Kirk will pick up

Book 2015 Page 160

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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared By: Kirk Kraft, P.O. Box 439, De Soto, IA 50069 (641) 529-1602
Return To: Stephen Dryden, P.O. Box 439, De Soto, IA 50069

MEMORANDUM OF WIND FARM OPTION AGREEMENT

This is a Memorandum ("Memorandum") of a Wind Farm Option Agreement ("Agreement") signed at the same time as this Memorandum between James E. Yordy & Awilla Sue Yordy husband & wife

whose address for purposes of this Memorandum is 1855 Copperfield Drive, Morton, IL 61550, its successors and assigns ("Owner"), as grantor, and Independence Wind Energy LLC, an Iowa limited liability company, whose address for purposes of this Memorandum is 7 Ellefson Drive, P.O. Box 439, De Soto, IA 50069, its successors and assigns ("Independence"), as grantee, pertaining to Owner's Property legally described on the attached copy of **Exhibit A** to the Agreement.

PAGE ~~4~~ 5

1. **Easements.** The Agreement is an option with respect to the Owner's Property for a Wind Farm Easement Agreement granted by Owner in favor of Independence including any or all of the following easements: turbine site, meteorological tower site, access, collection facilities, collection line, overhang, construction, wind non-obstruction, sound, and light and shadow and other easements.

2. **Exercise of Options.** Exercise of the Option Agreement as to a portion of Owner's Property and/or exercise to obtain a overhang, construction, wind non-obstruction, sound, and light and shadow easements as to all or a portion of Owner's Property shall not terminate the Option Agreement.

3. **Term of Option.** The term of the Agreement ends December 31, 2017, provided Independence may extend the Agreement for a one year period through December 31, 2018, as more specifically provided in the Agreement.

4. **Record of Termination of Option Agreement.** If the Agreement is terminated or allowed to expire without being exercised or extended, Independence will file a notice of termination of the Agreement in the public records. If Independence, when obligated to do so, fails to file a notice

of termination, then Owner may file Owner's affidavit of termination of the Agreement and proof of service of a copy of the affidavit on Independence according to the notice procedures of the Agreement. Unless Independence files in the public records a written objection or denial of termination within thirty (30) days after service on it of the affidavit, the affidavit shall have the same effect as a notice of termination by Independence.

5. **Assignment.** The Agreement runs with the land. Independence may freely transfer its rights under the Agreement to others. Owner may freely sell, mortgage, or lease Owner's Property to others. Any such assignment, sale, mortgage, lease or other form of transfer shall be subject to the terms and requirements of the Agreement.

INDEPENDENCE:

Independence Wind Energy LLC
an Iowa limited liability company

By Tanya M. Olson
Tanya M. Olson, Authorized Representative

STATE OF IOWA, DELAWARE COUNTY) SS:

This record was acknowledged before me on AUGUST 5TH, 2014 by TANYA OLSON as authorized representative of Independence Wind Energy LLC.

KIRK KRAFT
Notarial Seal - IOWA
Commission No. 744693
My Commission Expires January 09, 2016

KIRK KRAFT Notarial Officer
My commission expires: JAN. 09, 2016

STAMP

[OWNER'S SIGNATURES BEGIN ON NEXT PAGE]

OWNER: Signature: [signature]

Printed Name: JAMES E. YORDY

OWNER: Signature: Awilla Sue Yordy

Printed Name: AWILLA SUE YORDY

OWNER: Signature: _____

Printed Name: _____

OWNER: Signature: _____

Printed Name: _____

Individual Acknowledgments

STATE OF ILLINOIS, TAZEWELL COUNTY) SS:

This record was acknowledged before me this 2nd day of August, 2014 by

James E. Yordy and Awilla Sue Yordy, husband + wife

name(s) of person(s) and marital status

Connie Rebecca Byrd

Notarial Officer

My commission expires: 2-5-2017

"OFFICIAL SEAL"
CONNIE REBECCA BYRD
Notary Public - State of Illinois
My Commission Expires February 05, 2017

STAMP

STATE OF IOWA, _____ COUNTY) SS:

