

BK: 2022 PG: 3597
Recorded: 12/12/2022 at 10:24:56.0 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:

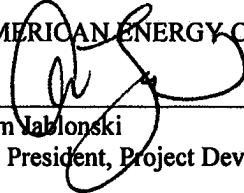
- A. **Morris D. Smith as Trustee of the Morris D. Smith Revocable Trust dated September 14, 2010** ("Owner") and MidAmerican Energy Company, an Iowa corporation ("Developer") entered into that certain unrecorded Windpark Easement Agreement (the "Agreement") dated as of December 28, 2017, as evidenced by a Memorandum of Windpark Easement Agreement (the "Memorandum") recorded January 22, 2018, in Book 2018, Page 227, in Official Records of Madison County, Iowa, and as amended by that certain unrecorded First Amendment to Windpark Easement Agreement dated April 27, 2018 (the "Amendment") a Memorandum of First Amendment to Windpark Easement Agreement (the "Amendment Memorandum") of which was recorded July 19, 2018, in Book 2018, Page 2308, 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.

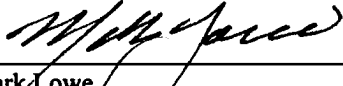
NOW, THEREFORE, effective as of the Termination Effective Date, Developer hereby cancels and terminates the Agreement and Memorandum over the property described below. This Termination shall bind and insure to the benefit of the Owner and Developer and their respective heirs, legal representatives, successors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

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

DEVELOPER

MIDAMERICAN ENERGY COMPANY

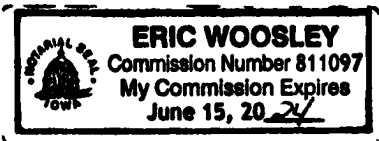
By: 
Adam Jablonski
Vice President, Project Development


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

The Southwest Quarter (SW1/4) of Section Fifteen (15), in Township Seventy-six (76) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, EXCEPT a tract described as follows: Commencing at the Southwest corner of said Southwest Quarter (SW1/4), and running thence East 110 feet, thence North 539 feet, thence West 110 feet, thence South 539 feet to the place of beginning, AND EXCEPT Parcel "B" thereof, containing 12.97 acres, as shown in Plat of Survey filed in Book 2006, Page 5235 on December 19, 2006, in the Office of the Recorder of Madison County, Iowa.