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Daneen Schindler, RECORDER/REGISTRAR  
DELAWARE COUNTY IOWA

Matthew G. Kurt

PREPARED BY AND RETURNED TO

*(KW)*  
MAQUOKETA VALLEY ELECTRIC COOPERATIVE  
109 NORTH HUBER ST 319-462-3542  
ANAMOSA IOWA 52205-0370

ELECTRIC/TELECOMMUNICATION FACILITIES EASEMENT  
LOCATION MAP 44 SECTION 08 MBR 32 W.O. 220045 & 220584

KNOW ALL MEN BY THESE PRESENTS:

For and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, Mary Ann and Richard J. Recker Revocable Trust(s) ("Grantor(s)"), **ADDRESS 2953 237<sup>th</sup> Street Earlville, Iowa 52041** do(es) hereby warrant and convey unto MAQUOKETA VALLEY ELECTRIC COOPERATIVE, a corporation, and to its successors and assigns ("Grantee") a perpetual easement with the right, privilege and authority to construct, reconstruct, operate, replace, repair and maintain electric and telecommunication lines and appurtenant equipment, including but not limited to poles, towers, switches, crossarms, insulators, wires, cables, guy-wires, conduit, antennas, fiber optics, pad mounted enclosures, transformers, ground connections, and fixtures (the "Facilities") for transmitting electricity, communications, and all corporate purposes, together with the right to extend to any other party the right to use such Facilities, jointly with the Grantee, pursuant to the provisions hereof, upon, under, over, and across Grantor(s) lands located in Delaware County, Iowa and described as:

A fifteen foot path on either side of the utility line(s) located in the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼), Section 08 (S08), Township 88 North (T-88-N), Range 3 West (R-3-W) as recorded by the Delaware County Assessor as Parcel ID 200080001300

(the "Premises")

together with all rights and privileges for the full enjoyment or use thereof for the aforesaid purposes. Such Facilities to be located on a course now designated by the Grantee, or upon a course that may hereafter be designated by the Grantee upon the relocation of said Facilities.

Grantor(s) agrees that it will not construct, place or permit any buildings, structures, plants, or other obstructions on the Premises which would result in a violation of the minimum clearance requirements of the National Electric Safety Code, or that would interfere with the operation, replacement, or maintenance of the Facilities. Notwithstanding the foregoing, in no event shall Grantor(s) construct or place any buildings, structures, plants, or other obstructions on the Premises within fifteen feet (15') of the Facilities.

Grantor(s) also conveys the right and privilege to trim, cut down or control and eradicate the growth of any trees or other vegetation on the Premises to keep them clear of Facilities by at least fifteen feet (15'), and such other trees and vegetation adjacent thereto, as in the judgment of the Grantee may interfere with construction, reconstruction, maintenance, operation, repair, or use of the Facilities, or which in falling might touch said Facilities.

Grantee, its contractor or agent, may enter said Premises at any time for the purpose of making surveys or performing tests in support of the rights granted pursuant to this Easement.

The Grantor(s) also grants to the Grantee the right of ingress and egress to said Facilities across lands owned by the Grantor(s), for the purpose of accessing said Facilities.

Grantee shall be entitled at any time to assign this Easement, in whole or in part, and to record an instrument evidencing such assignment.

Grantee shall compensate Grantor(s) or its tenants for damages done to the Premises (except for damages to improvements prohibited by this easement as well as the cutting and trimming of trees or other vegetation), fences, livestock or crops of the Grantor(s) or its tenants, while performing the activities authorized by this Easement.

Signed this 29<sup>th</sup> day of December, 2022.

**GRANTOR(S):**

By: Mary Ann Recker  
Mary Ann Recker Trust (Trustee)

By: Richard J. Recker  
Richard J. Recker Trust (Trustee)

ALL PURPOSE ACKNOWLEDGMENT

STATE OF Iowa )

COUNTY OF Delaware ) ss:

On this 29<sup>th</sup> day of December, AD. 2022,  
before me, the undersigned, a Notary Public in and  
for said State, personally appeared

Mary Ann and Richard J. Recker (Trustees)

\_\_\_\_\_

\_\_\_\_\_

to me personally known or \_\_\_\_\_ provided  
to me on the basis of satisfactory evidence  
to be the persons(s) whose name(s) is/are  
subscribed to the within instrument and  
acknowledged to me that he/she/they executed the  
same in his/her/their authorized capacity(ies), and  
that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

**CAPACITY CLAIMED BY SIGNER**

\_\_\_\_\_ INDIVIDUAL  
\_\_\_\_\_ CORPORATE  
Title(s) of Corporate Officers(s):  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ N/A  
\_\_\_\_\_ Corporate Seal is affixed  
\_\_\_\_\_ No Corporate Seal procured

\_\_\_\_\_ PARTNER(s)  
\_\_\_\_\_ Limited Partnership  
\_\_\_\_\_ General Partnership

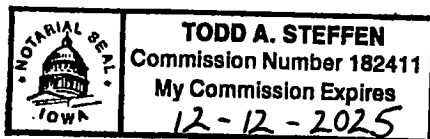
\_\_\_\_\_ ATTORNEY-IN-FACT  
\_\_\_\_\_ EXECUTOR(s),  
\_\_\_\_\_ ADMINISTRATOR(s),  
 TRUSTEE(s):  
\_\_\_\_\_ GUARDIAN(s)  
\_\_\_\_\_ CONSERVATOR(s)  
\_\_\_\_\_ OTHER

NOTARY SEAL Todd Steffen  
(Sign in Ink)

Todd Steffen  
(Print/type name)

Notary Public in and for the State of Iowa

**SIGNER IS REPRESENTING:**  
List name(s) of persons(s) or entity(ies):  
Mary Ann & Richard J. Recker Revocable Trust(s)



**INDEX LEGEND**

LOCATION: NW1/4 OF SE1/4 OF SECTION 8, T28N, R37W

PROPRIETORS: RICHARD J. RECKER & MARY ANN RECKER

INDELETER: RICHARD RECKER

SURVEYOR: BILL BURGER

SURVEYOR COMPANY: W.M. BURGER LANDSURVEYOR

RETURN TO: BILL BURGER, 510 3RD STREET WEST COURT, WORTHINGTON, IA 52078 (563) 855-2928

FILED  
 Delaware Co. Recorder  
 DEC 15 2020

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 DEC 15 2020

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Danzen Schindler, RECORDER/REGISTRAR  
 DELAWARE COUNTY IOWA

PREPARED BY BILL BURGER 510 3RD STREET WEST COURT, WORTHINGTON, IOWA 52078 (563) 855 2928

