

BK: 2022 PG: 3580
Recorded: 12/12/2022 at 9:23:13.0 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. **Dixie L. Smith as Trustee of the Dixie L. Smith Revocable Trust dated September 14, 2010** ("Owner") and MidAmerican Energy Company, an Iowa corporation ("Developer") entered into that certain unrecorded Windpark Easement Agreement (the "Agreement") dated as of March 30, 2018, a Memorandum (the "Memorandum") of which was recorded April 20, 2018 in Book 2018, Page 1223, in Official Records of 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 (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 the Memorandum and desires to execute this Termination so as to evidence the termination of the Agreement and the Memorandum.

NOW, THEREFORE, effective as of the Effective Date, Developer hereby cancels and terminates the Agreement and the Memorandum. 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

That part of the West Half of the Southeast Quarter (W/1/2 SE1/4) and the East Half of the Southwest Quarter (E1/2 SW1/4) of Section Two (2), Township Seventy-seven (77) North, Range Twenty-nine (29) West of the 5th P.M., described as follows: Beginning at the Southwest corner of the East Half of the Southwest Quarter (E1/2 SW1/4) of said Section Two (2), proceed North along the West line of the East Half of the Southwest Quarter (E1/2 SW1/4) of Said Section Two (2) (North 00°09' E 2231.2') to a point 401.6 feet South of the Northwest corner thereof; thence North 89°36' East 620 feet; thence North 04°54' West 37.9 feet; thence North 89°33' East 1483 feet; thence South 00°17' West 1132.8 feet; thence South 89°19' West 61.6 feet; thence South 87°05' West 295.1 feet; thence South 06°11' East 494 feet; thence South 47°48' West 322 feet; thence South 62°48' W 837 feet to the South line of said Section Two (2); thence North 89°57' West 836.4 feet to the point of beginning, all now being in and forming a part of Madison County, Iowa, containing 95.80 acres, more or less, subject to 33 feet of road right-of-way on the West side.