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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by & Return to:  Rebecca Sexton, 2203 Ogden Avenue, Rockwell City, Iowa 50579
(712) 297-5530

AMENDED SEPARATION DISTANCE WAIVER

STATE OF IOWA, COUNTY OF DELAWARE, ss:

In re Part SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, T87N R5W, Hazel Green Twp, Delaware County,
Iowa

This waiver of separation affecting the following described property in Delaware County, Hazel Green Township, legally described as: That part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 16, T87N R5W of the 5th PM described as commencing at a point 58 $\frac{1}{2}$ rods N of the SE corner of said Sec 16 & running thence S 238' and 6" to the point of beginning, thence W142.0', thence S80.00', thence E 142.0' to the E line of said Sec 16, thence N80.00' to the point of beginning with 911 addresses of 3087 190th Avenue, located in Ryan, Iowa. Michael J. Carroll and Andrea L. Carroll, husband and wife, are titleholders to the above described property and have every legal authority to sign this separation distance waiver.

The following is where the livestock operation will be located:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 15, T87N R5W, Hazel Green Twp, Delaware Co.

This site has an address 3090 190th Street, Ryan, Iowa and will be locally known as Recker Farms. Recker Farms plans to construct a deep pit formed manure structure, tunnel ventilated confinement building with an animal unit capacity of 120 (1200 actual animal capacity of swine nursery). Pursuant to Iowa Code §459.202 (2007), a separation distance of 1000 feet is required between the formed manure structure and the undersigned's land where the residence is located. Pursuant to Iowa Code §459.205 (2)(2007), the undersigned as titleholder to the land where the residence is located hereby waives the enforcement of this separation distance requirement between the residence and this formed manure structure. This waiver shall apply only to the livestock facilities described in this agreement, it shall be perpetual and shall run with the land.

June 2, 2022

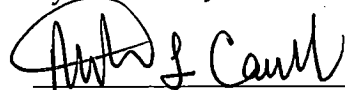
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June 2, 2022

Date



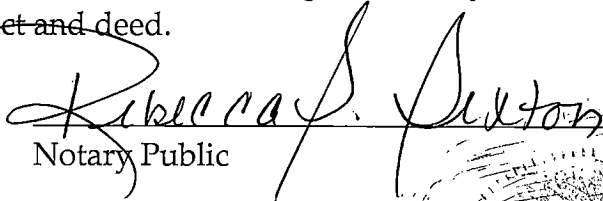
by: Michael J. Carroll



by: Andrea L. Carroll

State of Iowa, Delaware County,

On this 2nd day of June, 2022 before me, the undersigned, a Notary Public in and for the state of Iowa, personally appeared Michael J. Carroll and Andrea L. Carroll, husband and wife to me known to be the identical person(s) named, in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.


Notary Public

