

COMPARED

INST # 1014
RECORDING FEE 5000
AUDITOR FEE _____
RMA FEE 100 E-COMM 500

FILED FOR RECORD
POTTAWATTAMIE CO. IA.

03 JUL 15 AM 7:34

JOHN SCIORTINO
RECORDER

Prepared by and return to: Tim J. Bunkers - MidAmerican Energy Company - Right of Way Services
PO Box 446 Adair, IA 50002 800-891-6860

MIDAMERICAN ENERGY COMPANY OPTION FOR ELECTRIC LINE EASEMENT

Tract No. IA-PT-000.R058.000

State of Iowa, County of Pottawattamie
Legal Description: T74N, R42W, Section No. 6, of the 5th P.M.
Project No. B88

OPTION AND EASEMENT

The undersigned owner(s) Martha McKlveen and Sally Sandblom, as Tenants in Common and the undersigned tenant(s), Four F Corp., collectively and individually, hereinafter referred to as "Grantor," in consideration of the sum of Five thousand three hundred seventy three and 00/100 (\$ 5,373.00), receipt of which is hereby acknowledged, grant(s) to **MIDAMERICAN ENERGY COMPANY**, an Iowa corporation, its successors and assigns, hereinafter referred to as "Company," the right, for and during the period of twenty-four (24) months from the date hereof, to acquire for the further consideration of Twenty one thousand four hundred ninety two and 00/100 (\$ 21,492.00), hereinafter referred to as an "Option", upon exercise of said Option and as hereinafter agreed to, a perpetual right-of-way easement upon, over, under, across, and along the land situated in the County of Pottawattamie, State of Iowa, and as more specifically described and shown on the attached **Exhibit A**, and by this reference made a part hereof.

This right of way grant is for the purposes of constructing, reconstructing, patrolling, operating, maintaining and removing electric lines to be located on said premises, including the necessary pole structures, wires, and other appurtenances for the transmission of electric energy and communications, together with the power to extend to any other party the right to use, jointly with the Company, any structure placed pursuant to the terms hereof, such lines to form a part of an electric transmission system.

Consideration shall be paid to Grantor by Company to place no more than 6 pole structure(s) on said right-of-way. If the Company elects to place additional pole structures on said right-of-way, Company shall compensate Grantor the amount of Three thousand five hundred (\$ 3,500.00) per additional pole structure.

Grantor Initial MSM SA

Revised 04-05-03
Revision 8

BK104PG01008

Company shall have the irrevocable right, commencing upon the date of the exercise of this Option, to survey the property; to conduct engineering and associated investigations including, but not limited to, core boring and soil testing; to trim or remove any trees or other vegetation growing in said easement area which, in the judgment of Company, may interfere with or endanger said electric lines; to install access gates to said easement area in the fences on the property of Grantor, and of ingress and egress over said land.

Damages to fences, livestock, crops or other property of Grantor, their successors and assigns, by Company while exercising any of the rights granted herein shall be paid by Company to the party damaged.

Subject to the rights of Company hereunder, Grantor shall have the right to cultivate, use and occupy the easement area hereinbefore described except that no structure or object, permanent or temporary, shall be erected, no wells shall be drilled, no storage of materials of any kind, nor shall any ground elevation changes be made, on said easement area without the written consent of Company, that no brush or other inflammable materials shall be deposited or accumulated or burned upon said easement area, and that no act shall be performed which violates the clearance requirements of the National Electrical Safety Code and/or the rules of the Iowa Utilities Board or its successor.

Upon exercise of the Option, all the foregoing provisions shall constitute the easement granted to the Company by Grantor.

LICENSE

During the period of the Option granted herein, Company shall have the irrevocable right, commencing upon the date of the execution of this instrument, to survey the property; to conduct engineering and associated investigations including, but not limited to, core boring and soil testing; to cut down, trim and spray any trees and shrubs growing in or adjacent to the above-described easement area as may be necessary, in the judgment of Company, to conduct the aforementioned surveys and investigations; and of ingress and egress over said land of Grantor.

Damages to fences, livestock, crops or other property of Grantor, their successors and assigns, by Company while exercising any of the rights granted herein shall be paid by Company to the party damaged.

Subject to the rights of Company hereunder, Grantor shall have the right to cultivate, use and occupy the easement area hereinbefore described except that no structure or object, permanent or temporary, shall be erected, no wells shall be drilled, no storage of materials of any kind, nor shall any ground elevation changes be made, on said easement area without the written consent of Company, that no brush or other inflammable materials shall be deposited or accumulated or burned upon said easement area, and that no act shall be performed which violates the clearance requirements of the National Electrical Safety Code and/or the rules of the Iowa Utilities Board or its successor.

