

BK: 2022 PG: 3544
Recorded: 12/9/2022 at 9:41:23.0 AM
Pages 3
County Recording Fee: \$17.00
Iowa E-Filing Fee: \$3.32
Combined Fee: \$20.32
Revenue Tax:
LISA SMITH RECORDER
Madison County, Iowa

PLEASE RETURN TO:

MIDAMERICAN ENERGY ATTN: RIGHT-OF-WAY SERVICES P.O. BOX 657 DES MOINES, IA 50303-0657

Prepared by: Eric Woosley 515-281-2914 MIDAMERICAN ENERGY COMPANY P.O. BOX 657 DES MOINES, IA 50303-0657

**TERMINATION OF WINDPARK EASEMENT AGREEMENT AND
MEMORANDUM OF WINDPARK EASEMENT AGREEMENT**

THIS TERMINATION OF WINDPARK EASEMENT AGREEMENT AND MEMORANDUM OF WINDPARK EASEMENT AGREEMENT (this "Termination") is executed as of the 23 day of November, 2022 (the "Effective Date") by MidAmerican Energy Company, an Iowa Corporation ("Developer"), with reference to the following facts:

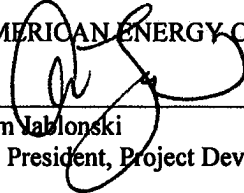
- A. **Mary Louise Frey, a single person (1/2 interest); Mary Lousie Frey (Life Estate), Michael H. Frey and Penny L. Frey, his wife, and Linda M. Smith and Jim R. Smith, her husband, (Remaindermen) (1/2 interest) ("Owner")** and MidAmerican Energy Company, an Iowa corporation ("Developer") entered into that certain unrecorded Windpark Easement Agreement (the "Agreement") dated as of January 24, 2018, a Memorandum (the "Memorandum") of which was recorded February 27, 2018 in Book 2018, Page 618, in Official Records of Madison County, Iowa, whereby Owner granted to Developer certain easement rights and related uses over, under and across certain real property located in Madison County, Iowa, as more particularly described in Exhibit A attached hereto (the "Property").
- B. Section 8.3 of the Agreement provides that Developer may terminate the Agreement and the easements therein at any time, as to all or any part of the Property, by giving written notice to Owner.
- C. Developer has provided written notice to Owner of the termination of the Agreement and the Memorandum and desires to execute this Termination so as to evidence the termination of the Agreement and the Memorandum.

NOW, THEREFORE, effective as of the Effective Date, Developer hereby cancels and terminates the Agreement and the Memorandum. This Termination shall bind and insure to the benefit of the Owner and Developer and their respective heirs, legal representatives, successors and assigns.

IN WITNESS WHEREOF, Developer has executed this Termination as of the date of first set forth above.

DEVELOPER

MIDAMERICAN ENERGY COMPANY

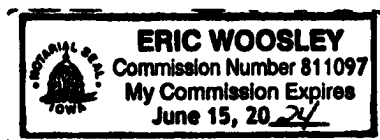
By: 
Adam Jablonski
Vice President, Project Development

By: 
Mark Lowe
Vice President, General Counsel and
Assistant Secretary

ACKNOWLEDGEMENTS

STATE OF IOWA)
) SS
COUNTY OF POLK)

This record was acknowledged before me on November 23, 2022, by Adam Jablonski as Vice President, Project Development for MidAmerican Energy Company.




Signature of Notary Public

STATE OF IOWA)
) SS
COUNTY OF POLK)

This record was acknowledged before me on November 21, 2021, by Mark Lowe as Vice President, General Counsel and Assistant Secretary for MidAmerican Energy Company.

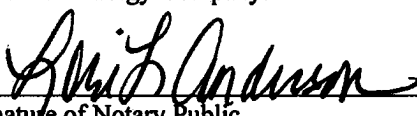
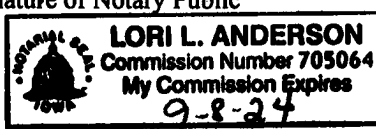

Signature of Notary Public


EXHIBIT A

The West Half (W1/2) of the Southwest Quarter (SW1/4) of Section Twenty-three (23), Township Seventy-seven (77) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, excepting therefrom the following: Beginning at the Northwest Corner of the West Half (W1/2) of the Southwest Quarter (SW1/4) of Section Twenty-three (23), Township Seventy-seven (77) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa; thence South 0°00' West 430.00 feet along the West line of the West Half (W1/2) of the Southwest Quarter (SW1/4) of said Section 23; thence South 89°08' East 433.63 feet; thence North 0°27' East 430.0 feet to the North line of the West Half (W1/2) of the Southwest Quarter (SW1/4) of said Section 23; thence North 89°08' West 437.0 feet to the point of beginning, containing 4.3 acres more or less.