

1700

MICHELLE UTSLER, COUNTY RECORDER
MADISON IOWA

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RECORDED	✓
COMPARED	✓

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

Prepared by: Anne M. King (515)281-2202

**MIDAMERICAN ENERGY COMPANY
UNDERGROUND ELECTRIC LINE EASEMENT**

Folder No. 284-06
Work Req. No. DR1954355
Project No. 61145

State of Iowa
County of Madison
Section 19
Township 77 North
Range 26 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 titleholders **William H. Smith and Teresa J. Smith, husband and wife as joint tenants with full rights of survivorship and not as tenants in common** (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 surface mounted equipment) through 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-foot wide underground electric line easement situated in the property described as follows:

The North 1168.0 feet of the West 1690 feet of Government Lot Two (2), Section Nineteen (19), in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, more particularly described as: Commencing at the Northwest corner Section Nineteen (19), in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County,

Iowa, thence South 0°13' West 1329.7 feet to the Point of Beginning, thence North 83°28' East 1690.0 feet, thence South 0°13' West 1168.0 feet, thence South 83°28' West 1690.0 feet, thence North 0°13' East 1168.0 feet, to the Point of Beginning, containing 45.0 Acres, including 0.88 of County Road; said property being called Parcel "B" in Survey filed December 13, 1993 in Book 2, Page 425 in the office of the Recorder of Madison County, Iowa.

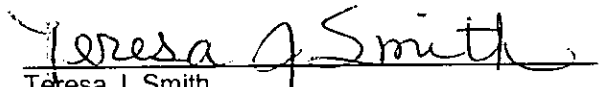
Said electric easement being 5 feet on each side of the centerline described as follows: Beginning at a point on the easterly right-of-way line of Badger Creek Road, as it presently exists, that is 330 feet, more or less, north of the south property line and 5 feet, more or less, north of the northerly margin of a private drive, as it presently exists; thence in an overall easterly direction following the contours of said drive a distance of 590 feet, more or less; thence northerly a distance of 45 feet, more or less; thence easterly a distance of 45 feet, more or less, to the Point of Terminus at a transformer, as generally depicted on Exhibit "A", attached hereto and made a part hereof.

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 22 day of September, 2006



William H. Smith

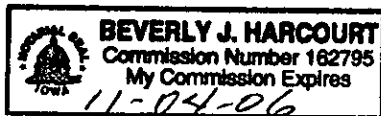


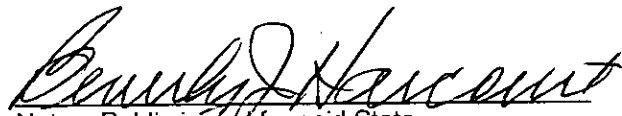
Teresa J. Smith

ACKNOWLEDGMENT

STATE OF Iowa
COUNTY OF POIK)^{SS}

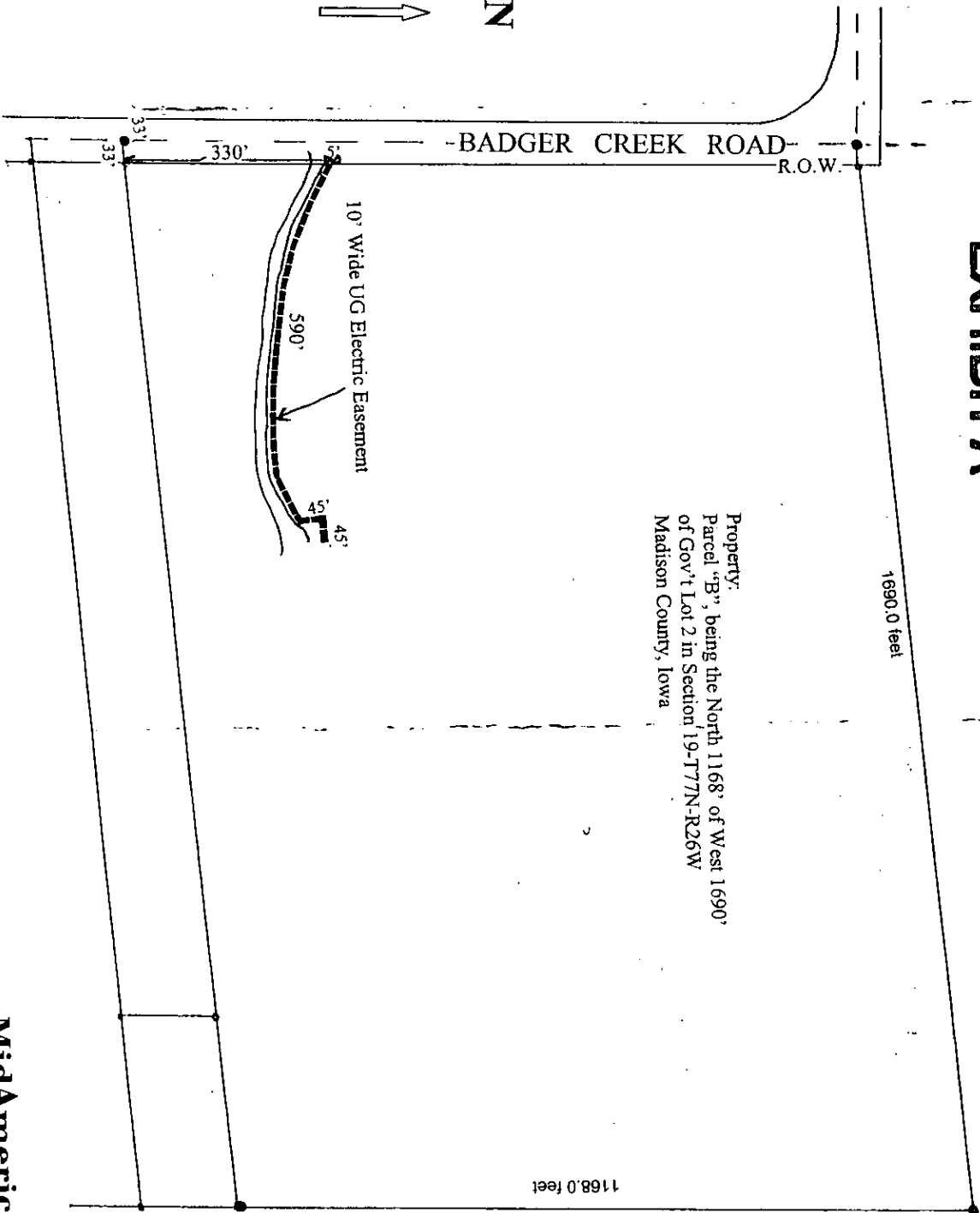
On this 22 day of September, 2006, before me, a Notary Public, personally appeared William H. Smith and Teresa J. Smith, to me known to be the persons who are named in and who executed the foregoing instrument, and acknowledged that they executed the same as a voluntary act and deed.





Notary Public in and for said State

EXHIBIT A



Property:
Parcel "B", being the North 1168' of West 1690'
of Gov't Lot 2 in Section 19-T77N-R26W
Madison County, Iowa