Tract No. RIGHT-OF-WAY AGREEMENT Line Winterset REC 69Kv Tap 69KV 23rd August 19 88 THIS AGREEMENT, made and entered into this_ day of , _{19_}88 September 1st and to be filed for recording on or after the_ day of Joe F. Banks and Ada E. Banks husband and wife, of the County of Madison and State of ____Iowa_ . his/their heirs, executors. administrators, successors and assigns, hereinafter referred to as "grantor", and Central Iowa Power Cooperative, its successors and assigns, hereinafter referred to as "grantee". WITNESSETH: In consideration of the payments as hereinafter stipulated, and mutual agreement herein contained, the parties hereto

1. That the grantor hereby gives, grants, bargains and conveys unto the grantee the perpetual right to construct, reconstruct, operate and maintain an electric transmission and/or distribution line over and upon the following described real estate situated in the County of <u>Madison</u>, State of Iowa, to-wit: The easterly twenty (20) feet of the East Half of the Northeast Quarter; and the easterly twenty (20) feet of the Northeast Quarter of the Southeast Quarter of Section 24, Township 75 North, Range 28 West of the 5th P.M.

the routing of said electric line across the above described real estate being as follows:

This agreement for overhang only.

Compared

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together with the right of reasonable access thereto for the purpose of surveying and the construction, operation and maintenance of said electric line, and together with the right to trim, top, retrim and retop, or cut down and/or control by chemicals such trees and brush as may be necessary to efficiently construct, operate and maintain said electric line, with the express provision that all trees standing within a distance of thirty (30) feet from a point directly underneath the nearest conductor of said electric line may be cut down and/or controlled by chemicals and all branches of other trees which reach within a distance of twenty (20) feet from any part of said electric line may be trimmed.

- 3. The grantee shall hold the grantor and his lessee harmless from and reimburse the grantor and his lessee for any and all damages which may accrue to the grantor and his lessee as the result of the construction (including survey), reconstruction, operation and maintenance of said electric line.
- 4. Without in anywise limiting the other rights herein contained, the parties specifically understand that the grantee shall have exclusive right to as much space over, under, and adjacent to the conductors of the electric line as may be necessary to maintain the clearence requirements of the rules and regulations of the Iowa State Commerce Commission, or of any other applicable code or statute.
- 5. Grantor (landowner) has the right to cancel this Agreement granting easement to Grantee (cooperative) by mailing a "Notice of Cancellation" to the Grantee at its principal place of business by certified mail with return receipt requested. The Notice must be received by Grantee within seven (7) days, excluding Saturday and Sunday. Grantor acknowledges receipt of this written information as to right to cancel prior to signing of this easement agreement and acknowledges receipt of the form in duplicate which can be used to mail Grantee for "Notice of Cancellation." Grantee will not record this Agreement until after the period for cancellation has expired. This right of cancellation may be exercised only once for each transmission line project.

IN WITNESS WHEREOF, the parties hereto have signed their names, on the date first written above.

1 - 2	GRANTOR	c e A 1	
Joe F. Banks		Ada E. Banks	
	IOWA POWER COO Grantee	PERATIVE	
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CERTIFICATE OF ACKNOWLEDGEMENT-Individual

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