

PLEASE RETURN TO: MIDWEST POWER
ATTN: RIGHT-OF-WAY SERVICES
P.O. BOX 657, 907 WALNUT
DES MOINES, IA 50303

MIDWEST POWER SYSTEMS INC.
OVERHEAD ELECTRIC LINE EASEMENT

Parcel No. 116-95
Work Req. No. 9505561
Project No. 00402
Sub No. 411047
Draft No. _____

State of Iowa
County of Madison
Section 36
Township 77 North
Range 28 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 MIDWEST POWER SYSTEMS INC., an Iowa Corporation, receipt of which is hereby acknowledged, the undersigned Estate of Berniece Duff

(Grantors), heirs and assigns, do hereby grant to MIDWEST POWER SYSTEMS INC. (Grantee), its successors or assigns, the right to construct, maintain, and operate an electrical supply line, and communications lines or cables and the poles and other necessary equipment, upon, over, along, and across certain real estate described below, together with the right to enter upon the said real estate for the purpose of constructing, maintaining, or removing said lines or cables, and the right to trim or remove, with reasonable care, such trees as may interfere with the proper maintenance or operation thereof, and the right to remove from the strip of land specifically described below any obstruction, including buildings and other structures, which interfere with proper maintenance and operation of said lines or cables. Grantors agree that they will not construct or place any permanent buildings, structures, trees, plants, or other objects on the property described below. Grantors agree not to perform any construction that would change the existing grade resulting in a violation of the minimum clearance requirements of the National Electric Safety Code or that would interfere with the operation and maintenance of the lines or cables.

EASEMENT DESCRIPTION:

An overhead electric line easement to consist of a ten (10) foot wide strip of land the centerline of which is described as follows: Beginning at a point on the south line of 152nd Street as it is presently established approximately 30 feet east of the centerline of a private drive as it is presently established; thence in a Southwesterly direction a distance of approximately 210 feet to a pole mounted transformer, downguy and anchor.

All on and across that portion of the Northeast Quarter of the Northwest Quarter (NE¼ NW¼) of Section 36, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa.

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BOOK 134 PAGE 474
95 AUG 1 AM 11:08

COMPUTER
RECORDED
COMPALED

REC \$ 5.00
AUD \$ _____
R.M.F. \$ 1.00

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

MIDWEST POWER SYSTEMS INC. will repair or pay for any damage which may be caused to crops, fences, or other property of the undersigned by the construction, maintenance, operation, or removal of said lines or cables, and this easement shall be binding upon the heirs, successors, and assigns of both parties and shall continue until cancelled by a mutual consent, or the removal and abandonment of said lines or cables.

Dated this 3 day of July, 19 95

Estate of Berniece Duff

Estate 42-6526831

By: Judy Baur Co. Ex.
Judy Baur, Co. Executor

Social Security Number/Tax I.D. Number _____
Social Security Number/Tax I.D. Number _____

ACKNOWLEDGMENT

STATE OF IOWA)
COUNTY OF Polk) ss

On this 3rd day of July, 19 95, before me, a Notary Public, personally appeared Judy Baur to me known to be the person(s) who are named in and who executed the foregoing instrument, and acknowledged that she executed the same as a voluntary act and deed.



Shelley M. Christensen
Notary Public in and for said County

OVERLAP

REF
BY: MICHELLE UTSLER