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Recorded: 01/13/2016 at 09:27:59 AM
Fee Amt: \$22.00 Page 1 of 4
Revenue Tax: \$0.00
Linn County Iowa
JOAN MCCALMANT RECORDER

BK **9448** PG **50-53**

81+j'73

Type of Document: Certificate of No Further Action

Sue Albrecht, Antea Group, 985 Lincoln Rd, Suite 220, Bettendorf, IA, 52722, (563) 355-9785

Preparer Information: (Individual's Name, Street Address, City, Zip, Phone)

Cedar Lake Development Co. c/o Rick Stickle, 500 Stickle Drive NE Cedar Rapids, IA 52401

Taxpayer Information: (Individual/Company Name, Street Address, City, Zip)

Same as Preparer

Return Document to: (Individual/Company Name, Street Address, City, Zip)

Grantors:

Iowa Department of Natural
Resources

Grantees:

Union Pacific Railroad

Legal Description:

Please refer to Page 2-Legal Description

Book & Page Reference:

Book 3477, Page 145

CERTIFICATE OF NO FURTHER ACTION

Prepared By: Dawn Santa Maria, 515.725.8365
IOWA DEPARTMENT OF NATURAL RESOURCES, 502 E 9TH ST, DES MOINES, IA 50319-0034

Return To: JEFF MCDERMOTT, UNION PACIFIC RAILROAD, 1400 DOUGLAS ST STOP 1030,
OMAHA NE 68179

This document certifies that the referenced underground storage tank (UST) site has been classified by the Iowa Department of Natural Resources (Department) as "no further action" as provided in Iowa Code § 455B.474(1)a(8)(a). This certificate must be recorded in the referenced site's County Recorder Office. See Iowa Code § 455B.474(1)(a)(8)(c).

Date of Issuance:	DECEMBER 28, 2015
Owner/Operator of the Tank(s):	UNION PACIFIC RAILROAD
Department File Reference:	UST No. 199017208 LUST No. 8LTJ73
UST Facility Address:	UNION PACIFIC NORTH RAIL YARD 800 STICKLE DR NE CEDAR RAPIDS IA 52401
Owner/Operator Mailing Address:	ATTN JEFF MCDERMOTT UNION PACIFIC RAILROAD 1400 DOUGLAS ST STOP 1030 OMAHA NE 68179
Legal Description of the UST Site:	

(Legal description attached and by this reference made a part hereof.)

UNION-PACIFIC RAILROAD COMPANY
Cedar Rapids, Linn County, Iowa

EXHIBIT "A"

A parcel of land situate in Block 10, Auditor's Plat No. 48, all in the NW¼ of Section 21, Township 83 North, Range 7 West of the Fifth Principal meridian in Cedar Rapids, Linn County, Iowa, more particularly described as follows:

Commencing as a point of reference at the intersection of Seventh Street NE extended northwesterly and a line 100.00 feet northwesterly from and parallel with the centerline of the main track of the Illinois Central Railroad Company;

Thence South 51°12'00" West (recorded bearing), a distance of 471.24 feet, to the easterly line of that certain parcel of land conveyed by Correction Quitclaim Deed dated April 29, 1985, from Chicago Pacific Corporation (predecessor to Union Pacific Railroad Company) to Rick Stickle, recorded in Book 1878 at Page 407 in the Linn County, Recorder's Office;

Thence continuing along the easterly line of said deeded parcel the following 9 courses:

- (1) North 23°04'56" West, a distance of 462.69 feet;
- (2) North 02°57'58" West, a distance of 263.22 feet;
- (3) North 37°06'29" East, a distance of 110.15 feet;
- (4) North 72°54'15" East, a distance of 86.04 feet to the POINT OF BEGINNING;
- (5) North 17°06'23" West, a distance of 83.96 feet;
- (6) North 72°53'37" East, a distance of 15.00 feet;
- (7) North 17°06'23" West, a distance of 153.40 feet;
- (8) South 72°53'37" West, a distance of 38.00 feet;
- (9) North 17°11'09" West, a distance of 205.53 feet, to the northeasterly corner of

said deeded parcel;