Grantor Initial

msm SA

Revised 04-05-03

Revision 8

EXTENSION OF OPTION

The Company shall have the right, at the sole option of the Company, to extend the herein granted Option for a period of six months; said extension shall commence immediately upon expiration of the original Option. Consideration for said extension shall be Five hundred + 00/100 (\$ 500⁰⁰), and shall be payable at the time of such extension.

EXERCISE OF OPTION

The Option granted herein shall be deemed exercised by Company, and the easement rights agreed upon herein shall be deemed granted, upon the recording of a Notice of Exercise of Option in the office of the Recorder of Deeds in the county in which the property is situated. A copy of the Notice of Exercise of Option shall be deposited in the United States mail in a prepaid sealed envelope addressed to Grantor at their last known address. A check, payable to Grantor in the amount of the further consideration stated above, shall accompany the Notice of Exercise of Option to the Grantor first above named.

TERMINATION OF OPTION

If the Company shall not elect to exercise the Option herein, or shall fail to exercise same within the time(s) hereinbefore provided, the Option shall terminate without further action and all rights granted hereunder shall become null and void.

It is mutually understood and agreed that this instrument covers all of the agreements and stipulations between the parties and that no representations or statements, oral or written, have been made modifying or changing the terms hereof.

Signed, sealed and delivered this 29th day of June, 2003.

By Martha McKlveen
Owner Martha McKlveen

By Sally A Sandblom
Owner Sally Sandblom

By _____
Owner

By _____
Owner

Fourt Corp by Steve Fischer

Fourt Corp. by Steve Fischer, President
(Tenant)

Grantor Initial msm SAS

ACKNOWLEDGMENT

State of Iowa

County of Polk

On this 29th day of June, A.D. 20 03, before me, the undersigned, a Notary Public in and for said State, personally appeared Martha McKlveen and Sally Sandblom, as Tenants in Common

_____ ,
to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.



Signature of Notary Public



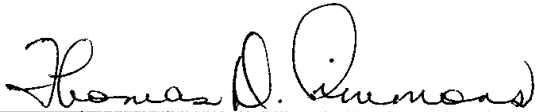
Thomas D Simmons
Iowa Notarial Seal
Commission number 721258
My Commission Expires 03/07/06

ACKNOWLEDGMENT

State of Iowa

County of Pottawattamie

On this 29th day of June, A.D. 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared Steve Fischer, President of Four F Corp., 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, and who swore before me that he is duly authorized to execute same on behalf of said Four F Corp.



Signature of Notary Public



Thomas D Simmons
Iowa Notarial Seal
Commission number 721258
My Commission Expires 03/07/06

Exhibit A
Page 1 of 5

Property Legal Description

The West frl $\frac{1}{2}$ of Section 6, Township 74, Range 42, except the West 20 feet of the SW frl $\frac{1}{2}$ of said Section 6 and except a part of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 6, Township 74, Range 42, Pottawattamie County, Iowa, more fully described as:

Commencing at the West $\frac{1}{4}$ corner of said Section 6; thence East along the South line of the S $\frac{1}{2}$ of said NW $\frac{1}{4}$ and centerline of a County Road a distance of 1116.24 feet to the point of beginning; thence N 01 00' 00" E a distance of 645.10 feet; thence N 89 22' 34" E a distance of 611.73 feet; thence S 00 20' 42" W a distance of 651.67 feet to the South line of the S $\frac{1}{2}$ NW $\frac{1}{4}$ and centerline of a County Road; thence West along the South line of the said S $\frac{1}{2}$ NW $\frac{1}{4}$ and centerline of County Road a distance of 619.07 feet to the point of beginning. Tract is subject to a County Road as it now exists.

Note:- The South line of the NW $\frac{1}{4}$ is assumed to bear East-West for this description. Subject to easements of record.

AND

Part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Township 74, Range 43, described as follows: Commencing at the Northeast corner of Section 1, and running West 337 feet on the Section line; thence S 14 30' W 134 feet; thence S 66 W 330 feet; thence N 81 15' W 326 feet; thence S 26 20' W 318 feet; thence S 54 50' E 439 feet; thence N 88 30' E 366 feet; thence S 46 30' E 576 feet to the South line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1; thence East on the line to the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1; thence North to the place of beginning, 1161.6 feet.

