



Document 2021 4508

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INDX
ANNO
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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

Prepared by and return to: Tyler Gartenberg 515-281-2334
MIDAMERICAN ENERGY ATTN: RIGHT-OF-WAY SERVICES PO BOX 657 DES MOINES, IA 50306-0657

**MIDAMERICAN ENERGY COMPANY
UNDERGROUND ELECTRIC EASEMENT**

Folder No. 106259-21
Work Req. No. DR2878005X
Project No. A1145

State of Iowa
County of Madison
Section 30
Township 77 North
Range 26 West of the 5th P.M.

1. For and in consideration of the sum of One and no/100---Dollar (\$1.00), and other valuable consideration, in hand paid by MIDAMERICAN ENERGY COMPANY, an Iowa corporation, receipt of which is hereby acknowledged, the undersigned owner(s) **Buck Haven Estates, LLC**, its successors and assigns ("Grantor"), does hereby grant to MIDAMERICAN ENERGY COMPANY, its successors and assigns ("Grantee"), a perpetual, non-exclusive easement to construct, reconstruct, operate, maintain, replace or remove underground conduits, wires and cables for the transmission and distribution of electric energy and for communication and electrical controls, including other reasonably necessary equipment incident thereto (collectively "Facilities") under and on the surface of the ground, through and across certain property described below, together with the right of ingress and egress to and from the same, and all the rights and privileges incident and necessary to the enjoyment of this easement ("Easement Area").

DESCRIPTION OF PROPERTY AND EASEMENT AREA:

Please see Exhibit A, attached hereto and made a part hereof.

2. Additionally, Grantee shall have the right to remove from the Easement Area described above, any obstructions, including but not limited to, trees, plants, undergrowth, buildings, fences and structures that interfere with the proper operation and maintenance of said Facilities and equipment.

3. Grantor agrees that it will not construct or place any permanent or temporary buildings, structures, fences, trees, plants or other objects on the Easement Area described above or make any changes in ground elevation without written permission from Grantee indicating that said construction or ground elevation changes will not result in inadequate or excessive ground cover, or otherwise interfere with the Grantee's rights to operate and maintain its Facilities.

4. In consideration of such grant, Grantee agrees that it will repair or pay for any damage which may be caused to crops, fences, or other property, real or personal of the Grantor by the construction, reconstruction, maintenance, operation, replacement or removal of the Facilities (except for damage to property placed subsequent to the granting of this easement) that Grantee determines interferes with the operation and maintenance of the Facilities and associated equipment. The cutting, recutting, trimming and removal of trees, branches, saplings, brush or other vegetation on or adjacent to the Easement Area is expected and not considered damage to the Grantor.

5. Additionally, when Grantor provides or installs duct/conduit for said Facilities, this grant shall cover and include all Facilities installed as a part of the Easement Area.

6. Grantor certifies that it is not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by any Executive Order or the United States Treasury Department as a terrorist, "Specially Designated National and Blocked Person" or any other banned or blocked person, entity, nation or transaction pursuant to any law, order, rule or regulation that is enforced or administered by the Office of Foreign Assets Control; and are not engaged in this transaction, directly or indirectly, on behalf of, any such person, group, entity or nation. Grantor hereby agrees to defend, indemnify and hold harmless the Grantee from and against any and all claims, damages, losses, risks, liabilities and expenses (including attorney's fees and costs) arising from or related to any breach of the foregoing certification.

7. Each of the provisions of this easement shall be enforceable independently of any other provision of this easement and independent of any other claim or cause of action. In the event of any matter of dispute arising out of or related to this easement, it is agreed between the parties that the law of the jurisdiction and location where this easement is recorded (including statute of limitation provisions) will govern the interpretation, validity and effect of this easement without regard to the place of execution or place of performance thereof, or any conflicts of law provisions. TO THE FULLEST EXTENT PERMITTED BY LAW, EACH OF THE PARTIES HERETO WAIVES ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN RESPECT OF LITIGATION DIRECTLY OR INDIRECTLY ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS EASEMENT. EACH PARTY FURTHER WAIVES ANY RIGHT TO CONSOLIDATE ANY ACTION IN WHICH A JURY TRIAL HAS BEEN WAIVED WITH ANY OTHER ACTION IN WHICH A JURY TRIAL CANNOT BE OR HAS NOT BEEN WAIVED.

