Book 2014 Page 207
Document 2014 207 Type 03 006 Pages 2
Date 1/28/2014 Time 3:34:38PM
Rec Amt $12.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Matthew G. Kurt
PREPARED BY AND RETURNED TO

MAQUOKETA VALLEY ELECTRIC COOPERATIVE
109 NORTH HUBER ST 319-462-3542
ANAMOSA IOWA 52205-0370

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

LOCATION Map 37 Section 8 MBR 225 W.O. 130515

2013-391

KNOW ALL MEN BY THESE PRESENTS:

That I, Phyllis M. Schulte & Ryan C. Benesch of the County of Delaware, State of Iowa, 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:

A ten foot path on both sides of the underground power line located in the Southwest Quarter (SW ¼), of the Northwest Quarter (NW ¼), of Section 8 (S8), Township 87 North, Range 6 West, of the Fifth Principal Meridian, as recorded by the Delaware County Assessor as parcel ID 310080000430

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 manage vegetation and 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. Grantor shall not construct buildings or other permanent structures within 15 feet of electrical facilities on the above described lands.

IN WITNESS WHEREOF, we have set our hands this 10/8/2013 day of October A.D., 2013.

Phyllis M. Schulte

Phyllis M. Schulte

Ryan C. Benesch

WITNESSES:

_____

_____

STATE OF IOWA, Linn COUNTY, ss:

On this 8TH day of October A.D., 2013, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Phyllis M. Schulte & Ryan C. Benesch 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)

Notary Public in and for Linn County, State of Iowa

CHRISTOPHER A. NIELSEN
Commission Number 748428
My Commission Expires
9-16-2016