EXCEPT THE FOLLOWING TRACTS:

A part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, Township 74, Range 42, more fully described as follows:

Commencing at the W $\frac{1}{4}$ corner of said Section 6; thence East 349.10 feet along South line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ and centerline of a County Road to the point of beginning; thence continue East, 483.90 feet along South line of the said SW $\frac{1}{4}$ NW $\frac{1}{4}$ and centerline of a County road; thence N 00 00' 48" E, 45.00 feet; thence N 81 41' 16" W,

189.96 feet; thence N 70 00' 52" W 59.98 feet; thence N 42 32' 34" W, 68.00 feet; thence N 16 21' 12" W, 112.00 feet; thence N 33 09' 15" W 286.47 feet; thence S 00 37' 49" W, 490.39 feet to the point of beginning.

Note: The South line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ is assumed to bear East-West for this description.

A parcel of land located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 6, Township 74, Range 42, Pottawattamie County, Iowa, more fully described as follows:

Commencing at the Northeast corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ and point of beginning; thence Southerly a distance of 208.76 feet along the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence Westerly and parallel to the North line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 208.76 feet; thence Northerly and parallel to the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 208.76 feet to a point on the North line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ and centerline of a county road; thence Easterly a distance of 208.76 feet along the North line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ and centerline of said county road to the point of beginning.

A tract of land located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 74, Range 42, Pottawattamie County, Iowa, more fully described as follows:

Commencing at the W $\frac{1}{4}$ corner of said Section 6; thence N 90 00' 00" E, 392.00 feet along the North line of the said NW $\frac{1}{4}$ SW $\frac{1}{4}$ and centerline of a County Road to the point of beginning; thence continue N 90 00' 00" E 356 feet along the North line of the said NW $\frac{1}{4}$ SW $\frac{1}{4}$ and centerline of County road; thence S 00 00' 00" E 374.40 feet; thence S 90 00' 00" W, 350.0 feet; thence N 00 00' 00" E 374.40 feet to the point of beginning.

Note: The North line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ is assumed to bear East-West for this description.

A parcel of land located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 6, Township 74, Range 42, Pottawattamie County, Iowa, more fully described as follows:

Commencing at the Northeast corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence Southerly a distance of 208.76 feet along the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ to the point of beginning; thence Westerly and parallel to the North line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 208.76 feet; thence Northerly and parallel to the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 208.76 feet to a point on the North line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ and centerline of a county road; thence Westerly a distance of 188.74 feet

along the North line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ and centerline of said county road; thence Southerly and parallel to the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 419.72 feet; thence Southeasterly to a point on the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, said point being 680.00 feet Southerly from the Northeast corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence Northerly a distance of 471.24 feet along the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ to the point of beginning.

A part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, Township 74, Range 42, more fully described as follows:

Commencing at the W $\frac{1}{4}$ corner of said Section 6; thence East 33.00 feet along South line of the said SW $\frac{1}{4}$ NW $\frac{1}{4}$ and centerline of a County road to the point of beginning; thence continue East 316.10 feet along the South line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ and centerline of a County road; thence N 0 37' 49" E 490.39 feet; thence N 33 09' 15" W 37.5 feet; thence N 49 12' 38" W 174.97 feet; thence N 31 49' 30" W 226.98 feet; thence N 03 10' 34" E 260.80 feet; thence N 75 33' 19" W 52.82 feet to the point 33.00 feet East of the West line of the said SW $\frac{1}{4}$ NW $\frac{1}{4}$; thence S 00 37' 49" W 1102.56 feet parallel to the 33.00 feet from the West line of the said SW $\frac{1}{4}$ NW $\frac{1}{4}$ to the point of beginning.

Note: The South line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ is assumed to bear East-West for this description.

