

Recorded: 11/3/2023 at 10:27:03.0 AM
County Recording Fee: \$37.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$40.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2023 PG: 2766

Prepared By: Kelli J. Orton, 666 Grand Avenue, Suite 2000, Des Moines, Iowa 50309; (515) 242-2400
Return To: Mehul Mehta, c/o Greenbacker Renewable Energy Corporation, 230 Park Avenue, Suite 1560, New York, NY 10169
Previously Recorded Documents: Book 2011, Page 482; Book 2011, Page 3674

MEMORANDUM OF SECOND AMENDMENT TO WIND FARM EASEMENT AGREEMENT (Elk Wind Farm)

This Memorandum of Second Amendment to Wind Farm Easement Agreement (the “**Memorandum**”) is executed this 23rd day of October, 2023, by and between Phyllis M. Tinker (“**Owner**” or “**You**”) and Elk Wind Energy LLC, an Iowa limited liability company (“**Elk**” or “**We**”).

WHEREAS, Richard Bockenstedt aka Richard D. Bockenstedt (“**Original Owner**”), and Elk entered into a Wind Farm Easement Agreement dated on or about December 22, 2010, as evidenced by a certain Memorandum of Wind Farm Easement Agreement recorded in the Office of the Recorder of Delaware County, Iowa (the “**Recorder’s Office**”), on February 4, 2011 at Book 2011, Page 482, and as amended by a certain Supplemental Exhibit recorded in the Recorder’s Office on November 15, 2011 at Book 2011, Page 3674 (collectively, the “**Agreement**”), and as amended by a certain First Amendment to Wind Farm Easement Agreement dated February 21, 2023 (the “**First Amendment**”) covering certain real property referred to in the Agreement as “**Your Property**”, as legally described on **Exhibit A**, attached hereto and incorporated herein. Capitalized terms used but not defined in this Second Amendment have the meanings given to them in the Agreement; and

WHEREAS, Original Owner conveyed Your Property to the Richard D. Bockenstedt Revocable Trust dated October 19, 2016 in October 2016. The Richard D. Bockenstedt Revocable Trust dated October 19, 2016 conveyed Your Property to You in June 2018, and You are the successor in interest to Original Owner under the Agreement; and

WHEREAS, Under the terms of the Agreement, Elk has constructed the Wind Farm; and

WHEREAS, Elk is planning to perform work at the Wind Farm to upgrade certain components of the Wind Energy Facilities, which may include, without limitation, installing longer turbine blades (the “**Repowering**”). The planning process, market conditions, availability of labor and supplies, and financing are among the factors that influence whether and when Elk will undertake the Repowering. However, Elk currently expects to commence the Repowering before the end of 2023; and

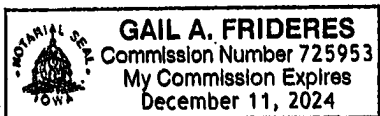
OWNER:

Phyllis M Tinker
Phyllis M. Tinker

ACKNOWLEDGMENT

STATE OF IOWA)
) ss.
COUNTY OF Polk)

This instrument was acknowledged before me on Oct. 23, 2023, by Phyllis M. Tinker.