8. Grantor hereby relinquishes all rights of dower, homestead and distributive share in and to the property and waives all rights of exemption as to any of the property. Grantor understands that homestead property is in many cases protected from the claims of creditors and exempt from judicial sale; and that by signing this easement, voluntarily gives up any right to this protection for this property with respect to claims based upon this easement.

9. Grantor warrants to Grantee that Grantor holds title to the Easement Area in fee simple and Grantor has good and lawful authority to grant the rights provided in this easement.

Dated this 21st day of October, 2021

Buck Haven Estates, LLC

By: Holly Quirk

Its: member

Print: Holly Quirk

ACKNOWLEDGMENT

STATE OF Iowa)
COUNTY OF Polk) ss

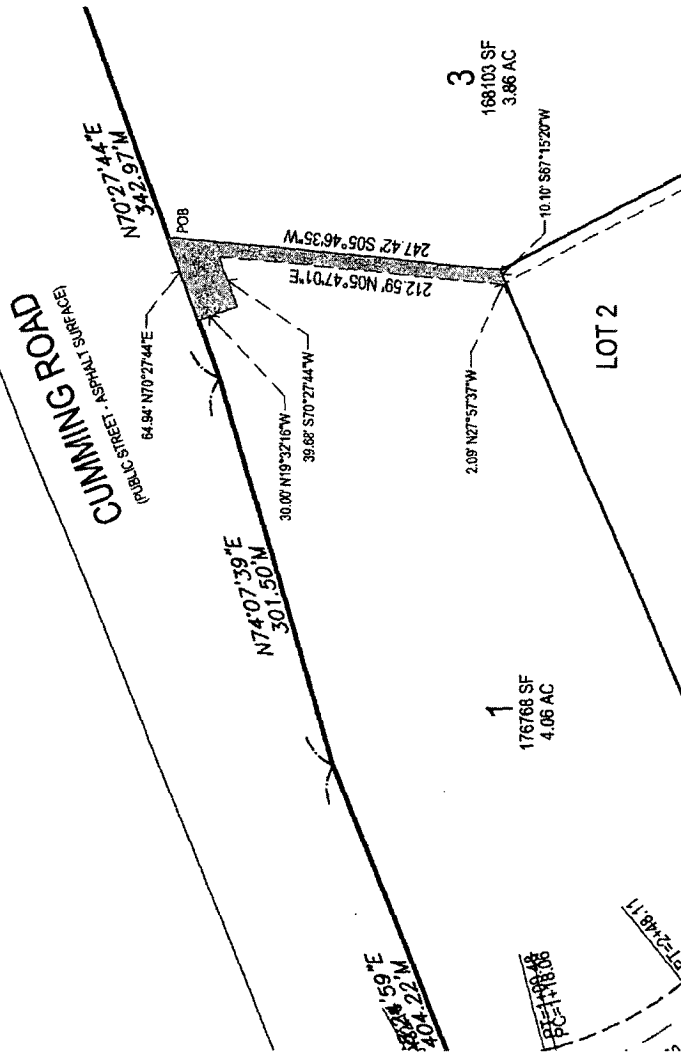
This record was acknowledged before me on October 21, 2021, by
Holly Quirk as member of Buck Haven Estates LLC.



Martha R. Brady
Signature of Notary Public

EASEMENT EXHIBIT "A"

UNDERGROUND ELECTRIC EASEMENT



EASEMENT DESCRIPTION:
AN IRREGULAR SHAPED EASEMENT OVER AND ACROSS LOT 1, BUCK HAVEN, AN OFFICIAL PLAT, MADISON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE S05°46'35"W ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 247.42 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE S67°15'20"W ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 10.10 FEET; THENCE N27°57'37"W, A DISTANCE OF 2.09 FEET; THENCE N05°47'01"E, A DISTANCE OF 212.59 FEET; THENCE S70°27'44"W, A DISTANCE OF 39.68 FEET; THENCE N19°32'16"W, A DISTANCE OF 30.00 FEET TO THE NORTH LINE OF SAID LOT 1; THENCE N70°27'44"E ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 64.94 FEET TO THE POINT OF BEGINNING.