This record was acknowledged before me this _____ day of _____, 20__, by

_____.

name(s) of person(s) and marital status

_____

Notarial Officer

My commission expires: _____

STAMP

EXHIBIT A

LEGAL DESCRIPTION OF OWNER'S PROPERTY

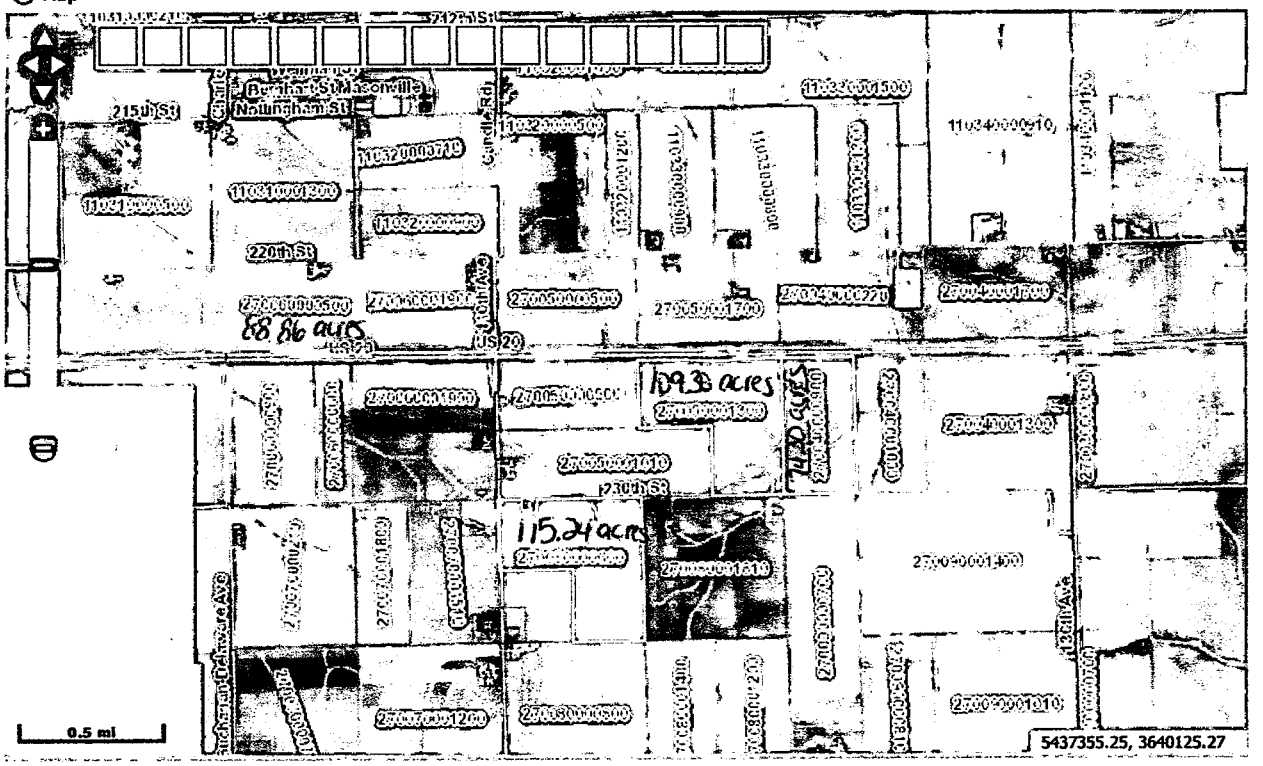
Owner agrees that the following legal description is subject to correction to reflect an accurate legal description to be provided by an abstractor or title insurer based on an accurate representation of the county records and, if necessary, based on a survey obtained at Independence's expense. Acreage is also subject to correction to conform to the accurate legal description.

