

IP2-J  
6-26-90

Rev 4-10-90

Parcel No. C-664

Draft No. CWO 11-7438-52

Structure No. \_\_\_\_\_

# IOWA POWER INC. OVERHEAD EASEMENT

Located in:  
State of Iowa  
County of Madison  
Township 77 North \_\_\_\_\_  
Range 29 West of 5th P.M.  
Section 10

KNOW ALL MEN BY THESE PRESENTS:

For and in consideration of the sum of One and no/100 Dollars (\$ 1.00), and other valuable consideration, in hand paid by IOWA POWER INC., a corporation, receipt of which is hereby acknowledged, the undersigned

MERLE J. LEEPER

do hereby grant unto said IOWA POWER INC. 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 buildings, structures, plants or other objects on the property described below that would result in a violation of the minimum clearance requirements of the National Electric Safety Code or would interfere with the operation and maintenance of the lines or cables.

A parcel of land described as follows: Commencing at the SW corner of the Grantor's property located in the SW 1/4 of Section 10, Township 77 North, Range 29 West of the 5th P.M., Madison County, Iowa, thence north 126 feet to the point of beginning, thence east 50 feet, thence north 5 feet, thence west 50 feet, thence south 5 feet to the point of beginning. Said rectangular piece of property to be used for downguy and anchor purposes only.

Access to be granted through gate in SE corner of the property. Vehicles to follow fence row to get to easement area.

(Continued)

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90 AUG -7 PM 12: 10

MARY E. WELTY  
RECORDER  
MADISON COUNTY, IOWA

Fee \$ 10.00

IOWA POWER 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 AT Carlham, IA, this 27th day of July, 19 90

Merle J. Leeper  
Merle J. Leeper

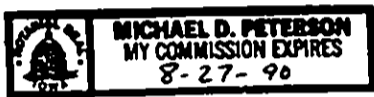
Acknowledgment on the reverse side

ACKNOWLEDGMENT

STATE OF IOWA )
) SS.
COUNTY OF Madison )

On this 27th day of July, A.D., 19 90, before me, a Notary Public, personally appeared Merle J. Leeper

to me known to be the person(s) who is (or are) named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act or deed.



Michael D. Peterson
Notary Public in and for said County

MORTGAGEE'S CONSENT

TO IOWA POWER INC.

As legal holder and owner of all the notes or other evidences of indebtedness secured by mortgage of deed or trust, dated the \_\_\_ day of \_\_\_, 19 \_\_\_, recorded in the Recorder's Office of \_\_\_ County, Iowa, in Book \_\_\_, Page \_\_\_, as Document No. \_\_\_, the undersigned hereby consent(s) and join(s) in the granting to said company of the within and foregoing right-of-way agreement.

Dated \_\_\_\_\_

ACKNOWLEDGMENT OF MORTGAGEE'S CONSENT

STATE OF IOWA )
) SS.
COUNTY OF \_\_\_\_\_ )

On this \_\_\_ day of \_\_\_, A.D., 19 \_\_\_, before me, a Notary Public, personally appeared \_\_\_\_\_

to me known to be the person(s) who is (or are) named in and who executed the foregoing instrument, and acknowledged that he executed the same as \_\_\_\_\_ voluntary act or deed.

Notary Public in and for said County

CORPORATION ACKNOWLEDGMENT

STATE OF IOWA )
) SS.
COUNTY OF \_\_\_\_\_ )

On this \_\_\_ day of \_\_\_, A.D., 19 \_\_\_, before me, a Notary Public in and for said County personally appeared \_\_\_\_\_ and \_\_\_\_\_

to me personally known, who being by me duly sworn, did say that he (is) (are) (respectively) the \_\_\_\_\_ of said \_\_\_\_\_ (that no seal has been procured by said) corporation and that said instrument was signed and sealed on behalf of the said corporation by authority of its board of directors, and the said \_\_\_\_\_ and \_\_\_\_\_ acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.

WITNESS my hand and seal the day and year last above written.

Notary Public in and for said County

Vertical handwritten note on the left margin: "Enclosure To: BNY 657 150 303"