OWNER/PREPARED FOR:
BUCK HAVEN LLC
4123 NW 95TH PLACE
POLK CITY, IOWA 50266

LEGEND:

POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING



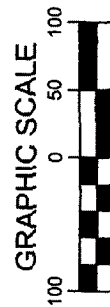
1 OF 9

Bishop Engineering
"Planning Your Successful Development"
3501 104th Street
Des Moines, Iowa 50322-3825
Phone: (515) 276-0467 Fax: (515) 276-0217
Civil Engineering & Land Surveying
Established 1959

EASEMENT EXHIBIT
BUCK HAVEN
MADISON COUNTY, IOWA

REFERENCE NUMBER:
DRAWN BY:
PROJECT NUMBER:
200671

UNDERGROUND ELECTRIC EASEMENT



EASEMENT DESCRIPTION: AN IRREGULAR SHAPED EASEMENT OVER AND ACROSS LOT 2, BUCK HAVEN, AN OFFICIAL PLAT, MADISON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE S27°53'37"E ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 261.202 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE S63°09'55"W ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 10.06 FEET; THENCE N27°57'37"W, A DISTANCE OF 281.93 FEET TO THE NORTH LINE OF SAID LOT 2; THENCE N67°15'20"E, A DISTANCE OF 10.10 FEET TO THE POINT OF BEGINNING.

OWNER/PREPARED FOR:
BUCK HAVEN LLC
4123 NW 95TH PLACE
POLK CITY, IOWA 50266

LEGEND:

POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING

20F9

BUCK HAVEN
MADISON COUNTY, IOWA

REFERENCE NUMBER:

DRAWN BY:

PROJECT NUMBER:
200671

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UNDERGROUND ELECTRIC EASEMENT



OWNER/PREPARED FOR:
BUCK HAVEN LLC
4123 NW 95TH PLACE
POLK CITY, IOWA 50266

LEGEND:

- PROPERTY CORNER
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING

GRAPHIC SCALE

3 OF 9

DRAWN BY:

PROJECT NUMBER:
200671

BUCK HAVEN
MADISON COUNTY, IOWA

Bishop Engineering

3501 104th Street
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EASEMENT DESCRIPTION:

AN IRREGULAR SHAPED EASEMENT OVER AND ACROSS LOT 3, BUCK HAVEN, AN OFFICIAL PLAT, MADISON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 2 IN SAID BUCK HAVEN; THENCE S26°54'05"E, A DISTANCE OF 50.03 FEET; THENCE N63°05'55"E, A DISTANCE OF 175.44 FEET; THENCE S09°35'01"E, A DISTANCE OF 10.44 FEET TO THE SOUTHERLY LINE OF SAID LOT 3; THENCE S66°3'05"W ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 18.21 FEET; THENCE N27°57'37"W, A DISTANCE OF 60.01 FEET TO THE SOUTH LINE OF SAID LOT 2; THENCE N63°05'55"E ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 10.06 FEET TO THE POINT OF BEGINNING.

EASEMENT EXHIBIT "A"

