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Date 3/02/2023 Time 2:37:02PM

Rec Amt \$22.00*

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared By: Crawford Engineering & Surveying, Inc., 118 3rd Avenue NE, Independence, IA 50644; 319/334-7077

WAIVER AND CONSENT TO CONSTRUCTION AND/OR OPERATION OF LIVESTOCK FACILITY

The undersigned is the titleholder of the following described parcel of real estate upon which there exists a residence to wit:

*The West 99 acres of the South 139 acres of the West 7/8 of
the Southwest 1/4 of Section 22, Township 90 North, Range 03
West of the 5th PM, Delaware County, Iowa*

The undersigned acknowledge that Mormann Dairy LLC proposes to expand the earthen manure basin at the existing site by increasing the storage capacity from 2.88 million gallons to 10.91 million gallons of available manure storage on the following described tract of real estate, to wit:

*The Southeast 1/4 of Section 21, Township 90 North, Range 03
West of the 5th Principal Meridian, Delaware County, Iowa*

After construction, the total animal units for Mormann Dairy LLC will be 1253.6, which requires 1250 feet separation distance from an earthen manure basin to the nearest residence (Table 6b). This waiver is required because the distance to the above described residence from the expanded earthen manure basin expansion is 1030 feet.

The undersigned hereby acknowledge and consent to the proposed construction and operation for the 2023 expansion of the earthen manure basin located on the above described premises and hereby waive separation distance required by law, and agree to hold the owners and operators of said premises and facility, and their heirs, successors and assigns, harmless, both in contract and tort, for the operation of said facility. This agreement shall constitute a covenant binding on the above tracts of real estate, shall be perpetual, and shall run with the land.

This waiver and consent shall be unconditional and irrevocable unless otherwise indicated herein and shall be recorded in the office of the Delaware County Recorder.

Dated this 1st day of March, 2023

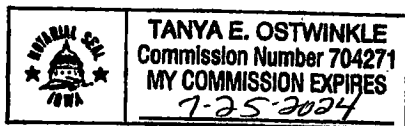
Mormann
1353 310 400
New Venice, IA
52065

By: Edward D. Putz
Edward D. Putz

By: Janet Putz
Janet Putz

STATE OF IOWA)
)
County of Iowa)

On the 1st day of March, 2023, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Edward D. Putz and Janet Putz, to me known to be the identical persons named in and who executed the within and foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.



Tanya E. Ostwinkle
Notary Public in and for the State of Iowa