



Book 2022 Page 1943

Document 2022 1943 Type 06 018 Pages 3

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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Separation Distance Waiver

(Recorder's Cover Sheet)

Preparer information: (name, address & phone number)

Ann Domeyer
2935 210th St
Earlville IA 52041

Ph 563-920-9268

Taxpayer information: (name & complete address)

N/A

Return Document to: (name & complete address)

Ann Domeyer
2935 210th St
Earlville IA 52041

Grantors:

Ronald J. Domeyer
Ann M. Domeyer

Grantees:

Jaym M. Domeyer
Jennifer L. Domeyer

Legal Description is located on page: 2

Document or instrument number of previously recorded documents:

1

SEPARATION DISTANCE WAIVER

WHEREAS, Section 459.202 (1) of the Iowa Code contains a separation distance requirement in the instance of the new construction or expansion of animal feeding operation structures, which separation distance requirement is for the benefit of adjoining land owners, and

WHEREAS, Section 459.205 (2) (a) of the Iowa Code contains an exception to the separation distance requirement where the titleholder of the land benefitting from the separation distance requirement executes a written waiver with the titleholder of the land where the structure is located, and

WHEREAS, Ronald J. Domeyer and Ann M. Domeyer, husband and wife, (Domeyer), AR Holdings LLC, are the owners and titleholders of the following described real estate:

The Southwest Quarter (SW ¼) of Section Twenty – nine (29)
Township Eighty – nine (89) North, Range Three (3),
West of the 5th p.m., Delaware County, Iowa.

Constituting the “AR Holdings Parcel”, and

WHEREAS, Jason M. Domeyer and Jennifer L. Domeyer, husband and wife,
are the owners of the following described real estate:

Parcel C, Part of the Northeast Quarter (NE ¼), Section Thirty – one (31)
and Part of the Northwest Quarter, (NW ¼), Section Thirty – two (32),
all in T89N, R3W of the Fifth p.m., Delaware County, Iowa

Constituting the “Domeyer, and

WHEREAS, if AR Holdings plans to increase animal units at the current confinement feeding operation on the AR Holdings Parcel and

WHEREAS, the Domeyer Parcel which is located within the minimum separation distance required by Section 459.202 (1) of the Iowa Code, and

WHEREAS, Jason and Jennifer Domeyer, who are willing to waive the separation distance required between the AR Holdings confinement feed operation and Jason and Jennifer Domeyer's parcel.

NOW THEREFORE in consideration of the mutual promises and conditions contained herein, the parties agree as follows:

1. Jason and Jennifer Domeyer hereby waive the enforcement of the separation requirement between their parcel and AR Holdings, LLC confinement feeding operation required by Section 459.202 (1) of the Iowa Code.
2. This waiver shall be perpetual for the benefit of AR Holdings, LLC and constitute

a covenant running with the land, binding upon Jason M. and Jennifer L. Domeyer, and its successors and assigns.

TITLEHOLDERS OF AR HOLDINGS, LLC PARCEL

Ronald J. Domeyer 6-23-22
Ronald J. Domeyer Date

Ann M. Domeyer 6-23-22
Ann M. Domeyer Date

STATE OF IOWA, County of Delaware:

On this 23rd day of June, 2022, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Ronald J. Domeyer and Ann M. Domeyer, husband and wife, and owners of AR Holdings, 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.



Lisa Anne Maiers
Signature of Notary Public

TITLEHOLDERS OF JASON M. AND JENNIFER L. DOMEYER PARCEL

Jason M. Domeyer 6/23/22
Jason M. Domeyer Date

Jennifer L. Domeyer 6/23/22
Jennifer L. Domeyer Date

State of Iowa, County of Delaware

On this 23rd day of June, 2022, before me, the undersigned, a Notary Public in and for the State of Iowa personally appeared Jason M. Domeyer and Jennifer L. Domeyer, husband and wife, and owners of Jason M. Domeyer and Jennifer L. Domeyer Parcel, 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.



Lisa Anne Maiers
Signature of Notary Public