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Doc ID: 027185060005 Type: GEN  
Kind: EASEMENT  
Recorded: 04/03/2013 at 09:43:21 AM  
Fee Amt: \$27.00 Page 1 of 5  
Revenue Tax: \$0.00  
Polk County Iowa  
JULIE M. HAGGERTY RECORDER  
File# 2013-00088759  
BK 14725 PG 657-661

RETURN TO:

Prepared by and return to: Jason Romey (515) 242-4070  
MIDAMERICAN ENERGY ATTN: RIGHT-OF-WAY SERVICES PO BOX 657 DES MOINES, IA 50306-0657

MIDAMERICAN ENERGY COMPANY  
UNDERGROUND ELECTRIC AND GAS EASEMENT

Folder No.	<u>023-13</u>	State of	<u>Iowa</u>
Work Req. No.	<u>DR2327379</u>	County of	<u>Polk</u>
Project No.	<u>31142</u>	Section	<u>20 NW</u>
		Township	<u>79</u> North
		Range	<u>22</u> West of the 5 <sup>th</sup> P.M.

1. 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 owner(s) **Tuscany Reserve, LLC** an Iowa limited liability company (Grantor), its successors and assigns, does hereby grant to MIDAMERICAN ENERGY COMPANY (Grantee), its successors and assigns, a perpetual, non-exclusive easement to construct, attach, reconstruct, operate, maintain, replace or remove line(s) and underground conduits, wires and cables for the transmission and distribution of electric energy and for communication and electrical controls, and for the transportation of natural gas, including but not limited to, meters, valves, support brackets, piping, line markers and other reasonably necessary equipment incident thereto (collectively "facilities") under, upon and on the surface of the ground, through and across certain property described below, together with the right of ingress and egress to and from the same, and all the rights and privileges incident and necessary to the enjoyment of this easement ("easement area").

DESCRIPTION OF PROPERTY CONTAINING EASEMENT AREA:

Lots 40, 41, 48, 53, 62, 63, 82, and Outlots S, T, U and X, all in Tuscany Plat 1, an Official Plat, now included in and forming a part of the City of Altoona, Polk County, Iowa.

EASEMENT AREA:

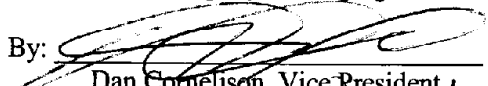
A 10.00 feet wide electric and gas easement over, under, across and through part of said Lots 40, 41, 48, 53, 62, 63, 82, and part of said Outlots S, T, U and X all in Tuscany Plat 1, as shown on Exhibits "A", "B", and "C" attached hereto and made a part thereof.

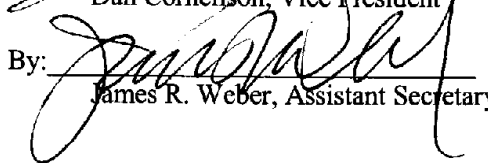
2. Additionally, Grantee shall have the right to remove from the easement area described above, any obstructions, including but not limited to, trees, plants, undergrowth, buildings, fences, and structures that interfere with the proper operation and maintenance of said facilities and equipment.

3. Grantor agrees that it will not construct or place any permanent or temporary buildings, structures, fences, trees, plants, or other objects on the easement area described above, or make any changes in ground elevation without written permission from Grantee indicating that said construction or ground elevation changes will not result in inadequate or excessive ground cover, or otherwise interfere with the Grantee's rights to operate and maintain its facilities.
4. In consideration of such grant, Grantee agrees that it will repair or pay for any damage which may be caused to crops, fences, or other property, real or personal of the Grantor by the construction, reconstruction, maintenance, operation, replacement or removal of the facilities, (except for damage to property placed subsequent to the granting of this easement), that Grantee determines interferes with the operation and maintenance of the facilities and associated equipment. The cutting, recutting, trimming and removal of trees, branches, saplings, brush or other vegetation on or adjacent to the easement area is expected and not considered damage to the Grantor.
5. Additionally, when Grantor provides or installs duct/conduit for said facilities, this grant shall cover and include all facilities installed as a part of the easement area.

