DELAWARE COUNTY IOWA
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DEBORAH L. PEYTON
DELAWARE CO. RECORDER
11.00

MAQUOKETA VALLEY COOP REPRESENTATIVE

109 NORTH HUBER ST
ANAMOSA IOWA 52205-0370
319-462-3542

# CONVEYANCE OF RIGHT OF WAY EASEMENT FOR ELECTRIC/TELECOMMUNICATION LINE TO MAQUOKETA VALLEY ELECTRIC COOPERATIVE, ANAMOSA , IOWA

LOCATION Del. Co., Elk Twp.,sec. 5 & 8

KNOW ALL MEN BY THESE PRESENTS:

That we, X JOHN E TYRRELL + CLARINE TYRRELL of the County of Delaware, State of Iowa, (unmarried) (husband and wife), for a good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant unto MAQUOKETA VALLEY ELECTRIC COOPERATIVE, a corporation, and to its successors or assigns, the right to enter in and upon my (our) lands situated in the County of Delaware, State of Iowa, and described as follows, to wit:

South 20' of the SE¼ of the SW¼ also South 20' of the SW¼ of the SE¼ parallel with State Highway 3 in section 5. North 20' of the NW¼ of the NE¼ parallel with State Highway 3 in section 8 all in Township 90 North, Range 4 West of the 5th P.M. in Delaware County. All poles to be set within one foot of State Right-of-way.

and a right-of-way to construct, operate, replace, repair and maintain, an electric transmission and distribution line or system on or under the above described lands, including all necessary or convenient poles, wires, cables, guy-wire, underground cable, pad mounted enclosures and transformers for underground lines, ground connections, service lines, fixtures and appurtenances, for the transmission and distribution of electric current and telecommunication for any purpose whatsoever, including the right to cut and trim trees to the extent necessary to keep them clear of the distribution lines by at least ten feet, said right-of-way to be located over and across the premises heretofore described on a course now designated by the Grantee, or upon a course that may hereafter be designated by the Grantee upon the relocation of said line.

The Grantors covenant that the above described lands are free and clear of encumbrances and liens of whatsoever character except —— and taxes and assessments are not yet due, and —— hereby relinquishes and releases any right or interest he(she) may have in and to the easement for the right-of-way herein granted, including right of dower, distributive share, or homestead therein.

Grantor (landowner) has the right to cancel this Agreement granting easement to Grantee (Cooperative) by mailing a "Notice of Cancellation" to the Grantee at its principal place of business by certified mail with return requested. The Notice must be received by Grantee within seven (7) days, excluding Saturday and Sunday. Grantor acknowledges receipt of this written information as to right to cancel prior to signing of this easement agreement and acknowledges receipt of the form which can be used to mail Grantee for "Notice of Cancellation". Grantee will not record this Agreement until after the period for cancellation has expired. This right of cancellation may be exercised only once for each transmission line project.

All damages to the property of the Grantor (other than to trees) caused by construction, maintaining, replacing or repairing, said distribution system shall be borne by the Grantee, its successors or assigns.

IN WITNESS WHEREOF, we have set our hands this x 24 day of x NOVEMBER A.D., 20 00 .

x John E. Tyrrell

Clarine Tyrrell

WITNESSES:

Vera C. Parker

Linda L. Hearhart

STATE OF IOWA, Delaware COUNTY, ss:

On this 24th day of November A.D., 2000, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared John E. Tyrrell + Clarine Tyrrell to me known to be the persons named in and who executed the foregoing instruments, and acknowledged that they executed the same as their voluntary act and deed.

(SEAL) NOTARIAL SEAL IOWA MY COMMISSION EXPIRES 8-10-02

Notary Public in and for Delaware County, State of Iowa

STATE OF IOWA, _____ COUNTY, ss:

On this _____ day of _____ A.D., 20___, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared _____ to me personally known, who, being by me duly sworn, did say that they are the _____ respectively, of said Corporation executing the within and foregoing instruments, and that the said _____ 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.

(SEAL)

Notary Public in and for _____ County, State of Iowa