

Deed Record, No. 78, Madison County, Iowa

Martha J. Binns et al
To
Iowa Southern Utilities
Company

#1744
Fee \$.80 ✓

Filed for record the 3 day of April
A.D. 1942 at 3:40 o'clock P.M.

Pearl E. Shetterly, Recorder

TRANSMISSION LINE RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That We, Fred Binns and Margaret C. Binns, husband and wife; Alferd Binns and Emma Gene M. Binns, husband and wife; Arthur W. Binns and Gladys E. Binns, husband and wife; Martha J. Binns, widow and single; Everett L. Binns and Susie M. Binns, husband and wife; Dessie M. Binns Busch and Dwight Busch, wife and husband, in consideration of the sum of Three Hundred, Fifty and no/100 DOLLARS (\$350.00) paid by the IOWA SOUTHERN UTILITIES COMPANY OF DELAWARE, the receipt of which is hereby acknowledged, do hereby convey and warrant, free and clear of all liens and encumbrances, unto the said IOWA SOUTHERN UTILITIES COMPANY OF DELAWARE, its successors and assigns, the perpetual right and easement to erect, maintain and operate a transmission line consisting of poles, crossarms, insulators, wires, guy wires, anchors, braces, telephone wires and all other necessary construction and equipment for the maintenance and operation of a transmission line for the transmission of electricity over and across the following real estate, to-wit:

The East Half ($E\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Nine (9) and the Southeast Quarter ($SE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Nine (9), Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa.

Said line to cross above described real estate beginning at a point approximately Two Hundred Seventy-five (275) feet East of the Southwest (SW) corner of the Southeast Quarter ($SE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Nine (9), thence in a Northeasterly direction to a point approximately One Hundred Sixty-five (165) feet North of the Southeast (SE) corner of the Northwest Quarter ($NW\frac{1}{4}$) of Section Nine (9), said Township and Range.

The grantee, its successors and assigns, shall have reasonable access to such transmission line for the purpose of constructing, re-constructing, enlarging, repairing, or locating the poles, wires or construction and other devices used in or upon such line, but shall pay to the owner of such lands and of crops thereon, all damages to said lands or crops caused by entering using and occupying said lands for such purposes as provided by Section 8324 of the Code of Iowa, and also granting the right of the Iowa Southern Utilities Company of Delaware, its successors and assigns, to trim, cut or remove such trees as interfere or are likely to interfere with the efficient and successful operation of said transmission line.

WITNESS OUR HANDS this 21st day of March, 1942.

Fred Binns ✓
Alferd Binns ✓
Emma Gene M. Binns ✓
Margaret C. Binns ✓
Arthur Binns ✓
Gladys E. Binns ✓
Martha J. Binns ✓
Everett L. Binns ✓

Susie M. Binns ✓
Dessie M. Binns Busch ✓
Dwight Busch ✓

STATE OF IOWA COUNTY OF Madison)ss.

On this 21st day of March A.D. 1942, before me Charles D. Van Werden a Notary Public in and for the County of Madison State of Iowa, personally appeared Fred Binns, Margaret C. Binns, Alferd Binns, Emma Gene M. Binns, Arthur W. Binns, Gladys E. Binns, Martha J. Binns, Everett L. Binns and Susie M. Binns, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed. IN WITNESS WHEREOF, I have hereunto signed my name and affixed my Notarial Seal the day and year last above written.

(Notarial Seal)
My Commission expires July 4, 1942.
STATE OF MONTANA COUNTY OF Flathead)ss

Charles D. Van Werden Notary Public
in and for Madison County State of Iowa

On this 25 day of March A.D. 1942, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Dessie M. Binns Busch and Dwight Busch to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

IN WITNESS WHEREOF I have hereunto signed my name and affixed my Notarial seal the day

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ACRES-BLACKMAR CO., BURLINGTON. 23057

and year last above written

NOTARIAL
SEAL

Ambrose J Measure Notary Public
in and for said County and State.
Commission Expires 9-6-44

x