

RECORDED

STATE OF IOWA, Pottawattamie County  
Filed for record this 20 day of March  
1990 at 10 o'clock A.M. and recorded  
in book 90 page 19540

9308

See 10<sup>cc</sup>  
No. 44737

LET 9 (CORP)  
Rev. 1988

\$25.00

Received of Northwestern Bell Telephone Company Twenty-five and No/100 Dollars (\$25.00), in consideration of which the undersigned hereby grant(s) and convey(s) unto said Company, its associated and allied companies, its and their respective successors, assigns, lessees and agents, a perpetual right of way and easement to construct, operate, maintain, replace and remove such communication systems as the grantees may from time to time require, consisting of cables, wires, conduits, manholes, terminals, repeaters, and other appurtenances, upon, over and under a strip of land ten feet wide across the real estate which the undersigned own or have any interest in:

See legal description Exhibit "A" attached hereto and made a part of by this reference

Easement limited to: A ten (10) feet wide strip parallel with and abutting the northeasterly right of way line of 35th Street, City of Council Bluffs, Iowa.

Together with the following rights: Of ingress and egress over and across the lands of the undersigned, to and from said strip for the purpose of exercising the rights herein granted.

The grantees agree to pay for damage to fences, tile and growing crops arising from the construction and maintenance of the aforesaid systems. An additional payment computed at the rate of One Dollar (\$1.00) per foot will be paid to the owner or owners as their interest(s) shall appear, at the time of construction of the telephone system.

IN WITNESS WHEREOF said corporation has caused this instrument to be executed by its duly designated officers this 7<sup>th</sup> day of March, 1990.

US West Communications Inc.  
Right of Way Department  
2103 East University  
Des Moines, Iowa 50317

Vacanti and Randazzo Construction Company

By

Joe J. Vacanti President  
Title

STATE OF NEBRASKA

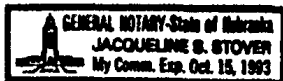
COUNTY OF Douglas

SS:

By Charles J. Vacanti Ex. Vice Pres.  
Title

On this 7<sup>th</sup> day of March, A. D. 1990, before me, the undersigned, a Notary Public in and for the State of NE personally appeared Joe J. Vacanti and Charles J. Vacanti, to me personally known, who, being by me a duly sworn, did say that they are the Treasurer and the Vice President respectively, of Vacanti and Randazzo Construction Company a(n) Nebraska corporation; that (no seal has been procured by the said) ~~(the seal affixed thereto is the seal of said)~~ corporation, the foregoing instrument was signed (and sealed) on behalf of said corporation by authority of its Board of Directors; and that the said Joe J. Vacanti and Charles J. Vacanti, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

Jacqueline S. Stover  
Notary Public in and for the State of  
Nebraska  
(SIGNATURE)



JACQUELINE S. STOVER  
Notary Please type or print name on this  
line  
My Commission expires October 15, 1993

RECORD FRONT SIDE ONLY  
90 19540

COMPARED

R/W 44737

EXHIBIT "A"

A part of the West  $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 3 and a part of the East  $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 4 all in Township 74 North, Range 44 West of the 5th PM, Pottawattamie County in the City of Council Bluffs, Iowa, which is more particularly described as follows:

Commencing at the West  $\frac{1}{4}$  corner of said Section 3 thence North, 1355.00 feet; thence West 496.19 feet to the point of beginning being also a point on the Northeasterly right-of-way line of 35th St. Diagonal; thence along the Southerly right-of-way line of a railroad easement N53°12'15"E, 35.33 feet; thence Northeasterly 282.46 feet along a 435.28 foot radius curve to the right; thence S89°37'E, 204.28 feet; thence South, 28.00 feet; thence S89°37'E, 38.77 feet; thence S00°23'W, 70.05 feet; thence S36°47'45"E, 286.24 feet; thence Southwesterly 55.19 feet along a 316.48 foot radius curve to the left with chord bearing S58°12'W, 55.13 feet; thence S53°12'15"W, 319.85 feet; thence S74°37'40"W, 41.07 feet; thence N81°47'45"W, 21.21 feet; thence N44°14'50"W, 38.56 feet; thence along the Northeasterly right-of-way line of 35th St. Diagonal N36°47'45"W, 526.80 feet to the point of beginning.

RECORD FRONT SIDE ONLY

US West Communications Inc.  
Right of Way Department  
2103 East University  
Des Moines, Iowa 50317

90 19541