

COMPARED

1972 JAN 17 PM 4:44

MARY E. WELTY
RECORDER

MADISON COUNTY, IOWA

ELECTRIC LINE RIGHT-OF-WAY EASEMENT

Madison County Grand River Twp. Section 35Know all men by these presents, that we, the undersigned Harry E. Saxton

for good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant unto the FARMERS ELECTRIC COOPERATIVE, INC., a corporation whose post office address is Greenfield, Iowa, a right-of-way to, construct, lay, maintain, operate and remove an underground, electric transmission or distribution line, with the right to ingress and egress to and from said lands situated in the County of Madison and State of Iowa, described as follows, to wit: Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section thirty-five (35), Township seventy-four (74) north, Range twenty-nine (29) west of the 5th P.M.

The grantor, his heirs or assigns is to fully use and enjoy the premises except for the purposes herein above granted to the grantee. The grantee hereby agrees to pay any damage which may arise to crops and fences from said construction, operations or future maintenance, removal of said transmission or distribution lines; the damages if not mutually agreed upon are to be ascertained and determined by three disinterested persons, one thereof to be appointed by the grantor, his heirs or assigns, one by the said grantee, its successors or assigns, and the third by the two appointed as aforesaid.

The said transmission or distribution lines covered by this grant shall be buried at such a depth as not to interfere with the ordinary cultivation of said lands and upon grantor's request, the grantee shall provide the grantor with a plat showing the location of said buried cables.

The undersigned covenants that he is the owner of the described lands and that all facilities erected hereunder shall remain the property of the Cooperative.

It is agreed that the electric cables will be buried along the north side of the property described, within ten feet from the road boundary fence. Where trees may prevent staying within the ten foot distance it is agreed that the line should be buried around the trees. That upon request, the grantee will provide assistance for crossing its transmission or distribution lines, without cost, as to tile water or any other construction desired by grantor. Further that in the event above ground construction is desired by grantor: the grantee hereby agrees to relocate said line to facilitate such construction. Grantee to provide 3-phase service at no construction cost to the grantor at his request at the homestead located: in the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section twenty-five (25), Township seventy-four (74) north, Range twenty-nine (29) west of the 5th P.M.

IN TESTIMONY WHEREOF, the undersigned have executed this instrument this 23rd day of July, 1971.

Harry E. Saxton
Harry E. SaxtonFarmers Electric Cooperative, Inc.
By Claude Sivadge, Manager
Farmers Electric Cooperative, Inc.

By: Claude Sivadge, Manager

State of Iowa :
Madison County :Personally came before me this 23rd day of July, A. D., 1971,the above named Harry Saxton & Claude Sivadge, to me known to be the persons who executed the foregoing instrument and acknowledged the same.Earle Whitworth
Notary Public, State of Iowa
Earle Whitworth

IND	✓
REG	✓
FILE	✓