

22
4109 Hz



Doc ID: 018690120004 Type: GEN
Recorded: 06/30/2006 at 12:20:51 PM
Fee Amt: \$22.00 Page 1 of 4
Revenue Tax: \$0.00
Polk County Iowa
TIMOTHY J. BRIEN RECORDER
File# 2006-00122723

BK **11731** PG **447-450**

PLEASE RETURN TO: RETURN TO:
MIDAMERICAN ENERGY ATTN: RIGHT-OF-WAY SERVICES P.O. BOX 657 DES MOINES, IA 50303-0657

Prepared by: Jay Peterson (515) 281-2713

**MIDAMERICAN ENERGY COMPANY
UNDERGROUND ELECTRIC LINE EASEMENT**

Folder No. 184-06
Work Req. No. 1924105
Project No. 61145
Sub No. DR1924105

State of Iowa
County of Polk
Section 5
Township 78North
Range 24 West of the 5th P.M.

KNOW ALL MEN BY THESE PRESENTS:

For and in consideration of the sum of One and no/100-----Dollar (\$1.00), and other valuable consideration, in hand paid by MIDAMERICAN ENERGY COMPANY, an Iowa Corporation, receipt of which is hereby acknowledged, the undersigned **High Land Co., L.C., an Iowa limited liability company**, (Grantors), heirs and assigns, do hereby grant to MIDAMERICAN ENERGY COMPANY (Grantee), its successors or assigns, the right to lay, maintain, operate, repair, and remove underground conduit, wires, and other necessary equipment incident thereto (including associated surface mounted equipment) through and across certain property described below, together with ingress and egress to and from the same, and all the rights and privileges incident and necessary to the enjoyment of this grant.

In consideration of such grant, MIDAMERICAN ENERGY COMPANY agrees that it will repair or pay for any damage which may be caused to real and personal property of the undersigned by the construction, maintenance, operation, or removal of said line, except such property placed subsequent to the granting of this easement that interferes with the operation and maintenance of the line and associated equipment.

Additionally, MIDAMERICAN ENERGY COMPANY shall have the right to remove from the strip of land specifically described below, any obstructions; including trees, plants, undergrowth, buildings, and structures that interfere with the proper operation and maintenance of said line and equipment.

Grantors agree that they will not construct or place any permanent buildings, structures, trees, plants, or other objects on the property described below.

Easement Description:

A ten (10) foot wide by seven hundred seventy (770) foot long, more or less, underground electric line easement strip located in the property described on Exhibit "A", attached hereto and made a part hereof.

Easement area is generally depicted on Exhibit "B", attached hereto and made a part hereof.

UNDER.MRG

This grant shall also cover those areas where the location of customer installed conduit deviates from the areas depicted on said Exhibit "B."

This easement shall be binding upon the heirs, successors, and assigns of both parties. Grantors shall have the right of full enjoyment and use of the above-described property except as such that will be inconsistent with this easement.

Dated this 23rd day of June, 2006.

High Land Co., L.C.

By: [Signature]
John C. Kline

ACKNOWLEDGMENT

STATE OF IOWA)
COUNTY OF Polk)^{SS}

On this 23rd day of June, 2006, before me the undersigned, a Notary Public, personally appeared John C. Kline, to me personally known, who, being by me duly sworn, did say that he is Manager of High Land Co., L.C., to me known to be the identical person named in and who executed the foregoing instrument, and that said instrument was signed on behalf of said limited liability company and that the said John C. Kline acknowledged the execution of said instrument to be his voluntary act and deed, and the voluntary act and deed of said limited liability company, by him and by it voluntarily executed.

