

Deed Record, No. 78, Madison County, Iowa

Julia Growell	#4098	Filed for record the 6 day of November
To	Fee \$.90	A.D. 1942 at 9:23 o'clock A.M.
Iowa Power & Light Co.		Pearl E. Shetterly, Recorder
	<u>GRANT OF RIGHT OF WAY</u>	Easement No.388 23142

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 Julia Growell by IOWA POWER & LIGHT COMPANY, an Iowa corporation, when and as erection of the towers, poles and lines described herein shall commence, the undersigned, Julia Growell 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:

North Half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 32,
Township 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; The Easement granted herein is to follow the present line of survey and poles are to be erected on said line within one year from the date of this instrument. 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

Not Release see Deed Record 127-392

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ACRES-BLACKMAR CO., BURLINGTON, 23087

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 .../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 23 day of March, 1942.

WITNESSED BY: N.A.Johnson

pd. 5/27/42
ck. # 325-40
10. # 5-18

Julia Grouell (SEAL)

Accepted: - -

By - -

STATE OF IOWA COUNTY OF MADISON)SS.

I, Eugene Wilson, do hereby certify that Julia Grouell a Widow 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 they 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.
My Commission Expires: July 4th, 1942 (Notarial Seal) Eugene Wilson Notary Public
TO - -

As legal holder and owner of all of the notes or other evidences of indebtedness secured by mortgage or deed of trust, dated the 11th day of March, 1938 recorded in the Recorder's Office of Madison County, Iowa, in Book 88, page 463, as Document No....., the undersigned hereby consent(s) and join(s) in the granting to said company of the within and foregoing right-or-way easement.

WITNESSED BY: S. J. Russuck

(CORPORATE SEAL)

EQUITABLE LIFE INSURANCE COMPANY OF IOWA
By Phineas M Henry (Seal)
Vice President (Seal)
By H W Foskett Assistant Secretary

STATE OF IOWA COUNTY OF POLK)ss.

On this 22nd day of May, 1942, before me, a Notary Public in and for said County in the State aforesaid, personally appeared Phineas M. Henry and H. W. Foskett, to me personally known, each being by me duly sworn, did say that the said Phineas M. Henry is the Vice President and the said H. W. Foskett is the Assistant 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 Trustees, and said Phineas M. Henry and H. W. Foskett acknowledge said instrument to be the free and voluntary act and deed of said corporation.

WITNESS my hand and seal the day and year last above written.
My Commission expires: July 4, 1942 Kathleen Metier Notary Public