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MICKI UTSLER
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: Denny Buyer (515) 281-2334

**MIDAMERICAN ENERGY COMPANY
UNDERGROUND ELECTRIC LINE EASEMENT**

Parcel No. 360-01
Work Req. No. 1015513
Project No. 11338
Sub No. 1015513

State of Iowa
County of Madison
Section 6
Township 77 North
Range 28 West of the 5th P.M.

KNOW ALL MEN BY THESE PRESENTS:

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 **City of Earlham** Grantors), heirs and assigns, do hereby grant to MIDAMERICAN ENERGY COMPANY (Grantee), its successors or assigns, the right to lay, maintain, operate, repair, and remove underground conduit, wires, and other necessary equipment incident thereto (including associated surface mounted equipment) through and across certain property described below, together with ingress and egress to and from the same, and all the rights and privileges incident and necessary to the enjoyment of this grant.

In consideration of such grant, MIDAMERICAN ENERGY COMPANY agrees that it will repair or pay for any damage which may be caused to crops, fences, or other property of the undersigned by the construction, maintenance, operation, or removal of said line, except such property placed subsequent to the granting of this easement that interferes with the operation and maintenance of the line and associated equipment.

Additionally, MIDAMERICAN ENERGY COMPANY shall have the right to remove from the strip of land specifically described below, any obstructions; including trees, plants, undergrowth, buildings, and structures that interfere with the proper operation and maintenance of said line and equipment.

Grantors agree that they will not construct or place any permanent buildings, structures, trees, plants, or other objects on the property described below.

EASEMENT DESCRIPTION:

An underground electric line easement to consist of a 10 foot wide strip of land located in the following property:

Tract No. 1:

The East 1000 feet of the North 850 feet of the South 1550 feet of the West Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of Section Six (6), Township Seventy-seven (77), North of Range Twenty-eight (28) West of the 5th P.M., containing 19.51 acres, more or less, all now being in and forming a part of Madison County, Iowa;

Tract No. 2:

The East 50 feet of the South 700 feet of the West Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of Section Six (6), Township Seventy-seven (77) North of Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa;

Said Tract No. 1 and Tract No. 2 totaling 20.3 acres.

The centerline of said easement strip of land being more particularly described as follows:

Commencing at a point on the Northerly right-of-way line of NE 6th Street, said point is 5 feet, more or less, East of the West line of said property; thence North parallel with said West line a distance of 700 feet, more or less, to a point; thence Westerly a distance of 300, more or less, to the Point of Termination at a pad-mounted transformer, as shown on the attached Exhibit "A", and by this reference, made a part hereof

This easement shall be binding upon the heirs, successors, and assigns of both parties. Grantors shall have the right of full enjoyment and use of the above described property except as such that will be inconsistent with this easement.

Dated this 24 day of October, 2001.

City of Earlham

By:

Dan von Rentzell
Mayor

By:

Marilyn Sesker
City Clerk

ACKNOWLEDGEMENT

STATE OF Iowa)
COUNTY OF Madison) SS

On this 24 day of October, 2001, before me, a Notary Public in and for the State of Iowa, personally appeared **Dan von Rentzell and Marilyn Sesker**, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the **City of Earlham**, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Ordinance No. 01-21 passed (the Resolution adopted) by the City Council, under Roll Call No. 2 of the City Council on the 17 day of October, 2001, and that **Dan von Rentzell and Marilyn Sesker** acknowledged the execution of the instrument to be their voluntary act and deed and it voluntarily executed.

My commission expires

05-20-04

Carla J. Vasey
Notary Public in the State of Iowa



