

Prepared By: Alexandria A. Greim, Mark Gray Law, PLC, 416 SW 3rd Street, Ankeny, IA 50023 (515) 964-3633
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**AGREEMENT TO VACATE
UNDERGROUND ELECTRIC EASEMENT**

This Agreement to Vacate Underground Electric Easement is effective as of the ____ day of _____, 2026.

RECITALS:

WHEREAS, Homemakers Plaza, Inc. (“**Owner**”) is the owner of the following described real estate:

Lot 1, Homemakers Plat 1, an Official Plat, City of Tiffin, Johnson County, Iowa.

AND WHEREAS, Owner and the City of Tiffin (“**City**”) entered into that certain Underground Electric Easement Agreement, executed on December 23, 2025 and recorded with the Plat of Homemakers Plat 1, in the Johnson County Recorder’s Office at Book 6723, Pages 593-635 (the “**Easement**”); with the Easement specifically located at Page 632 therein.

AND WHEREAS, Owner and the City have agreed that this Easement is no longer necessary, that the location of the Easement needs to be moved, and therefore the Easement as shown on the Plat should be vacated, and a new underground electric easement filed of record.

AND WHEREAS, the parties desire to vacate and release the Easement.

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration in hand paid, Owner and the City hereby agree as follows:

1. The Easement, as shown within the Final Plat of Homemakers Plat 1, is hereby vacated, released and extinguished and shall be of no further force or effect.
2. Owner and the City are contemporaneously herewith filing a new Underground Electric Easement to provide the required access.

[SIGNATURE PAGE FOR AGREEMENT TO VACATE]

In WITNESS WHEREOF, the undersigned have executed this Agreement as of the date last set forth below.

Dated this ____ day of _____, 2026.

OWNER
Homemakers Plaza, Inc.

By: _____
Name: Roger P. Merschman
Title: President

STATE OF IOWA)
) SS.
COUNTY OF _____)

This record was acknowledged before me on the _____ day of _____, 2026, by Roger P. Merschman as President of Homemakers Plaza, Inc.

Signature of Notary Public

[SIGNATURE PAGE FOR AGREEMENT TO VACATE]

CITY OF TIFFIN, IOWA

By: _____
Tim Kasperek, Mayor

ATTEST:

By: _____
Abigail Hora, City Clerk

STATE OF IOWA, COUNTY OF JOHNSON) ss:

On this ____ day of _____, 2026, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Tim Kasperek and Abigail Hora, to me personally known, who being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Tiffin, Iowa, a municipal corporation; and the instrument was signed and sealed on behalf of the corporation by authority of its City Council, and the said Mayor and City Clerk did acknowledge the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Notary Public in and for said State