No. 4	Charles B. Everest and Marjory P. Everest - - -	EASEMENT $8650.00
Book 996		Dated May 17, 1948
	to	
Page 543		Filed November 24, 1948
	City of Council Bluffs, Iowa	

Does hereby grant an easement for right of way and of borrow areas upon, over and across the following described property, to-wit:

A part of the NW¼ SE¼ of Section 4, Township 74, Range 44, more particularly described as follows: Commencing at a point 248 feet East of the center along center section line of Section 4, Township 74, Range 44, thence East 982 feet along center section line, thence South 39° 28′ East 130 feet, thence South 1080 feet, thence North 39° 28′ West 1585 feet to the point of beginning, all bearings being referred to the true meridian, the above described property contains 12.07 acres more or less.

A part of the NE¼ SE¼ of Section 4, Township 74, Range 44, more particularly described as follows: Commencing at a point 98 feet South of the Northwest Corner NE¼ SE¼ of Section 4, Township 74, Range 44, thence South 39° 28′ East 898 feet, thence South 35° 04′ East 692 feet, thence West 920 feet, thence North 35° 04′ West, 170 feet, thence North 1080 feet to point of beginning, all bearings being referred to the true meridian. The above described property contains 11.41 acres more or less.

A part of the SE¼ SE¼ of Section 4, Township 74, Range 44, more particularly described as follows: Commencing at a point 165 feet North of the Southeast Corner Section 4, Township 74, Range 44, thence West 346 feet, thence North 35° 04′ West 1449 feet, thence East 920 feet, thence South 35° 04′ East 490 feet, thence South 765 feet to point of beginning, all bearings being referred to the true meridian. The above described property contains 19.40 acres more or less.

It is intended hereby to grant to said city the right to occupy said property for the purpose of constructing and maintaining a levee along the Missouri River as proposed to be constructed by the U. S. Army Engineer Corps in accordance with plans and specifications on file in the office of the City Engineer to borrow such dirt therefrom and to make such earth fill thereon as may be necessary to the construction and maintenance of said levee; the easement hereby granted to be sufficient in width and length to construct, maintain and repair said levee.

It is further stipulated that if, in the future, the necessity for maintaining said levee across the above described land shall cease and said land be no longer needed or required for the purpose herein set out, the same shall revert to the grantor, his heirs, successors or assigns.

It is further stipulated that after the completion of said levee the borrow areas herein granted may be used by the grantor for agricultural or other uses, subject to the right of the grantee to obtain therefrom such dirt as may be necessary for repairs to said levee.

It is further stipulated and agreed in consideration of the granting of this easement that the City of Council Bluffs will, at the time of construction of the said levee and during the continuance thereof, provide, maintain and supervise, suitable, proper and adequate culverts with flood valves through

No. 4 continued

the levee on the within described property to the end that water will not be impounded on the rear or land side of the levee.

It is further stipulated and agreed that in consideration of the granting of said easement that the City of Council Bluffs will provide and maintain a roadway over and across the proposed levee and borrow areas, said roadway to be located in the NW¼ SE¼ of Section 4, Township 74, Range 44, adjacent to the East-West line of Lot 3 and Section 4, Township 74, Range 44, projected West.

No. 5 — Charles B. Everest and Marjory P. Everest, husband and wife — EASEMENT $1.00

Book 1226 — to — Dated January 23, 1959

Page 345 — Iowa Power and Light Company — Filed January 30, 1959

Grants the right to construct, maintain and operate an electrical supply line, and the poles and other necessary equipment, upon, over, along and across the following described real estate to-wit:

> Government Lots 3 and 4 and accretions in Section 4, Township 74, Range 44, Pottawattamie County, Iowa.

The electric supply line to be located across the above described property within a strip of land 10 feet in width, said strip being described as:

> Beginning at a point approximately 29 feet South of and approximately 29 feet South of and approximately 823' West of the E¼ corner of said Section 4; thence East parallel with the East-West center line of said section to a point approximately 311 feet East of the North-South center line of said Section 4. Also beginning at a point on the East-West center line of Section 4 approximately 341 feet East of the center of said section, thence South parallel with the North-South center line of said section approximately 792 feet.

One anchor, with associated down guys, to be located at a point approximately 430 feet East of and approximately 1056 feet South of the center of Section 4.

The center line of said strip also being on the East-West center line of Section 4, approximately 853 feet West of the E¼ corner of said section; thence South, parallel to the East line of said section, 60 feet.