

*MCA*  
PREPARER  
INFORMATION

MICHELLE "MICKI" UTSLER, COUNTY RECORDER  
MADISON IOWA

John E. Casper, 223 East Court, Winterset, IA 50273-0067 (515) 462-4912

**ELECTRIC LINE RIGHT-OF-WAY EASEMENT**

COMPUTER	<input checked="" type="checkbox"/>
RECORDED	<input checked="" type="checkbox"/>
COMPARED	<input checked="" type="checkbox"/>

Know all people by these presents, that the undersigned, Ronald J. Berdine and Sharon E. Berdine, husband and wife, their successors and assigns (hereafter the Grantor), for a good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant unto Donald J. Lynch, his successors and assigns (hereafter the Grantee), the right to enter upon the lands of the undersigned, situated in the County of Madison and the State of Iowa, more particularly described as follows:

A public utilities easement in the Southeast Quarter of the Southeast Quarter of Section 33, Township 77 North, Range 28 West of the 5<sup>th</sup> P.M., Madison County, Iowa, which is 60.00 feet wide and being 30.00 feet wide on both sides of the following described centerline:

Commencing at the Southeast Corner of Section 33, Township 77 North, Range 28 West of the 5<sup>th</sup> P.M., Madison County, Iowa; thence along the South line of said Section 33, North 89°36'18" West, 941.18 feet to the Point of Beginning. Thence North 00°12'56" East 1,318.50 feet to a terminus on the North line of the Southeast Quarter of the Southeast Quarter of said Section 33, and being the Northeast Corner of Parcel "D",

and to place, construct, operate, repair, maintain, relocate, and replace upon, along and under this land and, in or upon all public or private road rights of way abutting this land, an electric transmission or distribution line or system; and, incident thereto, to cut and trim trees and shrubbery to the extent necessary to keep such vegetative growth clear of the electric line or system; and, incident thereto, to cut down from time to time all dead, weak, leaning or dangerous trees that may strike or otherwise damage the wires or other facilities or equipment.

In granting this easement the undersigned understand that at pole locations, only a single pole and appurtenances will be used; and, that the location of the poles will be such as to form the least possible interference to farm operations, so long as it does not materially increase the cost of construction; and, that the transmission lines may be placed underground in the discretion of the utility.

The undersigned covenants that they are the owner of the above-described lands and that these lands are free and clear of encumbrances and liens of whatsoever character except for a mortgage lien.

This agreement shall be a covenant running with the above described land binding upon and benefitting the parties, their successors and assigns.

It is further understood that, whenever necessary, words used in this instrument in the singular shall be construed to read in the plural and the words used in the masculine gender shall be construed to read in the feminine.

IN THE WITNESS WHEREOF, the undersigned has set his hand this 18 day of June, 2005.

Grantors:

Ronald J. Berdine  
Ronald J. Berdine

Sharon E. Berdine  
Sharon E. Berdine

Grantee:

Donald J. Lynch  
Donald J. Lynch

STATE OF IOWA, COUNTY OF MADISON, ss:

On this 18 day of June, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Ronald J. Berdine and Sharon E. Berdine, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Lawrence C Watts  
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

**Lawrence C Watts**  
**Notarial Seal - Iowa**  
**Commission No. 702488**  
**My Commission Expires 3/29/06**

STATE OF IOWA, COUNTY OF MADISON, ss:

On this 18 day of June, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Donald J. Lynch, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Lawrence C Watts  
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

**Lawrence C Watts**  
**Notarial Seal - Iowa**  
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