~~laid~~ completed. In addition to this there shall be paid on the laying of the first line of pipe an additional compensation at the rate of Five Dollars per rod for each rod or fraction thereof of land on these premises across which said line is laid. ~~When such line shall be laid for a second time on the same premises, the amount of damages to fences, crops or other improvements which may be suffered by reason of laying, maintaining, operating, altering or removing said pipe line on these premises cannot be mutually agreed upon, then same shall be ascertained and determined by three disinterested persons, one hereof to be appointed by the owner of the premises, and by THE NATIONAL COOPERATIVE REFINERY ASSOCIATION, its successors or assigns, and the third by the two so appointed as aforesaid, the award of two of such persons being final and conclusive.~~

Dated this 9th day of February, 1915

*Thomas M. Davis, Trustee (Seal)*  
*Margaret Davis Spinks (Seal)*  
*Mary E. Jackson (Seal)*

Compared

Compared

STATE OF Iowa  
COUNTY OF Wells

Before me, the undersigned, a Notary Public in and for the County aforesaid on this 14 day of February, 1948, personally appeared Wm. E. Galt & Geo. R. Galt, wife and husband known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes set forth.

Witness my hand and official seal  
My Commission expires July 1, 1948  
L. T. Gering Notary Public

STATE OF Iowa  
COUNTY OF Wells

On this 24 day of March, 1948, before me, a Notary Public in and for said County, personally came the above named Margaret A. Gering who personally known to me to be the identical person whose name is affixed to the above instrument as Grantor and she acknowledged said instrument to be voluntary act and deed.

WITNESS my hand and notarial seal, the date last aforesaid.  
M. P. Gering Notary Public

My Commission expires July 1, 1948

STATE OF IOWA  
COUNTY OF Wells

On this 17 day of March, 1948, before me, a Notary Public, personally appeared John A. Gering to me known to be the identical person who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.

WITNESS my hand and notarial seal, the day and year last above written.  
John A. Gering Notary Public

My Commission expires July 1, 1948

STATE OF IOWA  
COUNTY OF Wells

On this 17 day of March, 1948, before me, L. T. Gering Notary Public in and for said County, personally appeared John A. Gering who personally known to me to be the identical person whose name is affixed to the above instrument as Grantor and he acknowledged said instrument to be voluntary act and deed.

WITNESS my hand and notarial seal, the day and year last above written.  
L. T. Gering Notary Public



PAID FOR RECORD AND DULY RECORDED IN MY OFFICE ON THIS 30 DAY OF August  
A. D. 1948 AT 10 O'CLOCK, 55 MINUTES, A. M.  
CORCORAN B. CHRISTENSEN, RECORDER BY \_\_\_\_\_ DEPUTY.