See attached 2 inserts

Sections 4, 5, 6, 8, 22

Acreage of Owner's Property per County Assessor's Records: 618.17

Map



Parcel ID [redacted]
Sec/Twp/Rng [redacted]
Property Address [redacted]
District PRAIRIE
Brief Tax Description [redacted]

Alternate ID n/a
Class A
Acreage 313.40

Owner Address Yordy, James E (1/2 Int)
1855 Copperfield Dr
Morton, IL 61550

ed on legal documents)

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Section 8 E ½ NW¼, NW¼ of NW¼ except as described in Book 94, Page 110
T-88-N, R-6-W

Section 6 NW¼, except N 390.4 feet, E 501.4 feet, W 202 feet,
W 10 acres SW NE, W 2.60 acres, NW frl NE
T-88-N, R-6-W

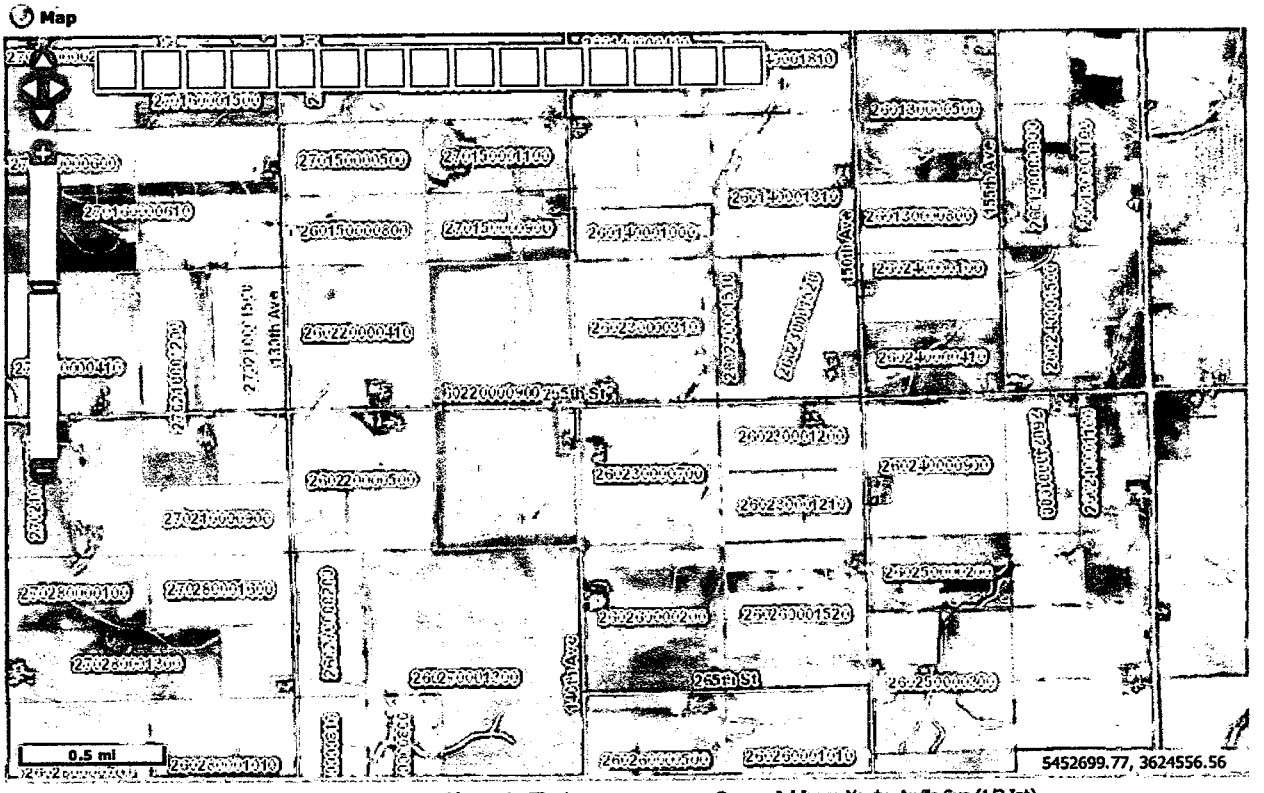
Section 5 N ½ of SE¼, SE¼ of SE¼, T-88-N, R-6-W

Section 4 W ½ of SW¼, T-88-N, R-6-W

138, 138A, 138B, 138C

PAGE 5

Map



Parcel ID	260220000900	**Alternate ID**	n/a	**Owner Address**	Yordy, Awilla Sue (1/2 Int) 1855 Copperfield Dr Morton, IL 61550
Sec/Twp/Rng	22-88-6	**Class**	A		
Property Address		**Acreage**	304.77		

District PRAIRIE

Brief Tax Description SE 1/4 EX E 292'
N 875' NE 1/4
(Note: Not to be used on legal documents)

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138, 138A, 138B, 138C