

INST # **13020**
RECORDING FEE 10.00
AUDITOR FEE 1.00
RMA FEE 1.00

FILED FOR RECORD
POTTAWATTAMIE CO. IA.

02 DEC 19 AM 9:04

JOHN SCIORTINO
RECORDER

Ret
David L. Jungmann, P.C., 113 W. Iowa, P.O. Box 329, Greenfield, Iowa 50849 Phone (641)743-6195 *EW*

PARTIAL RELEASE OF EASEMENT

In consideration of one dollar and other good and valuable consideration, Regional Water, Inc., hereinafter releases all its right, title and interest in and to a limited easement conveyed by Alvin Jensen and Robert Jensen, by instrument dated November 14, 2001 and recorded November 14, 2002 as Instrument No. 10125, as it relates to the following described real estate:

That part of the NW¼ of Section 4, Township 77 North, Range 40 West of the 5th P.M., Pottawattamie County, Iowa, conveyed to State of Iowa for highway purposes.

That part of the NW¼ of 4-77-40, Pottawattamie County, Iowa, described as follows: Commencing at the N¼ corner of said Sec. 4 thence S00°00'W (assumed bearing) along the East line of the NW¼ of said Sec. 4 a distance of 1775.3 feet; thence S90°00'W, a distance of 70.0 feet to the point of beginning, said point being on the West right-of-way line of Iowa Highway #168; thence S00°00'W along the West right-of-way line of said highway #168, a distance of 95.00 feet; thence S05°37'00"W along the Westerly right-of-way line of said Highway #168, a distance of 200.97 feet to a point in the Northerly right-of-way line of Interstate Hwy #80; thence S44°59'20" along the Northerly right-of-way line of said Interstate #80 a distance of 174.47 feet; thence S72°07'W along the Northerly right-of-way line of said Interstate #80, a distance of 49.27 feet; thence N00°00'E, a distance of 433.56 feet; thence N90°00'E, a distance of 190.00 to the point of beginning.

Commencing at the North ¼ Corner of said Section 4-77-40, Pottawattamie County, Iowa; thence N89°27'59"W along the North line of said Northwest ¼, 1136.67 feet to a point on the Easterly right of way line of the abandoned Chicago, Rock Island and Pacific Railroad; thence S16°26'36"W along said railroad right of way line, 25.48 feet to the point of beginning, said point being on the South right of way line of a local road; thence continuing S16°26'36"W along said railroad right of way 534.96 feet; thence Southwesterly along a curve concave Northwesterly whose radius is 5779.65 feet, whose arc length is 1983.96 feet, and whose chord bears S26°16'38"W, 1974.24 feet; thence N88°56'08"E 1344.14 feet; thence Easterly along a curve concave Northerly whose radius is 1330.00 feet, whose arc length is 371.62 feet, and whose chord bears N80°55'51"E 370.41 feet thence N72°55'36"E 170.13 feet; thence S00°58'49"W, 41.16 feet to a point on the North right of way line of Interstate Highway #80; thence S70°50'12"W along said right of way line, 730.02 feet thence S88°27'52"W along said right of way line, 897.66 feet; thence N79°02'43"W along said right of way line, 355.20 feet; thence N88°52'16"W along said right of way line, 138.10 feet to a point on the Westerly right of way line of said railroad, thence Northeasterly along said railroad right of way and along a curve concave Northwesterly whose radius is 5679.65 feet, whose arc length is 2150.63 feet, and whose chord bears N27°17'28"E, 2137.81 feet;

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thence N16°26'38"E along said railroad right of way line, 504.22 feet to a point on the South right of way line of said local road; thence N89°21'37"E along said right of way line 104.62 feet to the point of beginning.

A parcel beginning in NW corner Sec. 4-77-40, Pottawattamie County, Iowa, thence E 607.34 feet; thence South 250.73 feet; thence West 235 feet; thence Southwesterly 29.95 feet; thence South 104.20 feet; thence West 185.36 feet; thence South 256.94 feet; thence West 161.56 feet; thence North 661.96 feet to Point of beginning.

A parcel of land located in part of the NE¼NW¼ and in part of the SW¼NW¼ and in part of the SE¼NW¼ of Section 4, Township 77 N, Range 40 W of the 5th P.M., in the City of Shelby, Pottawattamie County, Iowa, said parcel being more fully described as follows: Commencing at the North ¼ corner of said Section 4; thence N89°27'59"W along the North line of the NW¼ of said Section 4 a distance of 594.13 feet; thence S00°32'01"W a distance of 56.29 feet to the south right-of-way line of a Local Road and the Point of Beginning; thence S12°51'05"W a distance of 641.59 feet; thence S10°26'50"W a distance of 263.97 feet; thence S15°09'18"W a distance of 500.60 feet; thence S00°33'13"W a distance of 855.01 feet to the North line of a parcel deeded to the City of Shelby, filed for record on the 12th of June, 1998 at Instrument No. 19614; thence S88°66'08"W along the North line of said parcel a distance of 560.78 feet; thence N27°45'49"E a distance of 307.60 feet; thence N09°04'43"E a distance of 1991.83 feet to the South right-of-way line of said Local Road; thence S89°17'19"E along said right-of-way line a distance of 432.85 feet to the Point of Beginning.

Signed at Avoca, Iowa this 14th day of November, 2002.

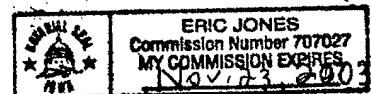
Regional Water, Inc.

By: Steven M. Barratt
STEVE BARRATT

Richard Lee
RICHARD LEE

Shelby
STATE OF IOWA, ~~POTTAWATTAMIE~~ COUNTY, ss:

On this 14 day of November, 2002, before me, the undersigned, a Notary Public in and for said County and said State, personally appeared Steve Barratt and Richard Lee, to me personally known, who, being by me duly sworn, did say that they are the President and Secretary, respectively, of Regional Water, Inc.; that said instrument was signed on behalf of said corporation by authority of its Board of Directors; and that the said Steve Barratt and Richard Lee, 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.



Eric Jones
Notary Public