

Deed Record, No. 88, Madison County, Iowa

BOONE BLANK BOOK CO., BOONE, IOWA. 14111-5A

Joseph E. Brittain & wife et al #401 Filed for record the 21 day of January
To Fee \$1.40 A. D. 1957 at 3:06 o'clock P. M.
Iowa Power and Light Company Mary E. Welty, Recorder

TRANSMISSION LINE EASEMENT

Parcel No. 199 Located in State of Iowa
Job No. 00-41-3615 County of Madison
Draft No. 492-A Township 77 North Range 28 West of
Structures No. - - the 5th P.M. Section 10 - 11

KNOW ALL MEN BY THESE PRESENTS: The undersigned Owners, Joseph E. Brittain and Alcy L. Brittain, husband and wife, and the undersigned Tenant, Clyde J. Brittain and Mildred M. Brittain, husband and wife, for and in consideration of Three thousand two hundred forty-seven and 13/100 Dollars (\$3247.13), to be paid by IOWA POWER AND LIGHT COMPANY, an Iowa corporation, do hereby grant to Iowa Power and Light Company, its successors and assigns, the right to construct, maintain and operate an electrical transmission line, and the poles, structures, wires, and other necessary equipment incident thereto, upon, over, along and across certain real estate described below, together with the right to enter upon said real estate for the purpose of constructing, maintaining, or removing said line, and the right to trim or remove with reasonable care, such trees as may interfere with the proper maintenance and operation thereof, and the right to remove from the strip of land specifically described below any obstruction, including buildings and other structures, which may interfere with the proper maintenance and operation of said line. In consideration of such grant, Iowa Power and Light Company agrees that it will repair or pay for any damage which may be caused to crops, fences or to the property of the undersigned by the construction, maintenance or removal of said line.

The Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section 10, and the North Half (N½) of the Southwest Quarter (SW¼) of Section 11, Township 77 North, Range 28 West of the 5th P. M., Madison County, Iowa.

The transmission line shall be located within a strip of land 100 feet in width across the above described property and properties adjacent to it. The centerline of the said strip shall enter the said Section 10 at a point approximately 2570 feet north of the southwest corner of the Section and extend thence easterly to a point approximately 2570 feet north and 641 feet east of the southwest corner of the said Section 10 and continue thence easterly at an angle of 1° 08' right through the said Sections 10 and 11 to a point approximately 2590 feet north of the southeast corner of the said Section 11.

The consideration for this easement as set out below is calculated on the basis of the following encroachments: Wire overhang, four 2-pole structures, one 5-pole structures and 10 anchors.

For Corrective Easement see Deed Record 88, Page 385

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The undersigned acknowledges payment of Ten Dollars (\$10.00) hereunder, and it is agreed that if the balance of the stated consideration, \$3237.13, is paid the undersigned within 120 days from date hereof, this agreement shall become binding upon all parties hereto, their heirs, successors and assigns, but shall terminate upon the permanent removal or abandonment of the supply or transmission line. If the balance of the consideration is not paid as above limited, then the initial payment shall be forfeited to the grantor and both parties shall be released from all further obligation hereunder.

Iowa Power and Light Company may enter said premises for the purpose of surveys and preliminary estimates, but shall not begin construction, and shall not file this agreement for record, until full consideration is paid.

Dated at Earlham, Ia, this 10 day of Oct, 1956.

Clyde J. Brittain
Mildred M. Brittain

Joseph E. Brittain
Alcy L. Brittain

ACKNOWLEDGMENT

State of Iowa County of Madison) ss.

On this 10th day of October, A. D. 1956, before me, a Notary Public, personally appeared Joseph E. Brittain, Alcy L. Brittain, husband and wife; Clyde J. Brittain_Mildred M. Brittain, husband and wife, to me known to be the person(s) who are named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.
(Notarial Seal)

Roger D. Wellman Notary Public

Parcel #199 TRANSMISSION LINE EASEMENT - RECEIPT

The undersigned Joseph E. Brittain and Alcy L. Brittain hereby acknowledge that payment was received on January 15, 1957, in the amount of \$3237.13 from Iowa Power and Light Company by Draft Number 500-A, dated January 15, 1957, in accordance with the terms of a certain Transmission Line Easement dated October 10, 1956, and covering certain property in Section. 10 & 11, Township 77 North, Range 28 West of the 5th P. M., Madison County, Iowa.

Date January 15, 1957

Joseph E. Brittain
Alcy L. Brittain

ACKNOWLEDGMENT

State of Iowa County of Madison) ss.

On this 15 day of January, A. D. 1957, before me, a Notary Public, personally appeared Joseph E. Brittain & Alcy L. Brittain, husband & wife to me known to be the person (s) who is (or are) named in and who executed the foregoing instrument, and acknowledge that they executed the same as their voluntary act and deed.

ST
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Benjamin A. Lyons Notary Public