

No. 0670

Fee \$12.00

Book 971

Tama County, Iowa
Deborah Kupka RECORDER
Recorded: 3/3/2017 at 10:30:00.0 AM
BK: 971 PG: 33
Fee Amount: \$12.00
Revenue Tax:
Unique Doc ID: 3/3/2017_2017-0670

Indexed
Compared

Return to: Mallory Hulsman – JCG Land Services – 1715 South G Avenue, Nevada, Iowa 50201 (515) 382-1698
Prepared By: Tarah Andrews – JCG Land Services – 1715 South G Avenue, Nevada, Iowa 50201 (515) 382-1698

ACCESS EASEMENT

For and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, Kruger Commodities, Inc., 14344 Y Street, Ste. 202, Omaha, NE 68137 ("Grantor(s)"), do(es) hereby warrant and convey unto ITC Midwest LLC, a Michigan limited liability company, 27175 Energy Way, Novi, MI 48377, its successor and assigns ("Grantee") a perpetual easement with the right, privilege and authority of ingress and egress together with the power to extend to any other party the right to use, jointly with the Grantee, pursuant to the provisions hereof, upon, under, over and across the following described lands located in the County of Tama and the State of Iowa:

All that part of the right of way of the former Chicago, Milwaukee, St. Paul and Pacific Railroad Company entirely contained by the South Half of the Northeast Quarter of the Northeast Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$) and the North Half of the Southeast Quarter of the Northeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 35, Township 83 North, Range 15, West of the 5th P.M., bounded and described as follows: Commencing at the center of the Northeast Quarter of said Section 35, thence Northerly along the Section line 160 feet, more or less, to a point where said line intersects the southerly line of the right of way, 75 feet perpendicularly distant from the centerline of said right-of way, the point of beginning, thence easterly 1,362.00 feet, more or less, along a line parallel to and 75 feet perpendicularly distant from said centerline to the North-South line of Section 35, thence Northerly along the Section line 225 feet, more or less, to a point, thence 1,360.5 feet, more or less, along the southerly boundary line of Lincoln Place Subdivision, recorded April 23, 1915, to the North-South centerline of the Northeast Quarter, thence southerly to the point of beginning, Tama County, Iowa.

The Easement Area being the South 25 feet of the Premises, lying parallel and adjacent to south right-of-way line of the former Chicago, Milwaukee, St. Paul and Pacific Railroad.

together with all the rights and privileges for the full enjoyment or use thereof for the aforesaid purpose. Grantee, its contractor or agent, may enter said premises for the purpose of making surveys and preliminary estimates immediately upon the execution of this easement.

The Grantee agrees to pay to the Grantor or his tenants all damages done to the lands, fences, livestock or crops of the Grantor or his tenants, by the Grantee or its employees while utilizing such access.

Signed this 9 day of February, 2017.

GRANTOR(S):

James H. Kruger
James H. Kruger, President
Barbara J. Krzycki
Barbara J. Krzycki, Secretary/Treasurer

ALL PURPOSE ACKNOWLEDGMENT

STATE OF Nebraska
COUNTY OF Douglas ss:

On this 9th day of Feb, AD. 2017 before me, the undersigned, a Notary Public in and for said State, personally appeared

James H. Kruger and Barbara J. Krzycki

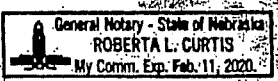
to me personally known
or provided to me on the basis of satisfactory evidence

to be the persons(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Roberta L. Curtis
(Sign in Ink)
ROBERTA L. CURTIS
(Print/type name)

Notary Public in and for the State of Nebraska

NOTARY SEAL



CAPACITY CLAIMED BY SIGNER

- INDIVIDUAL
- CORPORATE
- Title(s) of Corporate Officers(s):
- President
- Secretary/Treasurer
- N/A
- Corporate Seal is affixed
- No Corporate Seal procured
- PARTNER(s)
- Limited Partnership
- General Partnership
- ATTORNEY-IN-FACT
- EXECUTOR(s),
- ADMINISTRATOR(s),
- or TRUSTEE(s):
- GUARDIAN(s)
- or CONSERVATOR(s)
- OTHER

SIGNER IS REPRESENTING:

List name(s) of persons(s) or entity(ies):
Kruger Commodities, Inc.