



Document 2013 3040

Book 2013 Page 3040 Type 06 001 Pages 3

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

Prepared by and return to: Brian Van Brogen (515) 281-2604

MIDAMERICAN ENERGY ATTN: RIGHT-OF-WAY SERVICES PO BOX 657 DES MOINES, IA 50306-0657

**MIDAMERICAN ENERGY COMPANY
OVERHEAD AND UNDERGROUND ELECTRIC EASEMENT**

Folder No. 269-13
Work Req. No. DR2369280
Project No. 31144

State of Iowa
County of Madison
Section 8SE
Township 77 North
Range 28 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 owners(s) Thrailkill-Smith, LLC (Grantor), its successors and assigns, does hereby grant to MIDAMERICAN ENERGY COMPANY (Grantee), its successors and assigns, a perpetual, non-exclusive easement to construct, reconstruct, operate, maintain, replace or remove electric supply line(s), underground conduit, wires and cables for the transmission and distribution of electric energy and for communication and electrical controls, including other necessary poles, wires, guys, guy stubs, anchors, including other reasonably necessary equipment incident thereto (collectively "facilities") under and on the surface of the ground and upon, over, along, 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 CONTAINING EASEMENT AREA:

The West Half (1/2) of the Southeast Quarter (1/4) of Section Eight (8); and, the Northeast Quarter (1/4) of Section Seventeen (17) and a strip of land commencing at a point on the east line of the Northwest Quarter (1/4) of Section Seventeen (17), 28 rods and 17 links North of the Southeast corner thereof, running thence North 21 rods, thence West 18 rods, thence South 21 rods, thence East 18 rods to the place of beginning, all in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, AND the Northwest Quarter (1/4) EXCEPT that part of the Southeast Quarter (1/4) of the Northwest Quarter (1/4) lying East of the East line of the former railroad right-of-way in Section Sixteen (16), Township Seventy-seven (77), Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and EXCEPT Parcel "B", commencing at the SE Corner of the Northeast Quarter of Section Seventeen (17), Township Seventy-seven (77), Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and EXCEPT Parcel "B", commencing at the SE Corner of the Northeast Quarter of Section (17), Township Seventy-seven (77), North, Range Twenty-eight (28) as shown in Plat of Survey filed in Book 2001, Page 5030 of the Recorder's Office of Madison County, Iowa.

EASEMENT AREA:

An overhead and underground electric easement described as follows:

A 10-foot wide underground electric line easement AND 10-foot wide Overhead electric line easement as generally depicted on 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 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 right to operate and maintain its facilities, and that no act shall be performed which violates the clearance requirements of the National Electrical Safety Code and/or the rules of the Iowa Utilities Board or its successor.

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.

Dated this 26 day of September, 2013

Thrailkill-Smith, LLC

By: David Thrailkill

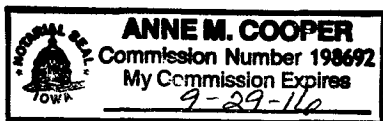
Name Printed: David Thrailkill

Title: owner - manager

ACKNOWLEDGMENT

STATE OF Iowa)
COUNTY OF Madison) ss

This instrument was acknowledged before me on September 26, 2013,
by David Thrailkill as owner & manager
of Thrailkill-Smith, LLC



