

Deed Record, No. 78, Madison County, Iowa

Daisy E. Hutzell et al

#4093

Filed for record the 6 day of November
A.D. 1942 at 9:09 o'clock A.M.

To

Fee \$1.00

Pearl E. Shetterly, Recorder
Easement No 393

Iowa Power & Light Co

Earlham, Iowa

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 Forty Nine Dollars (\$49.00) to be paid to Daisy E. Hutzell by Iowa Power & Light Company, an Iowa corporation, when and as erection of the towers, poles and lines described herein shall commence, the undersigned Daisy E. Hutzell do hereby grant, convey and warrant unto the said Iowa Power & 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:

Southeast Quarter (SE $\frac{1}{4}$) of Southeast Quarter (SE $\frac{1}{4}$) of Section 21, Twp 77
North, Range 28 West of the 5th P.M.

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 ... towers or poles or pole structures of said line shall be located on said property of Grantor(s).

Grantee, Iowa Power & 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 24 day of March, 1942.

WITNESSED BY:
N. A. Johnson

Ralph E. Hutzell
Ruth E. Hutzell
Mabel E. Barnett
Willard C. Barnett
Oral R.I. Roberts

Roy A. Roberts
Lela H. McCarty
John J. McCarty
Ethel A. Melton

Daisy E. Hutzell (Seal)
Ora A. Strong (Seal)
P L Strong (Seal)
Maurice P. Hutzell (Seal)
Kathryn M. Hutzell (Seal)
Lloyd L. Hutzell (Seal)

Clark R. Melton

Violet T Hutzell

Lawrence E. Hutzell

Eleanor S Hutzell

STATE OF IOWA COUNTY OF MADISON)ss

I, Eugene Wilson, do hereby certify that Daisy E. Hutzell 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 they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this 21st day of April, A.D. 1942.

Commission Expires: July 4th, 1942.
(Notarial Seal)

Eugene Wilson Notary Public

STATE OF IOWA COUNTY OF SAC)ss

I, Paul L. Dick, do hereby certify that Lawrence E. Hutzell and Eleanor S. Hutzell, personally known to me to be the same person whose name is (or are) subscribed to the foregoing

Deed Record, No. 78, Madison County, Iowa

ACRES-BLACKMAR CO., BURLINGTON, 23057

instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this 1st day of June, A.D. 1942.

My Commission Expires: July 4-1942
(Notarial Seal)
STATE OF IOWA COUNTY OF HAMILTON)ss.

Paul L Dick Notary Public

I, Beulah H. Veatch, do hereby certify that Violet T. Hutzell, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that she signed, sealed and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal this 26th day of May, A.D. '42
My Commission Expires: July 4-1942
(Notarial Seal)
STATE OF IOWA COUNTY OF DALLAS)SS

Beulah H. Veatch Notary Public

I, Eugene Wilson, do hereby certify that Ora A. Strong and S. J. Strong, Wife and husband, Maurice P. Hutzell and Katherine M. Hutzell, husband and wife, Lloyd L. Hutzell, a single man, Ralph E. Hutzell and Ruth E. Hutzell, husband and wife, Mable E. Barnett and Willard C. Barnett, Wife and Husband, Oral R.I. Roberts and Roy A. Roberts, wife and husband, Lela H. McCarty and John J. McCarty, wife and husband, Ethel A. Melton, and Clark R. Melton, wife and husband, personally known to me the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered said instrument as their voluntary act, for the uses and purposes there-

in **set forth**

GIVEN under my hand and seal this 22nd day of April, A.D. 1942.
My Commission expires: July 4th, 1942

Eugene Wilson Notary Public