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MICHELLE UTSLER. COUNTY RECORDER MADISON IOWA

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PLEASE RETURN TO:

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

Prepared by: Paige Norris (515) 281-2604

## MIDAMERICAN ENERGY COMPANY **ELECTRIC LINE EASEMENT**

Folder No.

182-05

Work Reg. No. 1831598

Project No. Sub No.

51125 DR1831598 State of

Iowa Madison

County of Section

10

Township

76 North

Range

27 West of the 5th P.M.

## KNOW ALL MEN BY THESE PRESENTS:

For and in consideration of the sum of One and no/100------Dollar (\$1.00), and other valuable consideration, in hand paid by MIDAMERICAN ENERGY COMPANY, an Iowa Corporation, receipt of which is hereby acknowledged, the undersigned David R. Merriam and Carol G. Merriam, husband and wife. (Grantors), heirs and assigns, do hereby grant to MIDAMERICAN ENERGY COMPANY (Grantee), its successors or assigns, the right to lay, maintain, operate, repair, and remove underground conduit, wires, and other necessary equipment incident thereto (including associated power poles and surface mounted equipment) through, over and, across certain property described below, together with ingress and egress to and from the same, and all the rights and privileges incident and necessary to the enjoyment of this grant.

In consideration of such grant, MIDAMERICAN ENERGY COMPANY agrees that it will repair or pay for any damage which may be caused to real and personal property of the undersigned by the construction, maintenance, operation, or removal of said line, except such property placed subsequent to the granting of this easement that interferes with the operation and maintenance of the line and associated equipment.

Additionally, MIDAMERICAN ENERGY COMPANY shall have the right to remove from the strip of land specifically described below, any obstructions; including trees, plants, undergrowth, buildings, and structures that interfere with the proper operation and maintenance of said line and equipment.

Grantors agree that they will not construct or place any permanent buildings, structures, trees, plants, or other objects on the property described below.

## **EASEMENT DESCRIPTION:**

A 10' wide electric line easement as generally depicted on Exhibit "A", attached hereto and made a part hereof,

UNDER MRG

and situated in the property described as follows:

Parcel A located in the East Half (1/2) of the Northeast Quarter (1/4) of Section Ten (10), Township Seventysix (76) North, Range Twenty-seven (27) West of the 5<sup>th</sup> P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of the Northeast Quarter (1/4) of the Northeast Quarter (1/4) of said Section Ten (10); thence on an assumed bearing of South 00°27'34" West along the West line of said East Half (1/2) of the Northeast Quarter (1/4) a distance of 245.00 feet to the point of beginning; thence North 90°00'00" East 840.68 feet to the centerline of Madison County Highway G4R; thence Southeasterly 427.63 feet along said centerline on a tangential curve, concave to the Northeast, and having a radius of 1273.38 feet, a central angle of 19°14'34", and a chord 425.62 feet in length bearing South 77°06'19" East; thence South 00°06'52" West 975.79 feet; thence North 88°38'48" West 314.57 feet; thence South 00°54'43" West 358.16 feet; thence South 40°22'12" East 118.00 feet; thence North 90°00'00" West 1021.99 feet to the West line of the East Half (1/2) of the Northeast Quarter (1/4) of said Section Ten (10); thence North 00°27'34" East along said West line 1511.40 feet to the point of beginning. Said tract contains 40.00 acres and is subject to a Madison County Highway Easement over the Northeasterly 0.72 acres thereof.

Please note: The granting of this easement supersedes the easement granted to MidAmerican Energy Company in the Electric Line Easement document dated June 12, 2005 and recorded June 22, 2005, in Book 2005 Page 2814, Page 3, which becomes null and void upon the recording of this present Electric Line Easement document.

This easement shall be binding upon the heirs, successors, and assigns of both parties. Grantors shall have the right of full enjoyment and use of the above-described property except as such that will be inconsistent with this easement.

Dated this B day of September, 2005.

David R Merriam

STATE OF

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**ACKNOWLEDGMENT** 

lotary Public in and for said State

LARRY D. WATTS
Commission Number 176716
My Commission Expires