Anne M Cooper
Notary Public in and for said State

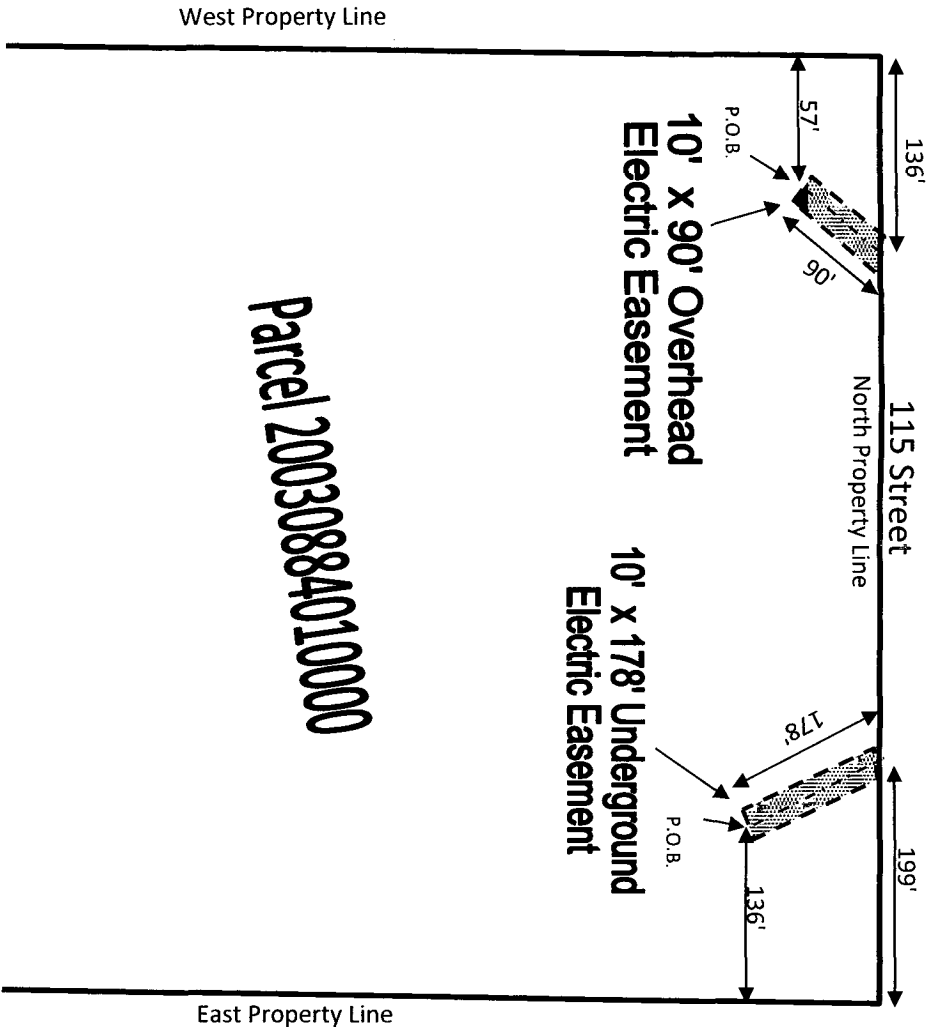
Parcel Legal Description:

The West Half (1/2) of the Southeast Quarter (1/4) of Section Eight (8); and, the Northeast Quarter (1/4) of Section Seventeen (17) and a strip of land commencing at a point on the east line of the Northwest Quarter (1/4) of Section Seventeen (17), 28 rods and 17 links North of the Southeast corner thereof, running thence North 21 rods, thence West 18 rods, thence South 21 rods, thence East 18 rods to the place of beginning, all in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, AND the Northwest Quarter (1/4) EXCEPT that part of the Southeast Quarter (1/4) of the Northwest Quarter (1/4) lying East of the East line of the former railroad right-of-way in Section Sixteen (16), Township Seventy-seven (77), Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and EXCEPT Parcel "B", commencing at the SE Corner of the Northeast Quarter of Section Seventeen (17), Township Seventy-seven (77), Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and EXCEPT Parcel "B", commencing at the SE Corner of the Northeast Quarter of Section (17), Township Seventy-seven (77), North, Range Twenty-eight (28) as shown in Plat of Survey filed in Book 2001, Page 5030 of the Recorder's Office of Madison County, Iowa

Easement Description:

Said easements being a Ten (10) feet wide by Ninety (90) feet long area, more or less, with a centerline Beginning at a point on the North property line that is approximately One Hundred Thirty Six (136) feet East of the West property line; thence Southwesterly approximately Ninety (90) feet, more or less, to a point of terminus. **AND** being a Ten (10) feet wide by One Hundred Seventy Eight (178) feet long area, more or less, with a centerline Beginning at a point on the North property line that is approximately One Hundred Ninety Nine (199) feet West of the East property line; thence Southeasterly approximately One Hundred Seventy Eight (178) feet, more or less, to a point of terminus.

EXHIBIT "A"



Thrailkill-Smith, LLC
P.O. Box 57
City: Earlham, Iowa

Scale: Not to Scale
Folder: 269-13

2369817
9/4/2013



Job Desc: Overhead & Underground Electric Easement