Parcel # 140-05-00-015-10
Carla Becker Auditor
Verified By: DHARGRAFEN

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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Return to: Jeanne Archie - ITC Midwest, LLC – 201 3rd Street, SE, Suite 300, Cedar Rapids, Iowa 52401 (319) 364-6600
Tax Statement to:
Prepared By: – Brandy Stark – JCG Land Services – 1715 South G Avenue, Nevada, Iowa 50201 (515) 382-1698

ELECTRIC LINE EASEMENT

For and in consideration of the sum of One Dollar ($1.00) and other valuable consideration, the receipt of which is hereby acknowledged, Paul T. Heffernen and Elizabeth A. Heffernen, husband and wife as Joint Tenants with Full Rights of Survivorship, and not as Tenants in Common ("Grantor(s)"), **ADDRESS** 209 Winslow Drive, Manchester, IA 52057 do(es) hereby warrant and convey unto ITC Midwest, LLC, a Michigan limited liability company, 27175 Energy Way, Novi, MI 48377, its successor and assigns, ("Grantee"), a perpetual easement with the right, privilege and authority to construct, reconstruct, maintain, operate, repair, patrol and remove an electric and telecommunications line or lines, consisting of poles, towers, crossarms, insulators, wires, guy wires, anchors and other necessary fixtures, equipment and construction for transmitting electricity, communications and all Corporate purposes together with the power to extend to any other party the right to use, jointly with the Grantee, pursuant to the provisions hereof, upon, under, over and across the following described lands located in the County of Delaware and the State of Iowa:

Parcel "C" part of the Northeast Quarter (NE¼) of Section Five (5), Township Eighty-nine (89) North, Range Five (5) West of the 5th P.M., Delaware County, Iowa, according to plat recorded in Book 2006, Page 1173, on March 30, 2006.

The easement area being the South Seventy-five feet (75') of the North Half (N½) of the Northeast Quarter (NE¼) of Section Five (5), Township Eighty-nine (89) North, Range Five (5) West of the 5th P.M., Delaware County, Iowa, subject to highways and easements of record, being a part of Parcel "C".

AND

The easement area being the North Seventy-five feet (75') of the South Half (S½) of the Northeast Quarter (NE¼) of Section Five (5), Township Eighty-nine (89) North, Range Five (5) West of the 5th P.M., Delaware County, Iowa, subject to highways and easements of record, being a part of Parcel "C".

Together with all the rights and privileges for the full enjoyment or use thereof for the aforesaid purpose.

Grantor(s) agrees that it will not construct or place any buildings, structures, plants, or other obstructions on the property described above which would result in a violation of the minimum clearance requirements of the National Electric Safety Code or would interfere with the operation and maintenance of the line.

Grantor(s) also conveys the right and privilege to trim, cut down or control the growth of any trees or other vegetation on said described land and such other trees and vegetation adjacent thereto as in the judgment of the Grantee may interfere with construction, reconstruction, maintenance, operation, repair, use of, or which in falling might touch the said line or lines.

Grantee, its contractor or agent, may enter said premises for the purpose of making surveys and preliminary estimates immediately upon the execution of this easement.

The Grantor(s) also grants to the Grantee the right of ingress and egress to said line or lines, over/under lands now owned by the Grantor(s), for the purpose of constructing, reconstructing, maintaining, operating, patrolling, repairing and removing said line or lines, and the Grantee agrees to pay to the Grantor(s) or its tenants all damages done to the lands (except the cutting and trimming of trees or other vegetation), fences, livestock or crops of the Grantor(s) or its tenants, by the Grantee or its employees while constructing, reconstructing, patrolling or repairing said line or lines.

Signed this 7th day of April, 2009.

GRANTOR(S)

By: Paul T. Heffernen
Paul T. Heffernen

By: Elizabeth A. Heffernen
Elizabeth A. Heffernen

ALL PURPOSE ACKNOWLEDGMENT

STATE OF Iowa)

COUNTY OF Delaware) ss:

On this 7th day of April, AD. 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared

Paul T. Heffernen

Elizabeth A. Heffernen

____ to me personally known

or X provided to me on the basis of satisfactory evidence

to be the persons(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

NOTARY SEAL

NOTARIAL SEAL IOWA MARK G. POMERENING Commission Number 757336 My Commission Expires 3/9/10

Mark G. Pomerening
(Sign in Ink)

Mark G. Pomerening
(Print/type name)

Notary Public in and for the State of Iowa

CAPACITY CLAIMED BY SIGNER

X INDIVIDUAL
____ CORPORATE
Title(s) of Corporate Officers(s):

____ N/A
____ Corporate Seal is affixed
____ No Corporate Seal procured

____ PARTNER(s)
____ Limited Partnership
____ General Partnership

____ ATTORNEY-IN-FACT
____ EXECUTOR(s),
____ ADMINISTRATOR(s),
____ or TRUSTEE(s):
____ GUARDIAN(s)
____ or CONSERVATOR(s)
____ OTHER

SIGNER IS REPRESENTING:
List name(s) of persons(s) or entity(ies):

Self