

Deed Record, No. 78, Madison County, Iowa

Equitable Life Ins.Co.

#3485

Filed for record the 6 day of
June A.D.1941 at 2:00 o'clock P.M.

To

Fee \$.70 /

Iowa Power and Light Co.

Pearl E. Shetterly, Recorder

GRANT OF RIGHT OF WAY

For and in consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, and the further consideration of No/100 Dollars (\$.....) to be paid to Equitable Life Insurance Company of Iowa by Iowa Power and Light Company, an Iowa corporation, when and as erection of the towers, poles and lines described herein shall commence, the undersigned, Equitable Life Insurance Company of Iowa, does hereby grant, convey and warrant unto the said Iowa Power and Light Company its successors, assigns and lessees the right and easement to erect, reconstruct, operate and maintain under varying conditions of operation, renew and remove an electric transmission and distribution line, the wood and steel poles and towers, anchors, guys, cross arms, insulators, conductors and other equipment appurtenant thereto for the transmission and distribution of electric energy in, upon, across and over certain lands owned by Grantor situated in Penn Township, Madison County, State of Iowa, and described as follows: Beginning at a point on Highway paralleling the South Line of the Northeast Quarter of Section Two (2), Penn Township, Madison County, Iowa, then in a northeasterly direction through land belonging to grantor to a point near the farm residence,

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ACRES-BLACKMAR CO., BURLINGTON, 23057

together with any lands contiguous thereto now owned or hereafter acquired by Grantor(s) affecting the right of way of said electric line; together with the right of ingress to and egress from such lands over lands of Grantor(s) for, and the right to trim or remove such tress, branches, shrubs, bushes and other obstacles as may interfere with, the safe, proper and expeditious erection, reconstruction, operation and maintenance under varying conditions of operation, renewal and removal of said line or any part thereof. Not more than three towers or poles or pole structures of said line shall be located on said property of Grantor(s).

Grantee, Iowa Power and Light Company, shall repair any damage to property of Grantor(s), or pay any substantial damages which may be caused to property of Grantor(s) by the erection, reconstruction, ~~reconstruction~~, operation, and maintenance under varying conditions of operation, renewal, and removal of said line, said damages, if not mutually agreed upon, shall be ascertained by three disinterested persons, one of whom shall be selected by each, Grantor(s) and Grantee, their heirs or successors, assigns or lessees, and the third by the two so selected. The damages determined by such persons, or a majority of them, shall be conclusive as to the facts.

Subject to the foregoing this grant shall be binding upon the heirs, successors and assigns of the undersigned.

WITNESS the hand and seal of the Grantor(s) this day of May, 1941.

WITNESSED BY:

H W Foskett
ASS'T. SECRETARY
EQUITABLE LIFE INSURANCE CO. OF IOWA

EQUITABLE LIFE INSURANCE COMPANY OF IOWA (SEAL)
By F_W_HUBBELL (SEAL)
President (SEAL)

(Corporate Seal)

Accepted:

Iowa Power & Light Co
By R_H_Luther - Manager

STATE OF IOWA COUNTY OF POLK)ss.

On this 9th day of May, 1941, before me, a Notary Public in and for said County in the State aforesaid, personally appeared F.W.Hubbell and H.W.Foskett, to me personally known, each being by me duly sworn, did say that the said F.W.Hubbell is the President, and the said H.W. Foskett is the Ass't. Secretary of EQUITABLE LIFE INSURANCE COMPANY of Iowa the corporation that executed the foregoing instrument, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed, sealed and delivered in the name and on behalf of said corporation by authority of its Board of Directors, and said F.W.Hubbell and H.W.Foskett acknowledge said instrument to be the free and voluntary act and deed of said corporation.

NOTARIAL

WITNESS my hand and seal the day and year last above written.

SEAL

My Commission expires July 4, 1942.

Edith Hadden Notary Public