

Book 2018 Page 3409  
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Daneen Schindler, RECORDER/REGISTRAR  
DELAWARE COUNTY IOWA

EMV (X)  
This Document Prepared By,  
And When Recorded Return to:  
Blake Patrick  
BP Pipelines (North America) Inc.  
30 South Wacker Drive  
Suite 900  
Chicago, IL 60606  
BP File: 4000-0854

### SURFACE SITE CONTRACT

THIS SURFACE SITE CONTRACT ("Contract") is made and entered into as of the 13<sup>th</sup> day of November, 2018, by and between Iva M. Ungs, with their address at 731 N. Maple St. Monticello, IA 52310, hereinafter referred to as ("Grantor") and BP Pipelines (North America) Inc., a Maine corporation, with its principal business address at 30 South Wacker Drive Suite 900, Chicago, Illinois 60606, hereinafter referred to as ("Grantee").

### WITNESSETH:

WHEREAS, Grantor is the current owner of the following described premises located in the Southeast Quarter of the Northeast Quarter of Section 25, Township 90N, Range 3W, Delaware County, Iowa: (the "Premises");

WHEREAS, Grantee desires the right to construct, install, maintain, inspect, operate, repair, replace, change or remove a pipeline metering facility, gate valve or gate valves, with any by-passes, cross-overs, scraper traps or other material, apparatus and equipment used in connection therewith or incident thereto, inclusive of the right, if Grantee so desires, to build such fences and structures as may be necessary to enclose the same, or any part thereof, together with the right to trim or cut trees, if necessary, to prevent interference with the full enjoyment of the use of the Premises; and Grantee desires to install a driveway for the purpose of access to said facilities listed previously; and

WHEREAS, Grantor agrees that the Premises (as shown in Exhibit A) may be used for the purposes herein provided as long as any pipeline or pipelines now or hereafter constructed are maintained by Grantee over the Premises or adjacent property;

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and other good and valuable consideration, the receipt, sufficiency and adequacy of which are hereby acknowledged, Grantor and Grantee hereby agree as follows:

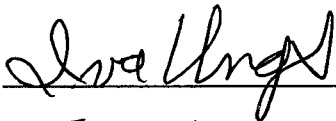
1. Incorporation of Recitals: The recitals set forth above are incorporated and restated herein as material terms of this Contract.

2. Grant of Access, Ingress and Egress to Grantee: The Grantor does hereby grant to Grantee the right of ingress and egress to and from the Premises for the purposes aforesaid.

3. Successors and Assigns: The terms, conditions and provisions of this Contract shall extend to and be binding upon the heirs, executors, administrators, personal representatives, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, this Contract is executed as of the date first hereinabove set forth.

**GRANTOR(S):**

By: 

Name: Eva Vucic

By: 

Name: \_\_\_\_\_

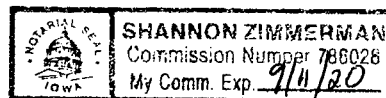
**ACKNOWLEDGMENT**

THE STATE OF Iowa )  
COUNTY OF Des Moines )

Before me, a Notary Public in and for said County and State, on this day personally appeared Iva Unys, known to me to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as she free act and deed.

Given under my hand and seal of office this 13 day of Nov, 2018.

Shannon Zimmerman  
Notary Public



My Commission Expires: 9/11/20

THE STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

Before me, a Notary Public in and for said County and State, on this day personally appeared \_\_\_\_\_, known to me to be the person described in and who executed the foregoing instrument, and acknowledged that \_\_\_\_\_ executed the same as \_\_\_\_\_ free act and deed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

EXHIBIT "A"

LEGAL DESCRIPTION

**A|PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 3 WEST, DELAWARE COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT A 1/2" IRON ROD MARKING THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 25; THENCE ALONG THE EAST LINE OF SAID QUARTER SECTION N 00°44'08" W, A DISTANCE OF 534.76 FEET; THENCE PARALLEL TO THE SOUTH LINE OF A TRACT OF LAND CONVEYED TO IVA M. UNGS AS DEED BOOK 1999 PAGE 2193 IN THE DELAWARE COUNTY RECORDER'S OFFICE, S 89°15'52" W, A DISTANCE OF 33.00 FEET TO THE WEST RIGHT OF WAY LINE OF HOSCH ROAD AND THE POINT OF BEGINNING; THENCE N 88°30'38" W, A DISTANCE OF 198.15 FEET TO THE WEST LINE OF SAID UNGS TRACT; THENCE ALONG THE WEST LINE OF SAID UNGS TRACT N 00°44'08" W, A DISTANCE OF 82.09 FEET; THENCE N 89°15'52" E, A DISTANCE OF 35.00 FEET; THENCE S 00°44'08" E, A DISTANCE OF 49.52 FEET; THENCE S 44°37'23" E, A DISTANCE OF 20.06 FEET; THENCE S 88°30'38" E, A DISTANCE OF 121.94 FEET; THENCE N 72°14'19" E, A DISTANCE OF 28.49 FEET TO THE WEST RIGHT OF WAY LINE OF HOSCH ROAD; THENCE ALONG THE WEST RIGHT OF WAY LINE OF HOSCH ROAD S 00°44'08" E, A DISTANCE OF 29.42 FEET TO THE POINT OF BEGINNING. CONTAINING 6,384.2 SQ. FT. (0.147 ACRES).**