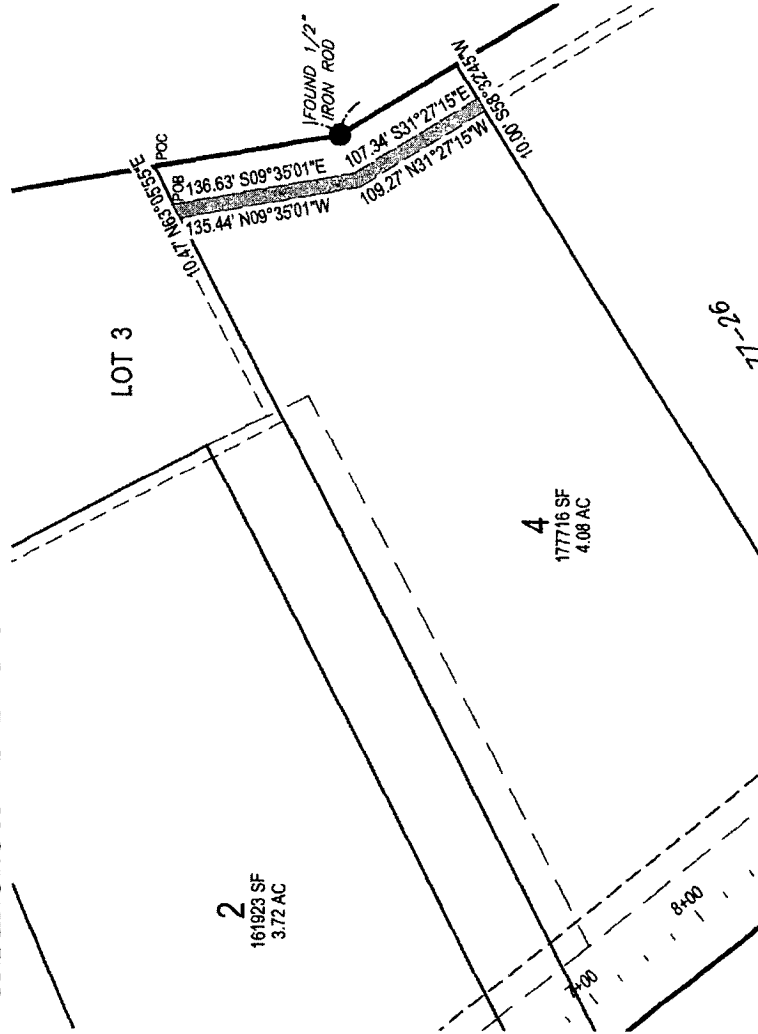
UNDERGROUND ELECTRIC EASEMENT

EASEMENT DESCRIPTION:
AN IRREGULAR SHAPED EASEMENT OVER AND ACROSS LOT 4, BUCK HAVEN, AN OFFICIAL PLAT, MADISON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 4; THENCE S63°05'55"W ALONG THE NORTH LINE OF SAID LOT 4, A DISTANCE OF 31.47 FEET TO THE POINT OF BEGINNING; THENCE S08°35'01"E, A DISTANCE OF 136.63 FEET; THENCE S31°27'15"E, A DISTANCE OF 107.34 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 4; THENCE S88°32'45"W ALONG THE SOUTHERLY LINE OF SAID LOT 4, A DISTANCE OF 10.00 FEET; THENCE N31°27'15"W, A DISTANCE OF 109.27 FEET; THENCE N09°35'01"W, A DISTANCE OF 135.44 FEET TO THE NORTH LINE OF SAID LOT 4; THENCE N63°05'55"E ALONG THE NORTH LINE OF SAID LOT 4, A DISTANCE OF 10.47 FEET TO THE POINT OF BEGINNING.

OWNER/PREPARED FOR:

