

IP2-4  
1-26-90

Rev. 4-10-90

Parcel No. C-138

Draft No. IA0 A43014

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

# IOWA POWER INC. OVERHEAD EASEMENT

Located in:  
State of \_\_\_\_\_  
County of \_\_\_\_\_  
Township \_\_\_\_\_ North \_\_\_\_\_  
Range \_\_\_\_\_ West of 5th P.M.  
Section \_\_\_\_\_

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  
Mary Westphal, Jean Westphal, Steven Westphal, Susan Westphal,  
Gretchen Chapman, Joyce Dittmer

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.

Overhead electric line easement to consist of a 10' wide strip of land with the center line described as follows: Beginning at a point 669' S of NE corner Sec. 4 thence W approximately 230' to a pole mounted transformer all in E 1/2 NE 1/4 Sec. 4, T77N, R27W of 5th PM, Madison County, Iowa.

*(Circular stamp)*

FILED NO. 1026

BOOK 127 PAGE 408

90 NOV -7 AM 9: 21

Fee \$25.00

MARY E. WELTY  
RECORDER  
MADISON COUNTY, IOWA

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 Van Meter, Iowa, this 15<sup>th</sup> day of October, 19 90

Mary Westphal  
Mary Westphal  
Steven Westphal  
Steven Westphal  
Gretchen Chapman  
Gretchen Chapman

Jean Westphal  
Jean Westphal  
Susan Westphal  
Susan Westphal  
Joyce Dittmer  
Joyce Dittmer

Acknowledgment on the reverse side

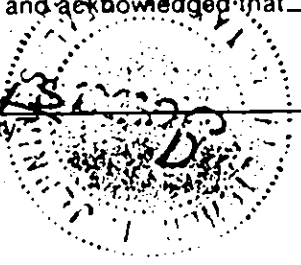
ACKNOWLEDGMENT

STATE OF IOWA )  
 ) SS.  
COUNTY OF Madison )

On this 15<sup>th</sup> day of October, A.D., 19 90, before me, a Notary Public, personally appeared Steuir Westphal, Mary Westphal, Gretchen Chapman, Jean Westphal,  
~~James Westphal~~ and ~~Jayce Dittmer~~

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

[Signature]  
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 \_\_\_\_\_  
and \_\_\_\_\_ 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

State of California  
County of Riverside } ss.

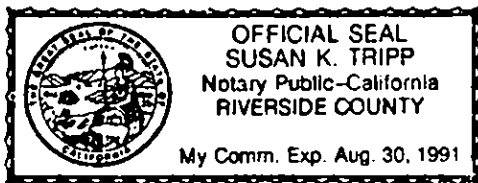
On this the 18<sup>th</sup> day of October 1990, before me,

Susan K. Tripp

the undersigned Notary Public, personally appeared

Susan Westphal

personally known to me  
 proved to me on the basis of satisfactory evidence  
to be the person(s) whose name(s) - 15 - subscribed to the  
within instrument, and acknowledged that she executed it.  
WITNESS my hand and official seal.



Susan K. Tripp  
Notary's Signature



Rev. 4-10-90

Parcel No. C-138

Draft No. JAO A43014

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

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State of \_\_\_\_\_  
County of \_\_\_\_\_  
Township \_\_\_\_\_ North \_\_\_\_\_  
Range \_\_\_\_\_ West of 5th P.M.  
Section \_\_\_\_\_

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Mary Westphal, Jean Westphal, Steven Westphal, Susan Westphal,  
Gretchen Chapman, Joyce Dittmer

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.

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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 10-18-90 Indio, Ca. this 18 day of October, 1990

Mary Westphal

Steven Westphal

Gretchen Chapman

Jean Westphal

Susan Westphal

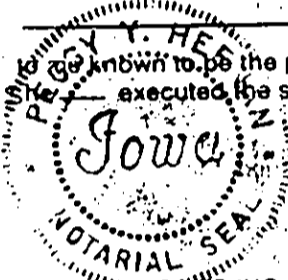
Joyce Dittmer

Acknowledgment on the reverse side

ACKNOWLEDGMENT

STATE OF IOWA )  
COUNTY OF Des Moines ) SS.

On this 15th day of October, A.D. 19 90, before me, a Notary Public, personally appeared  
Courtson Chapman



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.

Peggy Y. Heenan  
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 )  
COUNTY OF \_\_\_\_\_ ) SS.

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 )  
COUNTY OF \_\_\_\_\_ ) SS.

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 \_\_\_\_\_  
and \_\_\_\_\_ 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.

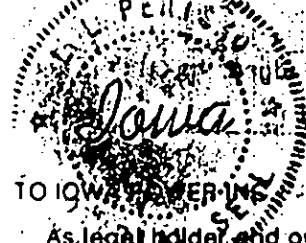
ACKNOWLEDGMENT

STATE OF IOWA )  
 ) SS.  
COUNTY OF Polk )

On this 15<sup>th</sup> day of Oct, A.D., 19 90, before me, a Notary Public, personally appeared

Jayce Dalbey

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.



L. T. Penick  
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 \_\_\_\_\_

and \_\_\_\_\_ 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