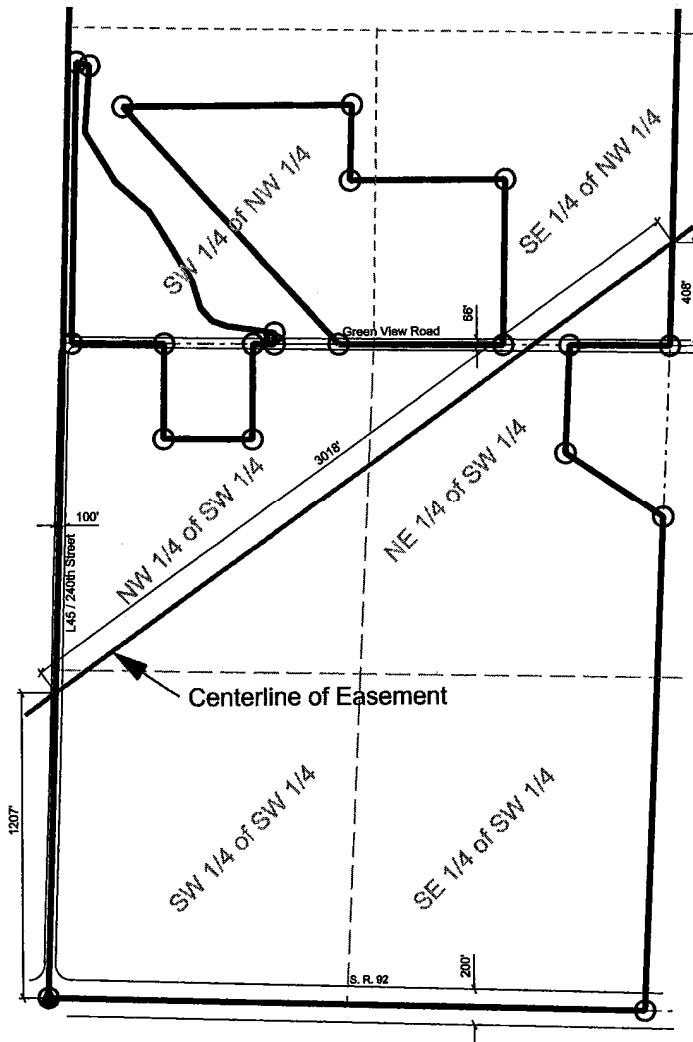
Part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, Township 74, Range 42, Pottawattamie County, Iowa, more fully described as follows: Commencing at the W $\frac{1}{4}$ corner of said Section 6; thence East 1116.24 feet along the South line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ and centerline of a county road; thence N 01 00' 00" E 645.10 feet to the point of beginning; thence continue N 01 00' 00" E, 294.0 feet; thence S 89 22' 34" W, 903.58 feet; thence S 42 41' 33" E, 395.88 feet; thence N 89 22' 34" E, 630.0 feet to the point of beginning.

A part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 74, Range 42, Pottawattamie County, Iowa, more fully described as follows: Commencing at the W $\frac{1}{4}$ corner of said Section 6; thence East 1086.24 feet along South line of the said SW $\frac{1}{4}$ NW $\frac{1}{4}$ and centerline of a County road to the point of beginning; thence continue East, 30.0 feet along South line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ and centerline of a County road; thence N 01 00' 00" E, 645.10 feet; thence S 89 22' 34" W 630.0 feet; thence S 42 41' 33" E, 868.22 feet to the point of beginning.

Electric Line Easement Legal Description

That part of the above described tract of land being described as a continuous strip of land, 100 feet wide, situated 50 feet on each side of the following described centerline: Commencing at the apparent Southwest corner of the Southwest Quarter of the Southwest Quarter (SW1/4 of the SW1/4) of said Section 6. Thence North along the apparent West Quarter line a distance of approximately 1207 feet to point of beginning, thence Northeasterly a distance of approximately 3018 feet and exiting said property at a point on the apparent East line of the Southeast Quarter of the Northwest Quarter (SE1/4 of the NW1/4) approximately 408 feet North of the Southeast corner of the Southeast Quarter of the Northwest Quarter (SE1/4 of the NW1/4) of said Section 6.

The sidelines of said strip of land shall be lengthened or shortened to terminate at the property lines.



***ALL DIMENSIONS ARE APPROXIMATE DISTANCES**

Owner
Martha McKlveen
Sally Sandblom
3667 Grand Ave. Unit 8
Des Moines, IA 50312

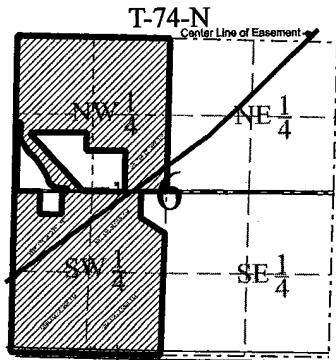
Legend

- Section Line & 1/4 Section Line
- 1/4 1/4 Section Line
- Property Line
- Property Corner
- ▲ Section Corner
- ▨ Easement
- Structure

North



0 150 300 600



R
42
W

MidAmerican Energy Company		Pottawattamie County Section 6, T-74N, R-42W
Drawn By: MMP	Date: 5/01/03	
Rev:	Date:	
Rev:	Date:	
Exhibit A Page 5 of 5		Tract Number IA-PT-000.R058.000