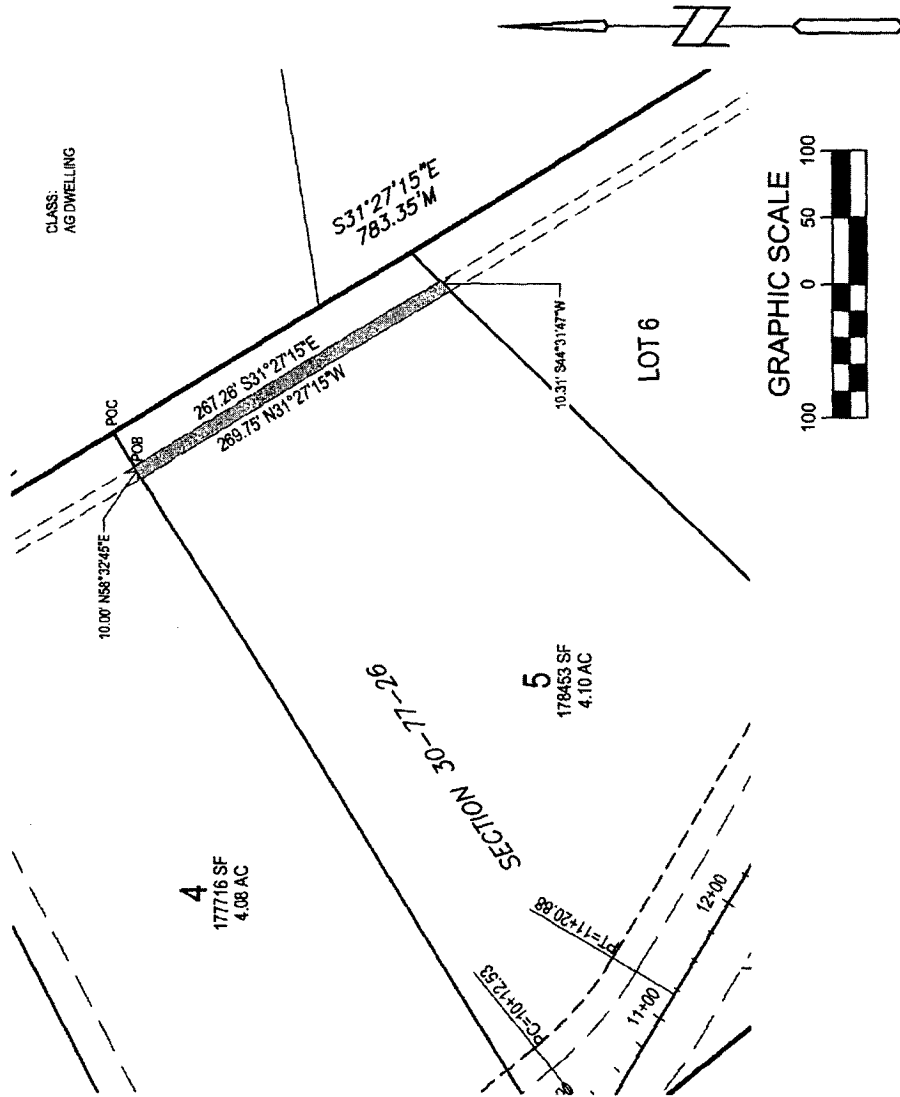
BUCK HAVEN LLC
4123 NW 95TH PLACE
POLK CITY, IOWA 50266

LEGEND:
● PROPERTY CORNER
POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING



EASEMENT EXHIBIT "A"

UNDERGROUND ELECTRIC EASEMENT



EASEMENT DESCRIPTION:

AN IRREGULAR SHAPED EASEMENT OVER AND ACROSS LOT 5, BUCK HAVEN, AN OFFICIAL PLAT, MADISON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 5; THENCE S88°32'45\"W ALONG THE NORTH LINE OF SAID LOT 5, A DISTANCE OF 30.08 FEET TO THE POINT OF BEGINNING; THENCE S31°27'15\"E, A DISTANCE OF 267.28 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 5; THENCE S44°31'47\"W ALONG THE SOUTHERLY LINE OF SAID LOT 5, A DISTANCE OF 10.31 FEET; THENCE N31°27'15\"W, A DISTANCE OF 269.75 FEET TO THE NORTH LINE OF SAID LOT 5; THENCE N58°32'45\"E ALONG THE NORTH LINE OF SAID LOT 5, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

OWNER/PREPARED FOR:

BUCK HAVEN LLC
4123 NW 95TH PLACE
POLK CITY, IOWA 50266

LEGEND:

POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING



5 OF 9

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BUCK HAVEN
MADISON COUNTY, IOWA
EASEMENT EXHIBIT

REFERENCE NUMBER:

