

Recorded: 10/23/2023 at 10:23:05.0 AM
County Recording Fee: \$17.00
Iowa E-Filing Fee: \$3.32
Combined Fee: \$20.32
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2023 PG: 2636

Prepared by: Brenda Koppes – Ulteig Engineers – 1455 Sherman Rd, Hiawatha, IA 52233 (319) 253-7058
Return to: Heather Dee - Interstate Power and Light Company – PO Box 351 – Cedar Rapids, IA 52406 (319) 786-4514

SPACE ABOVE THIS LINE FOR RECORDER

UNDERGROUND ELECTRIC LINE EASEMENT

For and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, **Backbone Area Apartments, LLC, a limited liability company organized and existing under the laws of Iowa**, (“Grantor(s)”), ADDRESS: 1443 137th St Dundee, Iowa 52038 do(es) hereby warrant and convey unto **Interstate Power and Light Company, an Iowa Corporation**, its successor and assigns, (“Grantee”) a perpetual easement with the right, privilege and authority to construct, reconstruct, maintain, expand, operate, repair, patrol and remove an underground electric and telecommunications line or lines, consisting of wires, transformers, switches and other necessary fixtures, appurtenances and equipment, (including associated surface mounted equipment) and construction (collectively, the “Line” or “Lines”) for transmitting electricity, communications and all corporate purposes of Grantee together with the power to extend to any other party the right to use, jointly with the Grantee, pursuant to the provisions hereof, upon, under, and across the following described lands located in the County of Delaware, and the State of Iowa:

See Attached Exhibit A, page 3

together with all the rights and privileges for the full enjoyment or use thereof for the aforesaid purpose.

Grantor(s) agrees that it will not construct or place any buildings, structures, plants, or other obstructions on the property described above.

Grantor(s) also conveys the right and privilege to trim, cut down or control the growth of any trees or other vegetation on said described land and such other trees and vegetation adjacent thereto as in the judgment of the Grantee may interfere with construction, reconstruction, maintenance, expansion, operation, repair, use of the Line or Lines.

Grantee, its contractor, or agent may enter said premises for the purpose of making surveys and preliminary estimates immediately upon the execution of this easement.

The Grantor(s) also grants to the Grantee the right of ingress and egress to the Line or Lines, under lands now owned by the Grantor(s), for the purpose of constructing, reconstructing, maintaining, expanding, operating, patrolling, repairing and removing the Line or Lines, and the Grantee agrees to pay to the Grantor(s) or its tenants all damages done to the lands (except the cutting and trimming of trees or other vegetation), fences, livestock or crops of the Grantor(s) or its tenants, by the Grantee or its employees while constructing, reconstructing, maintaining, expanding, operating, patrolling, repairing or removing the Line or Lines.

Signed this 5th day of October, 2023.

GRANTOR(S): Backbone Area Apartments, LLC

Sign: [Signature]
Name and Title

Print: Roger D. Helmrichs, member
Name and Title

Sign: [Signature]
Name and Title

Print: Joel Ann Helmrichs, member
Name and Title

ALL PURPOSE ACKNOWLEDGMENT

STATE OF Iowa
COUNTY OF Delaware ss:

On this 5th day of October, AD. 2023,
before me, the undersigned, a Notary Public in and for said State,
personally appeared

Roger D. Helmrichs and
Joel Ann Helmrichs

X 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.

NOTARY SEAL [Signature]
(Sign in Ink)

Jane E. Hanson
(Print/type name)

Notary Public in and for the State of Iowa
My Commission Expires: August 12, 2024

CAPACITY CLAIMED BY SIGNER

____ INDIVIDUAL
X CORPORATE
Title(s) of Corporate Officers(s):
members

X N/A
____ Corporate Seal is affixed
X No Corporate Seal procured

____ PARTNER(s)
____ Limited Partnership
____ General Partnership

____ ATTORNEY-IN-FACT
____ EXECUTOR(s),
____ ADMINISTRATOR(s),
____ or TRUSTEE(s);
____ GUARDIAN(s)
____ or CONSERVATOR(s)
____ OTHER

SIGNER IS REPRESENTING:
List name(s) of persons(s) or entity(ies):

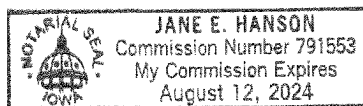


Exhibit A

GRANTOR'S PARCELS:

Lots Thirty Two (32) and Thirty Three (33) and that part of Sunset View described as commencing at the Southwest Corner of said Lot Thirty Two (32) and running thence West twenty (20) feet, thence North one hundred (100 feet), thence East twenty (20) feet to the Northwest corner of said Lot Thirty Three (33), thence South to the point of beginning, all in Block One (1) of Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18) and Twenty (20), Township Eighty Nine (89) North Range Five (5), West of the Fifth P.M., according to plat recorded in Book 2 Plats, Page 20; excepting rights of flowage.

EASEMENT AREA:

A strip of land being Seven (7) feet in width for easement purposes and described as the East Seven (7) feet of Lots Thirty Two (32) and Thirty Three (33), of that real property described in Warranty Deed recorded on January 10, 2022, in Book 2022 page 99 in the office of the Recorder in and for Delaware County, Iowa.

Located in the part of the Southwest Quarter (SW $\frac{1}{4}$) Southwest Quarter (SW $\frac{1}{4}$) of Section 17, Township 89, Range 5 West of the 5th PM, Manchester Delaware County, Iowa.

Project Title: Hwy 13 Rebuild 22.22610

ERP Activity ID: 4304756

Tract No.:

REROW No.: 5