# EXHIBIT A

SEC. 25, TOWNSHIP 90 NORTH, RANGE 3 WEST  
DELAWARE COUNTY, IOWA

**LEGEND**  
 --- CENTERLINE EXISTING EASEMENT  
 --- EDGE OF PROPOSED EASEMENT  
 --- RIGHT OF WAY LINE  
 ◆ SECTION CORNER MONUMENT

| LINE | BEARING      | DISTANCE |
|------|--------------|----------|
| L1   | N89°15'52" E | 33.00'   |
| L2   | S00°44'08" E | 49.82'   |
| L3   | S44°37'23" E | 20.06'   |
| L4   | N72°14'19" E | 28.40'   |
| L5   | S00°44'08" E | 29.42'   |

APPARENT  
PROPERTY LINE

IVA M UNGS  
PIN: 010250001900  
BOOK 1999 PAGE 2193

PROPOSED PERMANENT  
EASEMENT AREA

CENTERLINE OF  
EXISTING PIPELINE  
RIGHT OF WAY AGREEMENT  
(NO WIDTH SPECIFIED)

10" BP PIPELINE

S 88°30'38" E 121.94'

N 88°30'38" W 198.15'

EXISTING FENCE

Scale: 1" = 50'

0 50 100  
FEET FEET FEET

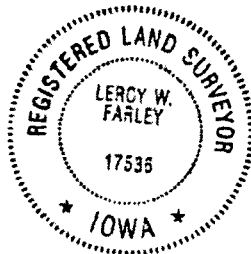
## LEGAL DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 90 NORTH, RANGE 3 WEST, DELAWARE COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

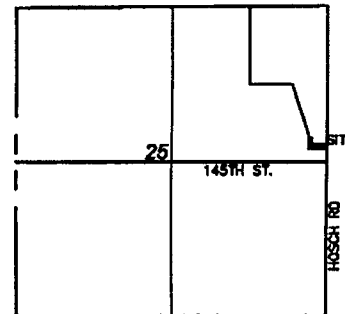
COMMENCING AT A 1/2" IRON ROD MARKING THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 25; THENCE ALONG THE EAST LINE OF SAID QUARTER SECTION N 00°44'08" W, A DISTANCE OF 534.76 FEET; THENCE PARALLEL TO THE SOUTH LINE OF A TRACT OF LAND CONVEYED TO IVA M. UNGS AS DEED BOOK 1999 PAGE 2193 IN THE DELAWARE COUNTY RECORDER'S OFFICE, S 89°15'52" W, A DISTANCE OF 33.00 FEET TO THE WEST RIGHT OF WAY LINE OF HOSCH ROAD AND THE POINT OF BEGINNING; THENCE N 88°30'38" W, A DISTANCE OF 198.15 FEET TO THE WEST LINE OF SAID UNGS TRACT; THENCE ALONG THE WEST LINE OF SAID UNGS TRACT N 00°44'08" W, A DISTANCE OF 82.09 FEET; THENCE N 89°15'52" E, A DISTANCE OF 33.00 FEET; THENCE S 00°44'08" E, A DISTANCE OF 49.82 FEET; THENCE S 44°37'23" E, A DISTANCE OF 20.06 FEET; THENCE S 88°30'38" E, A DISTANCE OF 121.94 FEET; THENCE N 72°14'19" E, A DISTANCE OF 28.40 FEET TO THE WEST RIGHT OF WAY LINE OF HOSCH ROAD; THENCE ALONG THE WEST RIGHT OF WAY LINE OF HOSCH ROAD S 00°44'08" E, A DISTANCE OF 29.42 FEET TO THE POINT OF BEGINNING. CONTAINING 6,384.2 SQ. FT. (0.147 ACRES).

## NOTES:

1. THE PURPOSE OF THIS PLAN IS TO SHOW THE LIMITS OF THE EXISTING PIPELINE EASEMENT AND PROPOSED PERMANENT EASEMENT ON THE SUBJECT PROPERTY.
2. THE INFORMATION SHOWN HEREON IS AN ILLUSTRATION OF THE APPARENT PROPERTY LINES IN RELATION TO THE PROPOSED EASEMENTS. IT SHOULD NOT BE USED AS A PROPERTY BOUNDARY SURVEY.
3. BEARINGS SHOWN HEREON ARE GRID BEARINGS OF NAD83 IOWA STATE PLANE NORTH ZONE, U.S. SURVEY FEET. SURVEYED DISTANCES SHOWN HEREON ARE ON GRID AND A SCALE FACTOR MUST BE APPLIED TO CONVERT TO GROUND DISTANCES.
4. HOSCH ROAD RIGHT-OF-WAY IS CENTERED ALONG THE SECTION/COUNTY LINE, PER ORIGINAL ROAD RECORDS. NO RIGHT-OF-WAY WIDTH IS DOCUMENTED IN THESE RECORDS. ROAD RIGHT-OF-WAY IS ASSUMED TO BE 66' PER STATE STATUTES.



*L W Farley*



SECTION MAP

N.T.S.

PROPOSED PERMANENT EASEMENT AREA: 6,384.2 SQ. FT. (0.147 ACRE)

SURVEYED BY:



LW Survey Co.  
1788A Oregon Pike  
Suite 304  
Lancaster, PA 17601

CLIENT:



## REVISIONS

| NO. | DATE     | BY  | DESCRIPTION       |
|-----|----------|-----|-------------------|
| 0   | 10/29/18 | JZW | ISSUED FOR REVIEW |
| 1   | 31/07/18 | JZW | ISSUED FOR USE    |

EXISTING PIPELINE RIGHT OF WAY AND  
PROPOSED VALVE SITE EASEMENT

CURRENT OWNER: IVA M. UNGS

DRAWN BY:

JZW

DRAWN DATE:

10/29/18

CHECKED BY:

RF

PLOT DATE:

10/29/18

TRACT NO.

010250001900

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