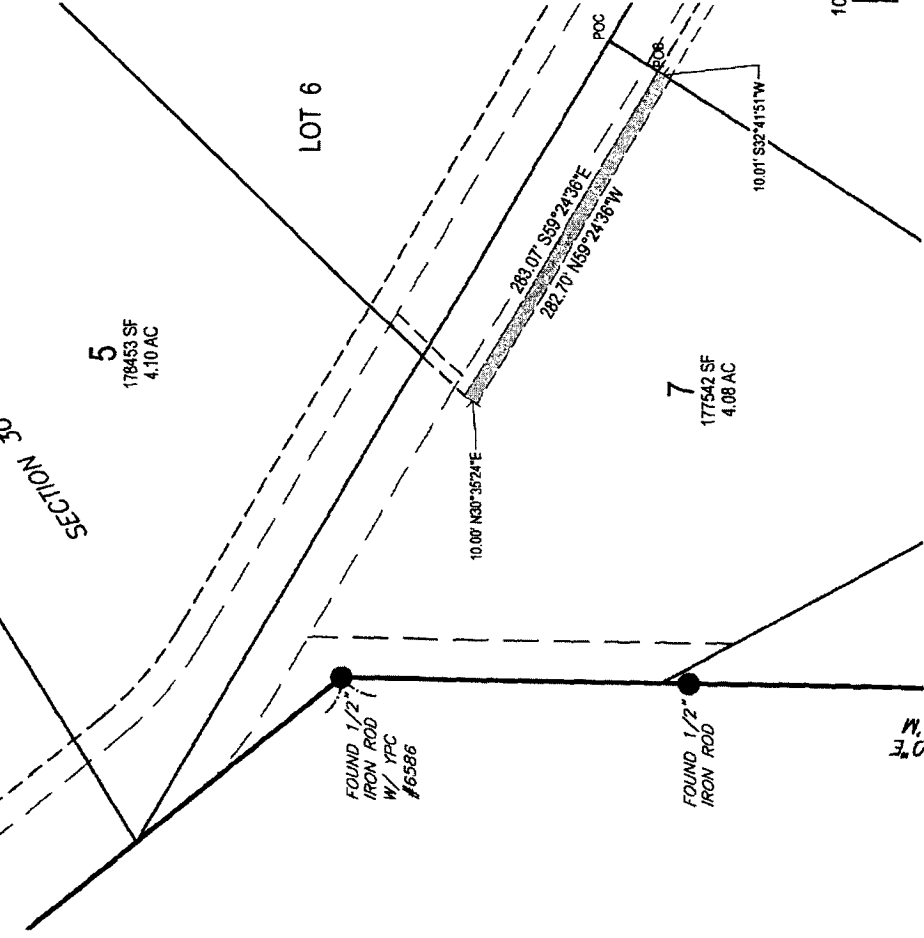
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EASEMENT EXHIBIT "A"

UNDERGROUND ELECTRIC EASEMENT



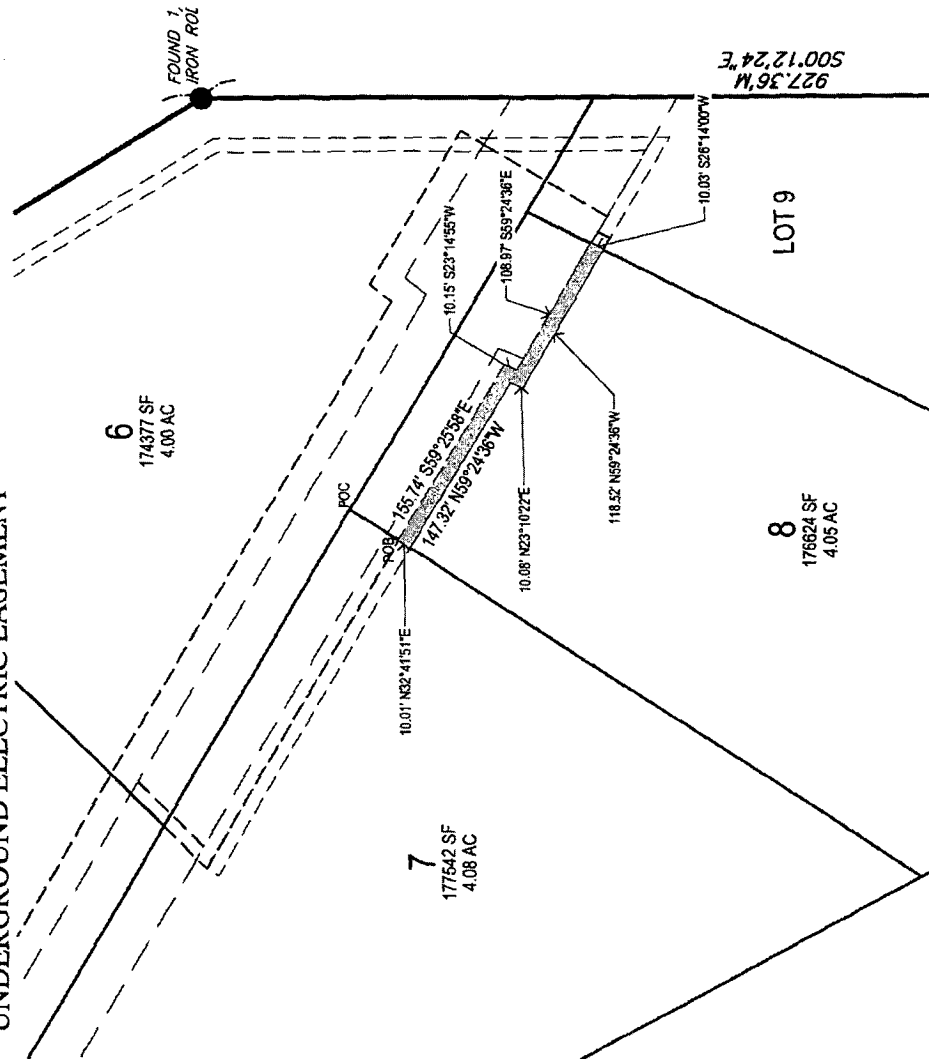
EASEMENT DESCRIPTION:
AN IRREGULAR SHAPED EASEMENT OVER AND ACROSS LOT 7, BUCK HAVEN, AN OFFICIAL PLAT, MADISON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE EASTERLY CORNER OF SAID LOT 7; THENCE S32°41'51"W ALONG THE SOUTHEASTERLY LINE OF SAID LOT 7, A DISTANCE OF 43.08 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S32°41'51"W ALONG THE SOUTHEASTERLY LINE OF SAID LOT 7, A DISTANCE OF 10.01 FEET; THENCE N59°24'36"W, A DISTANCE OF 282.70 FEET; THENCE N30°35'24"E, A DISTANCE OF 10.00 FEET; THENCE S89°24'36"E, A DISTANCE OF 283.07 FEET TO THE POINT OF BEGINNING.

