

Instr. Number: 2021-1073
Number: 2021-1073
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County Recording Fee: \$22.00
Iowa E-Filing Fee: \$3.41
Combined Fee: \$25.41
Page Count: 4
Revenue Tax:
Janelle Schneider RECORDER
Adair County, Iowa

PLEASE RETURN TO:
MIDAMERICAN ENERGY ATTN: RIGHT-OF-WAY SERVICES P.O. BOX 657 DES MOINES, IA 50306-0657
Prepared by: Matt Ott (515) 281-2203

TERMINATION OF AGREEMENT REGARDING EASEMENTS AND MEMORANDUM OF
AGREEMENT REGARDING EASEMENTS

THIS TERMINATION OF AGREEMENT REGARDING EASEMENTS AND MEMORANDUM OF
AGREEMENT REGARDING EASEMENTS (this "**Termination**") is executed as of the 28th
day of June, 2021 (the "**Termination Effective Date**") by MidAmerican
Energy Company, an Iowa Corporation ("**Developer**"), with reference to the following facts:

- A. James Gregory, a married person ("**Original Landowner**") and Developer entered into that certain unrecorded Orient Wind Energy Project Agreement Regarding Easements (the "**ARE**") dated as of May 11, 2017, as evidenced by Memorandum of Agreement Regarding Easements recorded May 12, 2017, as Instrument Number ES17-0198, Official Records, Adair County, Iowa (referred to as the "**Memorandum**") (the ARE and Memorandum are referred to as the "**Original Easement**"); and as the Original Easement was amended by that certain Orient Wind Energy Project First Amendment to Agreement Regarding Easements and Memorandum of Agreement Regarding Easements between James E. Gregory or Natalie R. Gregory, as Trustees of the James E. Gregory and Natalie R. Gregory Trust of 2017 ("**Landowner**") and Developer dated July 12, 2018, recorded on August 7, 2018 as Instrument Number 2018-1562, Official Records of Adair County, Iowa, (the "**First Amendment**"), (the Original Easement and First Amendment are collectively referred to as the "**Windpark Easement Agreement**"); and whereby Landowner granted to Developer certain easement rights and related uses over, under and across certain real property located in Adair County, Iowa, as more particularly described on Exhibit "A" attached hereto and made a part hereof (the "**Property**").
- B. The Original Landowner transferred the Property to Landowner, pursuant to Quit Claim Deed recorded in the Official Records, Adair County, Iowa on May 15, 2017 as Instrument Number ES17-0203.

- C. Section 12.1 of the Agreement provides that Developer may terminate the Windpark Easement Agreement and the easements therein at any time and without cause, as to all or any part of the Property at any time, effective upon 30 days' written notice to Landowner.
- D. Developer has provided written notice to Landowner of the termination of the Windpark Easement Agreement, and therefore, Developer desires to execute this Termination so as to evidence the termination of the Windpark Easement Agreement.

NOW, THEREFORE, effective as of the Termination Effective Date, Developer hereby cancels and terminates the Windpark Easement Agreement, over the Property described in Exhibit A and attached hereto. This Termination shall bind and insure to the benefit of the Landowner and Developer and their respective heirs, legal representatives, successors and assigns.

IN WITNESS WHEREOF, Developer has executed this Termination as of the date of first set forth above.

DEVELOPER

MIDAMERICAN ENERGY COMPANY

By: _____

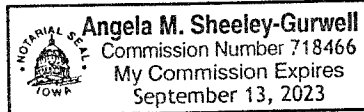
Adam Jablonski

Vice President, Resource Development

ACKNOWLEDGEMENT

STATE OF IOWA, COUNTY OF POLK, ss:

This record was acknowledged before me on June 28, 2021, by Adam Jablonski as the Vice President, Resource Development of MidAmerican Energy Company.



Angela M. Sheeley-Gurwell
Signature of Notary Public

Exhibit "A"

Easement Description:

Parcel "B" in part of the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) and part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Twelve (12), containing 31.26 acres AND also Parcel "B" in the North One-Half of the Northwest Quarter of the Northeast Quarter (N1/2 NW1/4 NE1/4) of Section Thirteen (13), all in Township Seventy-four (74) North, Range Thirty (30) West of the 5th P.M., Adair County, Iowa, containing 19.83 acres including 0.69 acres of county road right-of-way, described on Plat of Survey filed September 27, 2006, at Book 558, Page 310 in the Office of the Adair County Recorder.

Tax Parcel ID No.: 1612400009, 1612400012 and 1613200001

Acreage: 50.40 Acres