Dated this 21<sup>st</sup> day of March, 2013

Tuscany Reserve, LLC  
By: Hubbell Realty Company, Managing Member

By:   
Dan Cornelison, Vice President

By:   
James R. Weber, Assistant Secretary

ACKNOWLEDGMENT

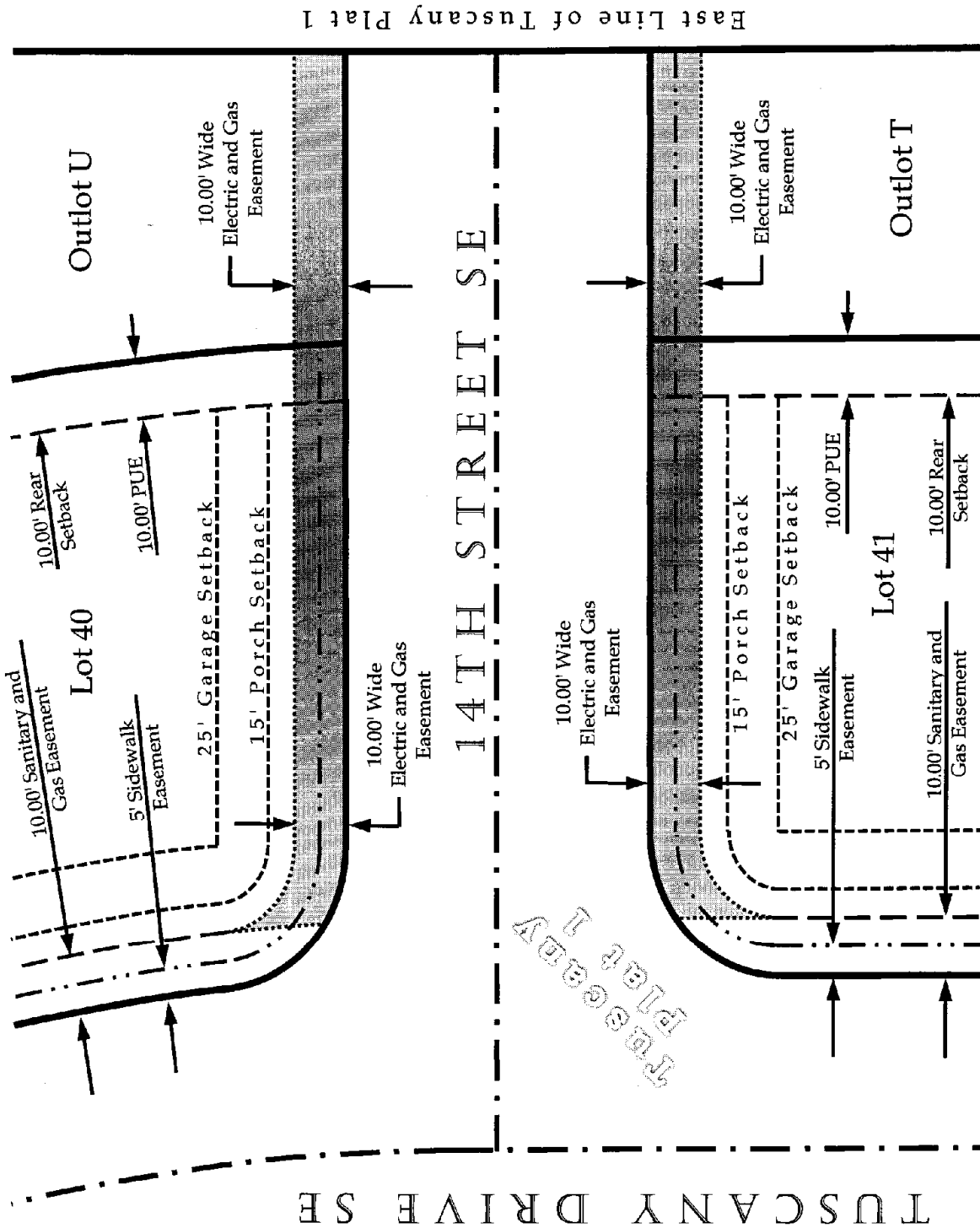
STATE OF Iowa )  
 ) ss  
 COUNTY OF Polk )

This instrument was acknowledged before me on March 21<sup>st</sup>, 2013, by  
Dan Cornelison as Vice President and  
James R. Weber as Assistant Secretary  
 for Hubbell Realty Company as managing member  
 of Tuscany Reserve, LLC.