Thence South 72°58'59" West, along the northerly line of said deeded parcel, a distance of 109.31 feet;

Thence North 17°05'37" West, a distance of 151.29 feet;

Thence North 73°16'17" East, along the southerly line of a parcel of land described in Book 3339 at Page 319 in the Linn County Recorder's Office, a distance of 100.00 feet;

Thence South 56°07'38" East, continuing along said southerly line, a distance of 110.91 feet, to a point on the southwesterly line of a parcel of land described in Book 3339 at Page 324 in the Linn County Recorder's Office;

Thence South 48°29'07" East, along said southwesterly line, a distance of 491.19 feet, to a point on the northwesterly line of a parcel of land described in Book 3339 at Page 317 in the Linn County Recorder's Office;

Thence South 36°53'00" West, along said northwesterly line, a distance of 150.00 feet;

Thence South 72°54'00" West, continuing along said northwesterly line, a distance of 171.69 feet, to the POINT OF BEGINNING.

Containing an area of 2.58 acres, more or less.

Office of Contracts & Real Estate
Omaha, Nebraska
January 31, 1997

Written by: LEF
HAWKEYE, LGL
423-91

Groundwater Ingestion--Ordinance: Soil or Groundwater contamination is present (or may be present in the future due to contaminant migration) at levels which if ingested by humans could present an unreasonable risk to health. The potential for exposure to this groundwater by installation of groundwater wells is being regulated by the following control:


City and county ordinances were in place at the time of issuance of this no further action certificate which regulates the installation of drinking and non-drinking water wells. The permitting authority has provided a non-binding certification that it is not likely to allow permitting of groundwater wells on this property because of the availability of a public water supply. If this ordinance is not maintained or is otherwise established to be ineffective, the "no action required" classification may be rescinded.

If any monitoring wells are subsequently found they should be properly abandoned in accordance with Chapter 567-39 of the Iowa Administrative Code.

This certificate prohibits the Department from requiring a property owner or a responsible party to conduct further corrective action if the only reason is a change in action levels See Iowa Code § 455B.474(1)(a)(8)(c). An owner or operator shall not be responsible for additional assessment, monitoring, or corrective action activities at a site for the release (LUST) that is issued a no further action certificate unless it is determined that the certificate was issued based upon false material statements that were knowingly or intentionally made by a groundwater professional and the false material statement resulted in the incorrect classification of the site. See Iowa Code § 455B.474(1)(a)(8)(a). However, this certificate does not prevent the Department from requiring corrective action at the site if a new petroleum release occurs. See Iowa Code § 455B.474(1)(a)(8)(c). If a previously unknown or unforeseen risk condition should arise related to the release covered by this certificate, the Department, in conjunction with the Iowa comprehensive petroleum underground storage tank fund board, may fund investigation and corrective action to address the risk. See Iowa Code § 455G.9(1)(k).

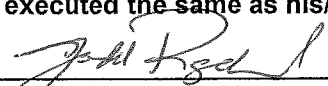
This certificate does not constitute a warranty or representation of any kind to any person as to the environmental condition, marketability, or value of the above-referenced property other than that NFA-qualifying status was achieved upon the date of certificate issuance. See 567 Iowa Administrative Code 135.12(10)(b)(6).

FOR THE DIRECTOR:

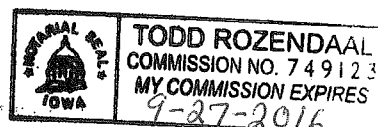

ELAINE DOUSKEY, Supervisor
UST Section
Environmental Services Division

State of Iowa)
County of Polk) ss.

This instrument was acknowledged before me on this 28 day of December, 2015, by Elaine Douskey, who executed the foregoing instrument, and acknowledges that this person executed the same as his/her/their voluntary act and deed.


Notary Public for State of Iowa

My Commission Expires: 9-27-2016



Certificate of No Further Action to be filed with the County Recorder's Office – 8LTJ73
DECEMBER 28, 2015