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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

CHEK

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Prepared by: Kathleen Law, 700 Walnut, Suite 1600, Des Moines, Iowa 50309; 515-283-3116  
Return to: Stephen F. Dryden, 4800 Mills Civic Parkway, Suite. 207, West Des Moines, IA 50265

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## **FIRST AMENDMENT TO MACKSBURG WIND FARM OPTION FOR EASEMENT AGREEMENT AND MEMORANDUM**

Macksburg Wind Energy LLC, an Iowa limited liability company (“Macksburg”), and Leroy J. Villwok and Donna R. Villwok, Trustees of the Leroy J. Villwok and Donna R. Villwok Living Trust dated October 18 ,2005 executed two Macksburg Wind Farm Option Agreements (the “Agreements”), memoranda of which are recorded in Book 2013, Page 1569 and in Book 2013, Page 1570 of the Madison County Records (the “Memoranda”), concerning certain real property described on Exhibit A to the Agreements and to the Memoranda.

This First Amendment to the Agreements and Memoranda (“First Amendment”) is made for the sole purpose of amending Exhibit A to the Agreements and Exhibit A to the Memoranda to correctly reflect the name of the record titleholder and the property subject to the Agreements.

**NOW, THEREFORE**, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree to amend the Agreement and the Memorandum as follows:

1. The name of the record titleholder in the Agreements and the Memoranda, wherever it appears, is deleted in its entirety and the following inserted in lieu thereof: Leroy J. Villwok and Donna R. Villwok, husband and wife, Trustees of the Leroy J. Villwok and Donna R. Villwok Joint Living Trust, dated October 18, 2005.
2. Exhibit A to the Agreements and Exhibit A to the Memoranda are deleted in their entirety and Exhibit A attached to this First Amendment is inserted in lieu thereof.

In all other respects the Agreements and Memoranda are unchanged and the Agreements remain in full force and effect.

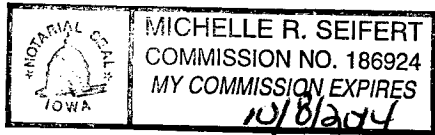
[SIGNATURES BEGIN ON FOLLOWING PAGE]

MACKSBURG WIND ENERGY LLC, an Iowa limited liability company

By: *James T. Dimond*  
James T. Dimond, Authorized Representative

STATE OF IOWA, Madison COUNTY, ss:

This record was acknowledged before me on September 16, 2013, by  
James T. Dimond as Authorized Representative of Macksburg Wind  
Energy LLC, an Iowa limited liability company.



STAMP

*Michelle R Seifert*  
Michelle R Seifert, Notarial Officer  
My commission expires: 10/8/2014

[SIGNATURES CONTINUE ON NEXT PAGE]

**Owners:**

Signature: Leroy J. Villwok

Leroy J. Villwok, individually and as Trustee of the Leroy J. Villwok and Donna R. Villwok Joint Living Trust, dated October 18, 2005

Signature: Donna R. Villwok

Donna R. Villwok, individually and as Trustee of the Leroy J. Villwok and Donna R. Villwok Joint Living Trust, dated October 18, 2005

STATE OF Iowa, Madison COUNTY, ss:

This record was acknowledged before me on September 16, 2013, by Leroy J. Villwok, individually and as Trustee of the Leroy J. Villwok and Donna R. Villwok Joint Living Trust, dated October 18, 2005 and Donna R. Villwok, individually and as Trustee of the Leroy J. Villwok and Donna R. Villwok Joint Living Trust, dated October 18, 2005.



Michelle R. Seifert  
Michelle R. Seifert Notarial Officer

My commission expires: 12/8/2014

STAMP

## EXHIBIT A

### LEGAL DESCRIPTION OF OWNER'S PROPERTY

Parcel 002:

The Northeast Quarter (1/4) of Section Three (3), Township Seventy-four (74) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa

**Net Acreage of Owner's Property per County Assessor's Records: 151.91**

Parcel 006:

The Northwest Quarter of Section 2, Township 74 North, Range 29, West of the 5th P.M., Madison County, Iowa, Excepting therefrom Auditor's Parcel Letter A shown on Corrected Plat of Survey recorded June 3, 1998, in Book 3, Page 258 and being more particularly described as follows:

Beginning at the Northwest corner of the Northwest Quarter of said Section 2;  
thence on an assumed bearing of North 89 degrees 53 minutes 00 seconds East along the North line of said Northwest Quarter 225.00 feet;  
thence South 00 degrees 50 minutes 03 seconds West 964.34 feet;  
thence South 89 degrees 53 minutes 00 seconds West 224.97 feet to the West line of the Northwest Quarter of said Section 2;  
thence North 00 degrees 49 minutes 55 seconds East along said West line a distance of 964.34 feet to the Northwest corner of said Northwest Quarter and the point of beginning.

**Net Acreage of Owner's Property per County Assessor's Records: 148.37**