  
 Notary Public in and for said State



# Exhibit "A"

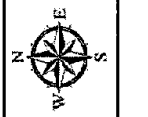


**MidAmerican Energy**  
 COMPANY REGULATED BY IOWA REGULATORY BOARD  
**ROW Agent: JER**

**Grantor: Tuscany Reserve, LLC**  
**Address: 6900 Westown Parkway**  
**City: West Des Moines, Iowa 50266-2520**

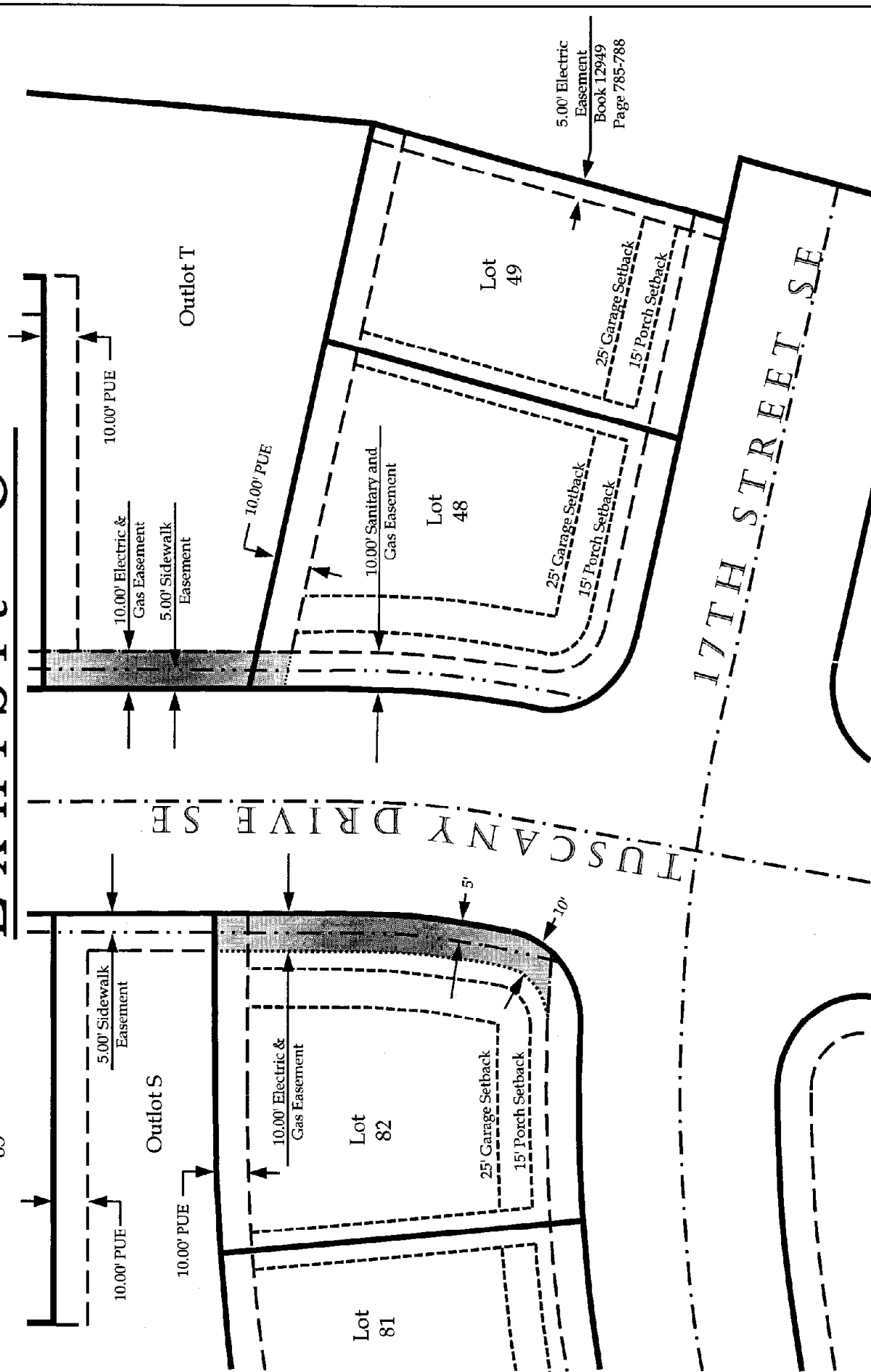
**Scale: Not to Scale**  
**Folder #: 023-13**

**DR #2327379**  
**Date: January 29, 2013**  
**Sec 20, T 79 N, R 22 W**





# Exhibit "C"



	Customer: Tuscany Reserve, LLC	DR #2327379	
	Address: 6900 Westown Parkway	Date: January 29, 2013	
ROW Agent: JER	City: West Des Moines, Iowa 50266-2520	Scale: Not to Scale	Sec 20, T 79 N, R 22 W
Job Desc: Electric and Gas Easement	Folder #: 023-13		