

Deed Record, No. 78, Madison County, Iowa

Bankers Life Co.

#4103

Filed for record the 6 day of November *
A.D. 1942 at 9:33 o'clock A.M.

To

Fee \$.80

Pearl E. Shetterly, Recorder
Easement No 360

Iowa Power & Light Co.

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 Six Hundred Forty-Nine Dollars (\$649.00) to be paid to Bankers Life Company 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, Bankers Life Company does hereby grant, convey 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:

The Southeast Quarter (SE $\frac{1}{4}$) of Section Thirty-four (34), Township Seventy-six (76) North, Range Twenty-nine (29) —

Line having its beginning at a point 1550 ft. West of the Southeast corner of Section 34, said Township and Range, thence in a Northeasterly direction a distance of approximately 623 ft., thence angling 15 degrees ~~2 degrees~~ 2 minutes left to a point approximately 207 ft. West of the Northeast corner of the Southeast Quarter of Section 34 a distance of approx. 2473 ft. 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 8 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) and its tenants, or pay any damages which may be caused to property of Grantor(s) and its tenants 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 26 day of May, 1942.

WITNESSED BY:

pd. 5/26/42
cb. # 32535
Jo. # 5-14

(CORPORATE SEAL)

BANKERS LIFE COMPANY (Seal)
By G W Fowler Vice President (Seal)
R B Patrick Assistant Treasurer (Seal)
Accepted.
Iowa Power and Light Co
By C A Leland ---

STATE OF IOWA COUNTY OF POLK)ss.

On this 26th day of May 1942, before me, a Notary Public in and for said County in the

Deed Record, No. 78, Madison County, Iowa

ACRES-BLACKMAR CO., BURLINGTON. 23057

State aforesaid, personally appeared C. W. Fowler and R. B. Patrick, to me personally known, each being by me duly sworn, did say that the said G. W. Fowler is the Vice President, and the said R. B. Patrick is the Assistant Treasurer of Bankers Life Company 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 G. W. Fowler and R. B. Patrick 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. (Notarial Seal) Jennie A. Elings Notary Public
TO —

The undersigned lessee(s) of the within described premises (under lease dated February 12, 1942 expiring February 28, 1943, from Bankers Life Company lessor) hereby consent(s) ^{to and join(s)} in the granting to you of the within and foregoing right-of-way easement.

WITNESSED BY: George Schrader (Seal)
N.A. Johnson Alma Schrader (Seal)
Dated May 20, 1942 COMPARED