YEAR 1989
COUNTY Delaware
SERIAL NO. 38-3-9

LANDOWNER-STATE COOPERATIVE AGREEMENT for FARM-GAME HABITAT RESTORATION

IOWA DEPARTMENT OF NATURAL RESOURCES

THIS AGREEMENT entered into as of this 29 day of Sept., 19 89, by the Iowa Department of Natural Resources, hereinafter called the State, and Rodney Baumgartner, of RR Box 94, Dundee, IA 52038, owner of the real estate herein described for his heirs, administrators, and assigns hereinafter called the Owner, WITNESSETH:

1. That the parties hereto agree to cooperate to effectuate the development of a wildlife habitat area on the real estate herein described.

2. That the Owner in consideration of these premises and of the sum of $1.00, receipt of which is hereby acknowledged, does hereby lease, let and demise to the State a tract of land of 6.0 acres (more or less) located in:

   Section(s) 9 Township T-89 N Range R-6 W of the 5th P.M.

   FURTHER DESCRIBED AS FOLLOWS and shown on attached aerial photo which is hereafter considered a part of this agreement:

   As shown

3. That the State agrees to use the above described area for the purpose mentioned in Paragraph 1 and agrees to:

   (a) furnish the amount and extent of labor and materials to be mutually agreed upon at the time the lease is signed.

4. That the Owner maintain the above described area for the purpose mentioned in Paragraph 1 and agrees:

   (a) that he will care for and maintain, preserve, or otherwise protect said marsh area including all dikes, levees, water control structures, tile lines, spillways, and other structures, under the supervision of the State.

   (b) that he will take reasonable care to prevent damage by fire, spraying, and grazing by his domestic stock and not to mow the seeded down area prior to August 1st of each year except for spot mowing for weed control on the above-described area.

5. That the Owner will permit the entry of the State, its agents, workmen, equipment and crews upon the foregoing described land during the term of this lease for the purpose of restoration of designated wetlands, developing marsh habitat on above-designated area and inspections of said leased area, as deemed necessary by the State.

6. The State will not be held liable in any way at the termination of this lease to restore farmland, water draining systems (i.e.: tile lines, water outlets and inlets, open drainage ditches and other structures) to a condition existing prior to the restoration of the wetland.

7. The State is not responsible for damages arising from construction or development of designated marshes.

8. It is further agreed by the parties hereto:

   (a) that all materials placed on the above-described area by the State shall be considered personal property and in case the lease becomes null and void, or terminates, the said materials may be removed from the area by the State.

FILE No. 38-506	FILED FOR RECORD THE 28 DAY OF	STATE OF IOWA, DELAWARE COUNTY
RECORDING FEE $ 15.00	August 19 90 AT 11:53	Joan Sheppard, Recorder
TRANSFER FEE $	O'CLOCK A. M. BOOK 2 PAGE 69	By Misc., Deputy

(b) that any additions to this lease are herein written as follows and that there are no verbal additions to this lease:

_____

_____

9. Both Farm Owner and farm operator shall be responsible for compliance with the terms of items 1-8.

The terms of this contract shall expire on Dec 31, 1999.

LANDOWNER ACKNOWLEDGEMENT

Rodney Baumgartner Date 10-6-89
(Landowner Signature)
RODNEY BAUMGARTNER

_____ Date _____
(Co-Owner Signature)

STATE OF IOWA)
) SS:
COUNTY OF Dallas)

SUBSCRIBED AND SWORN to before me this 6th day of October, 1989.

Patrick O. Dolan
Notary Public Patrick O. Dolan

IOWA DEPARTMENT OF NATURAL RESOURCES

By: _____ Date _____
Larry Wilson, Director,
Iowa Department of Natural Resources

STATE OF IOWA)
) SS:
COUNTY OF Polk)

SUBSCRIBED AND SWORN to before me this 26 day of October, 1989.

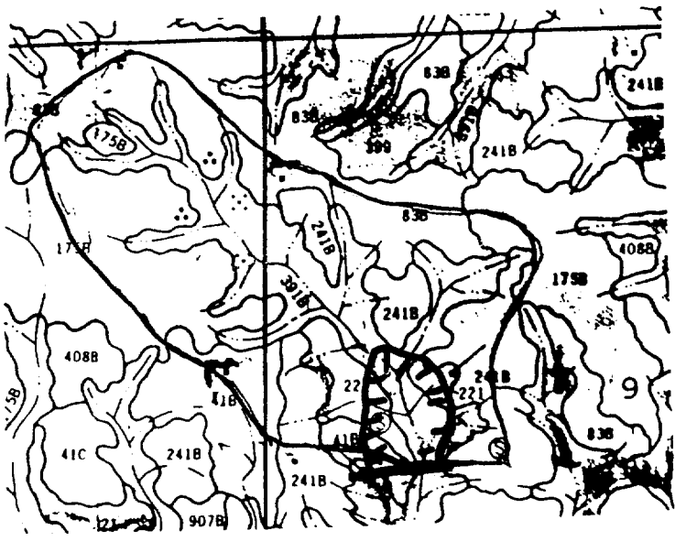
Junie R. Gookin
Notary Public Junie R. Gookin

JUNIE R. GOOKIN
Iowa

Rddney Baumgartner Wetland Restoration Project

Location: NW¼,SW¼, T-89N, R-6W
59

Legend: Marsh area to be restored, totals 5.0-6.0 acres



Soils map of site
1"=1320'

Mapped as Clyde/Floyd,
Palms Muck,