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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Jeffrey J. Geistkemper
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 39 section 28

KNOW ALL MEN BY THESE PRESENTS:

2011-475

That we: **Roger L. Smith, Trustee of the Roger L. Smith Revocable Trust and Beverly J Smith, Trustee of the Beverly J. Smith Revocable Trust**; 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:

That lying east of the county road located in the South ½ of the Northwest ¼ of Section 28, Township 87 North, Range 4 West of the 5th Principal Meridian, Delaware County Iowa.

Specifically located 15 feet south of the north property line.

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 11th day of April A.D., 2013.

Roger L. Smith

Roger L. Smith (Trustee)

Beverly J Smith

Beverly J Smith (Trustee)

WITNESSES:

Megan Ruley

STATE OF IOWA, Delaware COUNTY, ss:

On this 11th day of April A.D., 2013, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared:

Roger L. Smith, Trustee of the Roger L. Smith Revocable Trust and Beverly J Smith, Trustee of the Beverly J. Smith Revocable Trust

to me personally known, who, being by me duly sworn, did say that they are the Trustees respectively, of said Corporations executing the within and foregoing instruments, and that the said Trustees as such officers acknowledged the execution of said instrument to be the voluntary act and deed of said Corporations, by it and by them voluntarily executed.

(SEAL) NOTARIAL SEAL IOWA JEFFREY J. GEISTKEMPER COMMISSION NUMBER 716169 MY COMMISSION EXPIRES 4-23-14

Notary Public in and for Delaware County, State of Iowa