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Date 5/31/2012 Time 12:15 PM

Rec Amt \$7.00

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

Prepared by David L. Dorff, Ass't Att'y Gen., Iowa Dep't of Justice, State Capitol Complex, Des Moines, Iowa
 50319. 515-281-5351 Return to: MADISON SWCDPO BOX 267 WINTERSET IA 50273.
IOWA FINANCIAL INCENTIVE PROGRAM FOR SOIL EROSION CONTROL Form IP-4 (Rev 10/06)
MAINTENANCE/PERFORMANCE AGREEMENT

Iowa Department of Agriculture & Land Stewardship
 Division of Soil Conservation

FARMS Agreement No #20579

MADISON SWCD County Soil and Water Conservation District

This AGREEMENT is made and entered into this day of May 22, 2012, by and between the MADISON SWCD
 County Soil and Water Conservation District, herein called DISTRICT, and FREDERICK W. MARTENS, herein
 called RECIPIENT.

WITNESSETH:

DISTRICT and RECIPIENT hereby agree that this covenant is executed to satisfy the requirements of Iowa Code
 Section 161A.7(16) and should be interpreted in a manner that promotes the policies of Chapter 161A of the Iowa
 Code. Section 161A.7(16) requires this covenant as a condition for receiving DISTRICT financial incentive
 assistance and provides that the owner, present or future, of the property herein described is personally liable
 through this AGREEMENT if the soil and water conservation practice herein named is not maintained or is
 removed, altered or modified while this AGREEMENT is effective.

The RECIPIENT hereby acknowledges the receipt of FARMS Agreement No. #20579 in the amount of \$7,544.94 as
 reimbursement for partially or completely financing the herein named soil and water conservation practice on Qtr.
W 1/2 SE 1/4 NW 1/4 NE 1/4 AND SW 1/4 NW 1/4 NE 1/4 AND NW 1/4 SW 1/4 NE 1/4 AND SW 1/4 SW 1/4
NE 1/4 AND SE 1/4 SW 1/4 NE 1/4 Section 13 Township Madison Tier T77N Range R28W County Madison, in
the State of Iowa.

RECIPIENT hereby agrees that no action shall be taken by the RECIPIENT or his/her agents or successors to
 remove, alter or modify any soil and water conservation practice herein named for 20 years from the date of the
 AGREEMENT unless prior written authorization is obtained from the District and incorporated into this
 AGREEMENT.

RECIPIENT hereby agrees that if any unauthorized removal, alteration or modification of the soil and water
 conservation practices herein named occurs during the term of this AGREEMENT, RECIPIENT will repair or
 reconstruct the practices to their original as-built design specifications at RECIPIENT'S own expense. In lieu of
 repairing or reconstructing the practices, DISTRICT, at the sole discretion, may allow RECIPIENT or RECIPIENT'S
 successors to refund to the Iowa Division of Soil Conservation the entire amount of the financial incentive payment
 received by RECIPIENT.

DISTRICT and RECIPIENT hereby agree that if RECIPIENT makes a refund of all money received under this
 AGREEMENT to the DIVISION that the AGREEMENT is cancelled and that no costs of cancellation shall be
 charged to either party.

RECIPIENT hereby agrees to notify any prospective purchaser of the property herein described of the landowner's
 obligations created by this AGREEMENT and Section 161A.7(16) of the Iowa Code and Section 27-10.31 of the
 Iowa Administrative Code before legal or equitable title to any portion of this property is transferred.

COVERAGE OF THIS AGREEMENT:

DISTRICT and RECIPIENT agree that the soil and water conservation practice(s) detailed in the following
 description and on the attached sketch (hereby made part of this AGREEMENT) were partially or completely
 installed with DISTRICT funds and is covered by this AGREEMENT.

RECIPIENT hereby agrees the maintenance agreement will begin on May 22, 2012

Practice Terraces

Amount Installed 3,350 Feet

Keith Parks
 Signature of SWCD Chairperson

Signature of Owner, agent or POA

Frederick W. Martens

Signature of Recipient, FREDERICK W. MARTENS

State of IowaCounty of Madison

This instrument was acknowledged before me on May 22, 2012 by Frederick W. Martens
 (date) (name(s) of person(s))

Diane Fitch (signature of notarial officer)

Distribution: APPLICANT, SWCD, DSC

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State Secretary/Notary