

STATE OF IOWA, Pottawattamie County  
Filed for record the 2 day of April  
1949 at 8 o'clock P.M. as recorded  
in book 1483 page 73

COMPARED

2779

Parcel No. \_\_\_\_\_

Draft No. \_\_\_\_\_

Structure No. \_\_\_\_\_

Located in:

State of \_\_\_\_\_

County of \_\_\_\_\_

Township \_\_\_\_\_ North

Range \_\_\_\_\_ West of 5th P.M.

Section \_\_\_\_\_

# EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

For and in consideration of the sum of One Hundred Seventy Five Dollars (\$ 175.00), and other valuable consideration, in hand paid by the IOWA POWER AND LIGHT COMPANY, a corporation, receipt of which is hereby acknowledged, the undersigned Charles B. Evere of the Gretchen Smith Trust in The John J. Hess Estate

do hereby grant unto said IOWA POWER AND LIGHT COMPANY the right to construct, maintain and operate an electrical supply line, and the poles and other necessary equipment, upon, over, along and across certain real estate described below, together with the right to enter upon the said real estate for the purpose of constructing, maintaining or removing said line, and the right to trim or remove, with reasonable care, such trees as may interfere with the proper maintenance or operation thereof.

Lot 3, Auditors Subdivision of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section Thirty-three (33), Township Seventy-five (75) North, Range Forty-three (43) West of the 5th P.M., Pottawattamie County, Iowa, and Lot 2, Auditors Subdivision of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section Thirty-three (33), said Township and Range, and the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Five (5), Township Seventy-four (74) North, Range Forty-three (43) West, the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section Five (5), Township Seventy-five (75) North, Range Forty-three (43) West, except the West 3 chains of the South 13.33 chains, West Half (W 1/2) of the Northwest Quarter (NW 1/4) of Section Four (4), Township Seventy-four (74) North, Range Forty-three (43) West of public road; Log 1, Auditors Subdivision of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section Thirty-two (32), Township Seventy-five (75) North, Range Forty-three (43) West, all subject to right-of-way of public road and except school house tract.

Beginning at a point on the Northeast property line of Lot 2 of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section Thirty-three (33), Township Seventy-five (75) North, Range Forty-three (43) West of the 5th P.M., approximately 300 feet Northwest from the Southeast corner of said Lot 2, running thence Southeasterly across Lots 2 and 3, to a point on the East line of Lot 3, in the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section Thirty-three (33) approximately 250 feet South of the Northeast corner of said Lot 3. One pole and one anchor with associated down guys to be located within a triangular tract of land in the Northeast corner of said Lot 3, said tract bounded on the North by the North line of Lot 3, bounded on the East by the East line of Lot 3 and bounded on the West by the Electric Supply line as described above.

One anchor with associated down guys to be located approximately 50 feet south of the North line of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Four (4), and approximately 50 feet West of the West right-of-way line of the public road; one anchor with associated down guys to be located approximately 225 feet South of the North line of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Four (4), and approximately 30 feet West of the West right-of-way line of the public road, all in Township Seventy-four (74) North, Range Forty-three (43) West of the 5th P.M., Pottawattamie County, Iowa.

Transmission line to be located within a strip of land 10 feet in width across the above described property starting at the Northeast corner of Lot 1 described above as a triangular tract of land bounded on the North by the North line of Lot 3, bounded on the East by the East line of Lot 3 and bounded on the West by the electric supply line Southeasterly adjacent to the County Road to a point approximately 225 feet South of the North line of the NE 1/4 of the NW 1/4 of Section 4.

COMPARED

The IOWA POWER AND LIGHT COMPANY will repair or pay for any damage which may be caused to crops, fences or other property of the undersigned by the construction, maintenance, operation, or removal of said line, and this easement shall be binding upon the heirs, successors, and assigns of both parties and shall continue until cancelled by mutual consent, or the removal and abandonment of said line.

DATED AT Waltham, Massachusetts, this 4th day of July, 1968  
Gretchen R. Smith Charles B. Everest  
Sandra S. Hamilton Trustee  
Halwyn F. Hamilton

ACKNOWLEDGMENT

STATE OF Massachusetts }  
COUNTY OF Waltham } SS.

On this 4th day of JUNE, A. D., 1968, before me, a Notary Public, personally appeared Gretchen R. Smith and Halwyn F. Hamilton

to me known to be the person (s) who is (or are) named in and who executed the foregoing instrument, and acknowledged that he executed the same as a voluntary act and deed.

Notary Public  
My Commission Expires May 27, 1971

State of Iowa )  
County of Pottawattamie ) ss

On this 7th day of February, A.D. 1969, before me, the undersigned, a Notary Public in and for said County, in said State personally appeared, Charles B. Everest, Trustee, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.

Notary Public in and for said County