[Handwritten Signature]
Signature of Notary Public

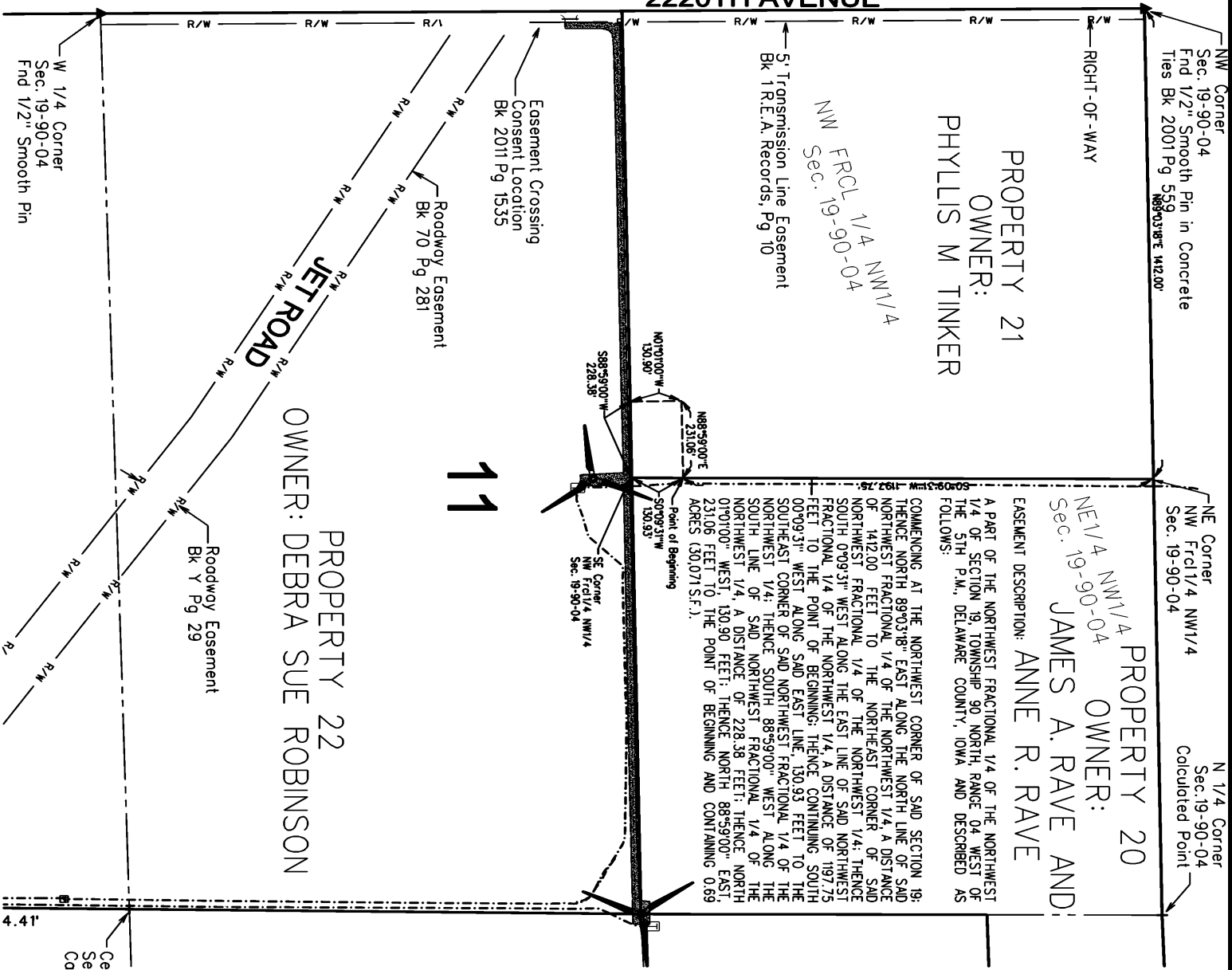
EXHIBIT A
LEGAL DESCRIPTION OF YOUR PROPERTY

The Northwest fractional Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section Nineteen (19), Township Ninety (90) North, Range Four (4), West of the Fifth P.M.

Net Acreage of Parcel per Assessor's Records: 42.00

EXHIBIT E

2220TH AVENUE



PROPERTY 21
OWNER:
PHYLLIS M TINKER

PROPERTY 22
OWNER: DEBRA SUE ROBINSON

PROPERTY 20
OWNER:
JAMES A. RAVE AND;
ANNE R. RAVE

EASEMENT DESCRIPTION: ANNE R. RAVE
A PART OF THE NORTHWEST FRACTIONAL 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 90 NORTH, RANGE 04 WEST OF THE 5TH P.M., DELAWARE COUNTY, IOWA AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 19; THENCE NORTH 89°03'18" EAST ALONG THE NORTH LINE OF SAID NORTHWEST FRACTIONAL 1/4 OF THE NORTHWEST 1/4, A DISTANCE OF 1412.00 FEET TO THE NORTH-EAST CORNER OF SAID NORTHWEST FRACTIONAL 1/4 OF THE NORTHWEST 1/4; THENCE SOUTH 0°09'31" WEST ALONG THE EAST LINE OF SAID NORTHWEST FRACTIONAL 1/4 OF THE NORTHWEST 1/4, A DISTANCE OF 1197.75 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 0°09'31" WEST ALONG SAID EAST LINE, 130.93 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST FRACTIONAL 1/4 OF THE NORTHWEST 1/4; THENCE SOUTH 88°59'00" WEST ALONG THE SOUTH LINE OF SAID NORTHWEST FRACTIONAL 1/4 OF THE NORTHWEST 1/4, A DISTANCE OF 228.38 FEET; THENCE NORTH 01°07'00" WEST, 130.90 FEET; THENCE NORTH 88°59'00" EAST, 231.06 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.69 ACRES (30.071 S.F.).

LEGEND

- TURBINE WITH NUMBER
- EASEMENT LINE
- COLLECTION LINE
- PROPERTY BOUNDARY
- ACCESS ROAD/RAVEL LIMITS
- TRANSFORMER
- JUNCTION BOX
- COLLECTION LINE SPICE LOCATIONS
- TILE REPAIR LOCATION

NOTES

1) UNDERGROUND COLLECTION LINES SPICE LOCATIONS AND TILE CROSSINGS WERE PROVIDED BY MPN&E LEVEL. THE ABOVE-GROUND JUNCTION BOXES AND TRANSFORMERS WERE FIELD SURVEYED.

