Recorded: 2/8/2017 at 1:42:04.0 PM
Fee Amount: $17.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2017 PG: 418

Return to: Mallory Huisman – JCG Land Services – 1715 South G Avenue, Nevada, Iowa 50201 (515) 382-1698
Prepared By: Tarah Andrews – JCG Land Services – 1715 South G Avenue, Nevada, Iowa 50201 (515) 382-1698

OVERHANG EASEMENT

For and in consideration of the sum of One Dollar ($1.00) and other valuable consideration, the receipt of which is hereby acknowledged, **Roger G. Wilson a/k/a Roger Wilson and Marilyn K. Wilson a/k/a Marilyn Kay Wilson, Husband and Wife,** 725 Howard St., PO Box 108, Ryan, IA 52330 ("Grantor(s)"), 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 overhang easement with the right, privilege and authority to construct, reconstruct, maintain, operate, repair, patrol and remove electric and telecommunication lines (but including no right or privilege to place poles, towers or other structures in contact with the ground within the premises described), 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, over and across the following described lands located in the County of Delaware and the State of Iowa:

All of lot Four, **except** the north 70 feet, block twenty, Ryan, Iowa; same being a part of the South East quarter of the North East quarter of Section Thirteen (13), Township Eighty Seven (87) North, Range Six (6), West of the Fifth Principal Meridian; **AND** the North Seventy feet (70), of Lot Four (4), Block Twenty (20), in the Town of Ryan, Iowa; **AND** Railroad Street from the South boundary line of the alley in Block Twenty Two (22) to the North boundary line of South Street; also, that part of South Street from the East boundary line of Howard Street to the Westerly line of the Illinois Central Railroad, all in the Town of Ryan, Iowa.

The Easement Area being the South 25 feet of the above-described property.

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 or lines.

Grantor(s) also conveys the right and privilege to cut, trim, remove, destroy or otherwise 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 maintenance, operation, 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 lands now owned by the Grantor(s), for the purpose of constructing, reconstructing, maintaining,

operating, repairing, patrolling and removing, said line or lines. 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, maintaining, operating, patrolling, repairing or removing said line or lines.

Signed this 24 day of January, 2017.

GRANTOR(S):

By: _____
Roger G. Wilson a/k/a Roger Wilson

By: _____
Marilyn K. Wilson a/k/a Marilyn Kay Wilson

ALL PURPOSE ACKNOWLEDGMENT

STATE OF Iowa)

COUNTY OF Delaware) ss:

On this 24th day of January, AD. 2017 before me, the undersigned, a Notary Public in and for said State, personally appeared

Roger G. Wilson a/k/a/ Roger Wilson and

Marilyn K. Wilson a/k/a Marilyn Kay Wilson

_____ 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.

Mark G. Pomerening
(Sign in Ink)

Mark G Pomerening
(Print/type name)

Notary Public in and for the State of Iowa

NOTARY SEAL

NOTARIAL SEAL IOWA
MARK G. POMERENING
Commission Number 757336
My Commission Expires
3/9/17

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

_____