

BK: 2022 PG: 3570
Recorded: 12/12/2022 at 8:33:12.0 AM
Pages 3
County Recording Fee: \$17.00
Iowa E-Filing Fee: \$3.32
Combined Fee: \$20.32
Revenue Tax:
LISA SMITH RECORDER
Madison County, Iowa

PLEASE RETURN TO:

MIDAMERICAN ENERGY ATTN: RIGHT-OF-WAY SERVICES P.O. BOX 657 DES MOINES, IA 50303-0657

Prepared by: Eric Woosley 515-281-2914 MIDAMERICAN ENERGY COMPANY P.O. BOX 657 DES MOINES, IA 50303-0657

**TERMINATION OF WINDPARK EASEMENT AGREEMENT AND
MEMORANDUM OF WINDPARK EASEMENT AGREEMENT**

THIS TERMINATION OF WINDPARK EASEMENT AGREEMENT AND MEMORANDUM OF WINDPARK EASEMENT AGREEMENT (this "Termination") is executed as of the 23 day of November, 2022 (the "Effective Date") by MidAmerican Energy Company, an Iowa Corporation ("Developer"), with reference to the following facts:

- A. **John D. Wells a/k/a John David Wells and Kimberly K. Haus-Wells, his wife** ("Owner") and MidAmerican Energy Company, an Iowa corporation ("Developer") entered into that certain unrecorded Windpark Easement Agreement (the "Agreement") dated as of May 23, 2017, as evidenced by a Memorandum of Windpark Easement Agreement (the "Memorandum") recorded July 18, 2017, in Book 2017, Page 2198, in Official Records of Madison County, Iowa, and as amended by that certain unrecorded First Amendment to Windpark Easement Agreement dated May 14, 2018 (the "Amendment") a Memorandum of First Amendment to Windpark Easement Agreement (the "Amendment Memorandum") of which was recorded June 20, 2018, in Book 2018, Page 1942, in Official Records, Madison County, Iowa, whereby Owner granted to Developer certain easement rights and related uses over, under and across certain real property located in Madison County, Iowa, as more particularly described in Exhibit "A" attached hereto and made a part hereof (the "Property").
- B. Section 8.3 of the Agreement provides that Developer may terminate the Agreement and the easements therein at any time, as to all or any part of the Property, by giving written notice to Owner.
- C. Developer has provided written notice to Owner of the termination of the Agreement and Memorandum, and therefore, Developer desires to execute this Termination so as to evidence the termination of the Agreement and Memorandum.

NOW, THEREFORE, effective as of the Termination Effective Date, Developer hereby cancels and terminates the Agreement and Memorandum over the property described below. This Termination shall bind and insure to the benefit of the Owner and Developer and their respective heirs, legal representatives, successors and assigns.

IN WITNESS WHEREOF, Developer has executed this Termination as of the date of first set forth above.

DEVELOPER

MIDAMERICAN ENERGY COMPANY

By: 
Adam Jablonski
Vice President, Project Development


By: 
Mark Lowe
Vice President, General Counsel and
Assistant Secretary

ACKNOWLEDGEMENTS

STATE OF IOWA)
) SS
COUNTY OF POLK)

This record was acknowledged before me on November 23, 2022, by Adam Jablonski as Vice President, Project Development for MidAmerican Energy Company.




Signature of Notary Public

STATE OF IOWA)
) SS
COUNTY OF POLK)

This record was acknowledged before me on November 21, 2021, by Mark Lowe as Vice President, General Counsel and Assistant Secretary for MidAmerican Energy Company.


Signature of Notary Public



EXHIBIT A

Tract 1: Parcel "A" of the SW 1/4 of the SE 1/4 of Section 5, Township 77 North, Range 29 West of the 5th P.M., Madison County, Iowa, as recorded in Book 2001 Page 2644 on June 25, 2001 in the office of the Madison County Recorder.

Tract 2: The West 120 acres of the SE 1/4 of Section 5, Township 77 North, Range 29 West of the 5th P.M., Madison County, Iowa EXCEPT Parcel "A" of the SW 1/4 of the SE 1/4 of Section 5, Township 77 North, Range 29 West of the 5th P.M., Madison County, Iowa, as recorded in Book 2001 Page 2644 on June 25, 2001 in the office of the Madison County Recorder AND EXCEPTING the NW 1/4 of the SE 1/4 of said Section 5.