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(X) PREPARED BY DAVID J. CATLETT - 3131 320 TH AVE HOPKINTON IA 52237 319-926-2808

Waiver Agreement

This document pertains to an exemption to seperation distance requirements as outlined in Iowa Code Supplement Section 455B.162.

The parties involved are Catlett Farms Inc. (David J. Catlett-Agent), owner of the confinement feeding operation structure and Edgar J. Turnis, beneficiary of the seperation distance requirement.

It is understood and agreed that Mr. Turnis will waive his right to the distance seperation requirement allowing Catlett Farms Inc. to construct and operate a hog confinement feeding operation directly across the road(320 Th. Ave.) from his farm. This waiver shall preclude enforcement of the distance seperation requirement of Iowa Code Supplement Section 455B.162.

Agreed and signed to this 10 th day of Sept. 1997.

Catlett Farms Inc.
By David J. Catlett
Dated 10/21/97 David J Catlett

Edgar J. Turnis
Edgar J Turnis

STATE OF IOWA }
COUNTY OF ~~DELAWARE~~ } SS:

On this 10th day of September, A. D. 19 97, before me, the undersigned, a Notary Public in and for IOWA, personally appeared David J. Catlett Edgar J. Turnis to me known to be the persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

WITNESS my hand and notarial seal the day and year last above written.

KEVIN R. FUNKE
MY COMMISSION EXPIRES
2-15-99

Kevin R Funke
Notary Public in and for
DELAWARE County,

DATE 10-21-97 BOOK 9 PAGE 128

FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

STATE OF IOWA, Delaware COUNTY, ss:

On this 21 day of October, A.D. 1997, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared David T. Catlett and _____, to me personally known, who, being by me duly sworn, did say that they are the Secretary/Treasurer and _____, respectively, of said corporation executing the within and foregoing instrument **to which this is attached,** that (no seal has been procured by the said) association; that said instrument was signed (and sealed) on behalf of (the seal affixed thereto is the seal of said) said corporation by authority of its Board of Directors; and that the said David T. Catlett and _____ as such officers acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

Sharon McCrabb, Notary Public in and for said County and State.

SHARON McCRABB NOTARIAL SEAL IOWA

IOWA STATE BAR ASSOCIATION
Official Form No. 12 (Trade-Mark Registered, State of Iowa, 1957)
Current January, 1981

(Section 558.28 and 558.29, Code of Iowa)