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STATE OF IOWA, Pottawattamie County
Filed for record this 17th day of January
1976 at 10:05 A.M. and recorded
in book 26 Page 10885

DECLARATION OF EASEMENT

Dorothy L. Leman
Janet Carson
RECORDED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Great Day Development Corporation, a Nebraska corporation, is the owner of real estate in Pottawattamie County, Iowa, described with particularity in an affidavit of possession dated September 17, 1975 and recorded on September 18, 1975 in Book 76 at Page 4678 of the records in the office of the Recorder of Pottawattamie County, Iowa, and

WHEREAS, said corporation is developing said property for commercial purposes, and

WHEREAS, said corporation deems it necessary that an easement for ingress and egress be granted over a portion of the real estate as a means of access for the general public.

NOW, THEREFORE, said corporation hereby creates and establishes the following easement: There is established and created over the following described real estate for the benefit of the general public a nonexclusive easement, right and privilege of use for automobile and pedestrian ingress, egress and passage which shall run with the land and which shall be binding upon said corporation, its successors and assigns:

A permanent easement for Ingress & Egress located in part of the NE $\frac{1}{4}$ of Section 6, Township 74 North, Range 43 West of the 5th P.M., Pottawattamie County, Iowa described as follows: Commencing at the point of intersection of the North line of the S $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 6 and the Westerly R.O.W. line of relocated Madison Avenue; thence South 38° 48' 44" East (assumed bearing) on the Westerly R.O.W. line of said relocated Madison Avenue, 78.35 feet to the point of beginning; thence South 50° 18' 19" West, 113.77 feet; thence North 39° 41' 41" West, 103.40 feet; thence South 88° 22' 41" West, 25.0 feet; thence South 39° 41' 41" East, 216.15 feet; thence North 50° 18' 19" East, 139.15 feet to a point on the Westerly R.O.W. line of said relocated Madison Avenue; thence North 38° 48' 44" West on said R.O.W. line, 25.0 feet to the Point of Beginning.

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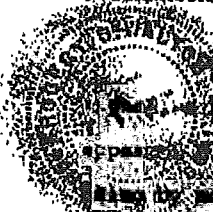
IN WITNESS WHEREOF, said corporation has caused this instrument to be duly executed this 30th day of December, 1975.

Great Day Development Corporation

By H. Lee Gendler
H. Lee Gendler, President

By Irvin Gendler
Irvin Gendler, Secretary

STATE OF IOWA)
) ss.
POTTAWATTAMIE COUNTY)



On this 30th day of December, 1975, before me, the undersigned Notary Public in and for said County and State, personally appeared H. Lee Gendler and Irvin Gendler to me personally known, who, being by me duly sworn, did say that they are the President and Secretary, respectively, of said corporation; that the seal affixed thereto is the seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and that the said H. Lee Gendler and Irvin Gendler 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.

Robert S. White Robert S. White
Notary Public in and for
said County and said State.