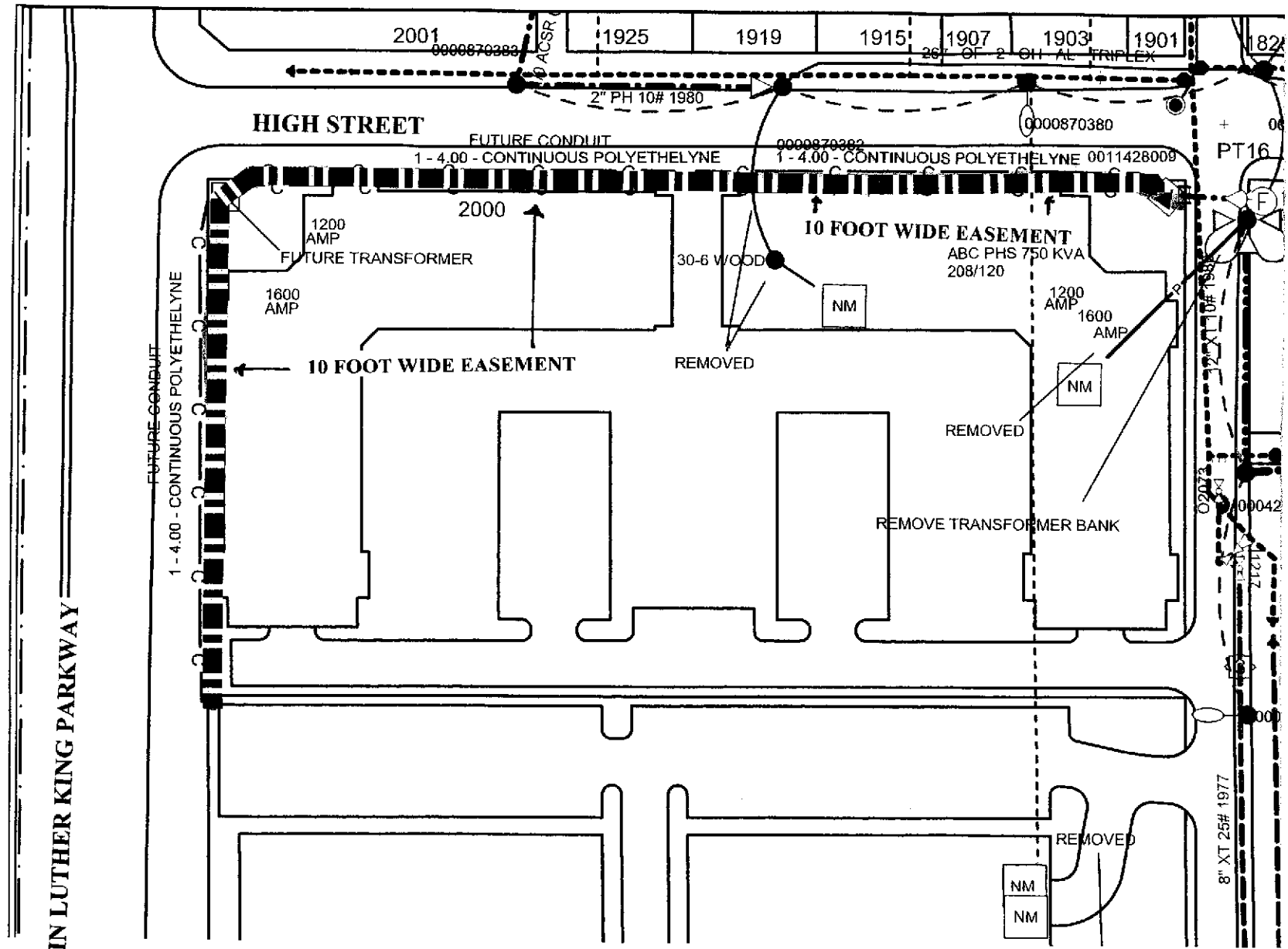
[Signature]
Notary Public in and for said State



UNDER.MRG

Exhibit A
Legal Description

All of Lots 1 through 8 and the East 51 feet of Lot 9 in Block B in West and Burton's Addition, an Official Plat; and all of Lots 1 through 9 in Harding Road Place, an Official Plat, now included in and forming a part of Des Moines, Polk County, Iowa, being subject to established easements of record; and the 16.0 foot wide vacated East/West Alley Right-of-Way lying South of and adjoining Lots 1 through 8, and lying South of and adjoining the East 51.0 feet of Lot 9, in Block B, West and Burton's Addition, an Official Plat; and which lies North of and adjoining Lots 1 through 9, Harding Road Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, except the portion of Lots 8 and 9 of Block B, West and Burton's Addition, and the portions of Lots 1 through 9 of Harding Road Place that were condemned by the City of Des Moines, Iowa, in those condemnation proceedings filed for record in the Office of the Polk County Recorder on June 21, 2002, at Book 9194, commencing at Page 1, together with all easements and servient estates appurtenant thereto, and subject to (a) any easements, covenants, and restrictions of record as of the date of this agreement, and (b) existing zoning and other applicable building regulations.



MARTIN LUTHER KING PARKWAY

MIDAMERICAN ENERGY
 DR 1924105
 no scale

EXHIBIT "B"