OWNER/PREPARED FOR:
BUCK HAVEN LLC
4123 NW 95TH PLACE
POLK CITY, IOWA 50266

LEGEND:
● PROPERTY CORNER
POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING



UNDERGROUND ELECTRIC EASEMENT



EASEMENT DESCRIPTION:

AN IRREGULAR SHAPED EASEMENT OVER AND ACROSS LOT 8, BUCK HAVEN, AN OFFICIAL PLAT, MADISON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 8; THENCE S32°41'51"W ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 43.09 FEET TO THE POINT OF BEGINNING; THENCE S59°25'58"E, A DISTANCE OF 155.74 FEET; THENCE S23°14'55"W, A DISTANCE OF 10.15 FEET; THENCE S59°24'36"E, A DISTANCE OF 108.97 FEET TO THE EAST LINE OF SAID LOT 8; THENCE S26°14'00"W ALONG THE EAST LINE OF SAID LOT 8, A DISTANCE OF 10.03 FEET; THENCE N59°24'36"W, A DISTANCE OF 118.52 FEET; THENCE N23°10'22"E, A DISTANCE OF 10.08 FEET; THENCE N59°24'36"W, A DISTANCE OF 147.32 FEET TO THE WEST LINE OF SAID LOT 8; THENCE N32°41'51"E ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 10.01 FEET TO THE POINT OF BEGINNING.

OWNER/PREPARED FOR:

BUCK HAVEN LLC
4123 NW 95TH PLACE
POLK CITY, IOWA 50266

LEGEND:

- PROPERTY CORNER
 POC POINT OF COMMENCEMENT
 POB POINT OF BEGINNING

GRAPHIC SCALE



8 OF 9

BUCK HAVEN
MADISON COUNTY, IOWA

REFERENCE NUMBER:

DRAWN BY:

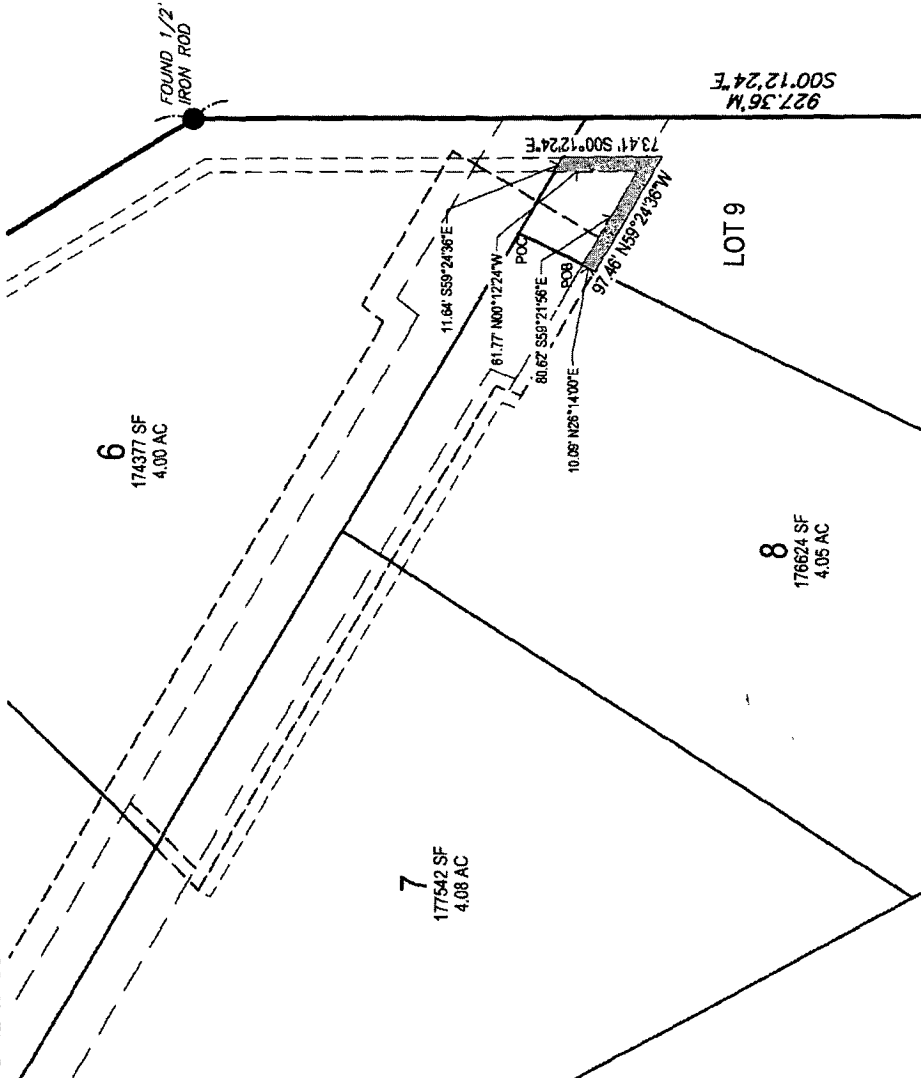
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EASEMENT EXHIBIT "A"

UNDERGROUND ELECTRIC EASEMENT



EASEMENT DESCRIPTION:
AN IRREGULAR SHAPED EASEMENT OVER AND ACROSS LOT 9, BUCK HAVEN, AN OFFICIAL PLAT, MADISON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 9; THENCE S28°14'00"W ALONG THE WEST LINE OF SAID LOT 9, A DISTANCE OF 53.14 FEET TO THE POINT OF BEGINNING; THENCE S89°21'56"E A DISTANCE OF 80.62 FEET; THENCE N00°12'24"W, A DISTANCE OF 61.77 FEET; THENCE S89°24'36"E, A DISTANCE OF 11.64 FEET; THENCE S00°12'24"E, A DISTANCE OF 73.41 FEET; THENCE N69°24'36"W, A DISTANCE OF 97.46 FEET TO THE WEST LINE OF SAID LOT 9; THENCE N28°14'00"E ALONG THE WEST LINE OF SAID LOT 9, A DISTANCE OF 10.09 FEET TO THE POINT OF BEGINNING.

OWNER/PREPARED FOR:
BUCK HAVEN LLC
4123 NW 95TH PLACE
POLK CITY, IOWA 50266

LEGEND:
● PROPERTY CORNER
POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING



GRAPHIC SCALE



9 OF 9

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