

Deed Record, No. 78, Madison County, Iowa

Mrs. Elizabeth Kiernan

#5873

Filed for record the 22 day of November
A.D. 1941 at 2:29 o'clock P.M.

To

Fee \$.60 ✓

Pearl E. Shetterly, Recorder

Iowa Power & Light Co.

GRANT OF RIGHT OF WAY

For the consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, and the further consideration of One Dollars (\$1.00) to be paid to Mrs. Elizabeth Kiernan, Widow, 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 Mrs. Elizabeth Kiernan, Widow, does hereby grant, convey and warrent 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 Madison County State of Iowa and described as follows: Commencing at a point at the Southeast (SE) Corner of Section Twenty-four (24), Jefferson Township, then direction West along South side of said Section Twenty-four (24) to a point alongside farm residence of grantor 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 trees, 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 necessary towers or poles or pole structures of said line shall be located on said property of Grantor(s), as to be agreed upon.

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, 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 27th day of August 1941

WITNESSED BY:

Frank D. McDevitt
Marion A. Davidson

Accepted: Mrs. Elizabeth Kiernan (Seal)
Iowa Power & Light Co.
By R. H. Luther - Manager

STATE OF FLORIDA COUNTY OF PINELLAS)ss.

I, Marion A. Davidson, do hereby certify that Mrs. Elizabeth Kiernan personally known to me to be the same person whose name is (or are) subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this 27th day of August A.D. 1941.

Marion A. Davidson Notary Public
My Commission Expires Oct. 14, 1941