Book 2009 Page 3415
Document 2009 3415 Type 04 008 Pages 5
Date 8/28/2009 Time 10:56:31AM
Rec Amt $29.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by: Shelley A. Dugan, Easement Specialist, Phone (515) 284-4222
Natural Resources Conservation Service, 210 Walnut, 693 Federal Building, Des Moines, Iowa 50309

Return to: Thomas J. Hanson, Attorney at Law, Hanson & Werger, 401 East Main Street, Manchester, Iowa 52057-1717

U.S. DEPARTMENT OF AGRICULTURE
This is a transaction for CCC ___X__
This is a transaction for NRCS _____

OMB No. 0578-0013

SUBORDINATION AGREEMENT AND LIMITED LIEN WAIVER

AGREEMENT NO. 66-6114-9-9343

This Subordination Agreement and Limited Lien Waiver, effective on the date executed, is signed by Community Savings Bank, "Subordinating Party", who hereby grants, to the extent specified in Part II of this document, the following subordination and limited lien waiver to the United States of America (United States) by and through the Natural Resources Conservation Service or the Commodity Credit Corporation, as indicated above. The property described below is encumbered with a Wetland Reserve Program easement.

The easement area is located in the County of Delaware and State of Iowa and is identified as follows: Pages 4&5

Easement Area. The property encumbered by the Federal easement is described on 2 Plats of Survey by David M. West, L.S., recorded on March 19, 2009, in Book 2009, Pages 1101 and 1102, in the office of the Delaware County Recorder. Reduced copies of said Plats of Survey are attached hereto as EXHIBIT A and incorporated herein by this reference.

PART I - GENERAL TERMS

A. Authority. This Subordination Agreement and Limited Lien Waiver is acquired by the United States under the authority of 7 U.S.C 428a.

B. Purposes. This Subordination Agreement and Limited Lien Waiver is required by the United States in connection with its acquisition of an easement over the property described above to ensure that the easement area is maintained to promote wetland functions and values.

C. Duration of Easement and this Subordination Agreement and Limited Lien Waiver. The easement and subordination and limited lien waiver shall continue for the duration of the easement deed.

PART II - SUBORDINATION AGREEMENT AND LIMITED LIEN WAIVER

The Subordinating Party: (1) subordinates its interest in the property described herein to the easement of the United States for the same property which is conveyed to the United States in the easement; (2) acknowledges that the property which contains the easement area is burdened by the right of access granted to the United States in the easement and agrees that this right of access shall be superior to any rights of the Subordinating Party; (3) subordinates its interest in the property to the purposes of the easement and any easement practices adopted pursuant to such purposes; and (4) agrees that the United States may make payments in connection with the easement deed without regard to any lien or claim that the Subordinating Party may have with respect to any person with an interest in the easement area, unless an assignment of such payment has been made to the Subordinating Party on a form approved by the United States.

This Subordination Agreement and Limited Lien Waiver: (1) binds the Subordinating Party and its heirs, agents, assigns, and successors with respect to the interests that the Subordinating Party and such other persons have, or may have, in the property or against any person having an interest in the property; and (2) inures in favor of the United States and its assigns of any kind.

Interest Subordinated: Mortgage dated October 6, 2006, and filed for record on October 10, 2006, in Book 2006, Page 3667, in the office of the Delaware County Recorder.

Community Savings Bank, by:

Linda A Bessey 8/28/09

~~Brian Pralle~~, Vice-President Date

Linda A. Bessey Vice President, Senior Mortgage Officer

State of Iowa)

)ss.

County of Dubuque)

This instrument was acknowledged before me on August 28, 2009 (date) by ~~Brian Pralle~~, as Vice-President, of Community Savings Bank.

Linda A Bessey

Notary Public in and for said State

THOMAS J. HANSON
Commission Number 115040
My Commission Expires
September 22, 2010

Notarial Acknowledgement in accordance with Iowa Code is required.

OMB DISCLOSURE STATEMENT

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0578-0013. The time required to complete this information collection is estimated to average 0.69 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

NONDISCRIMINATION STATEMENT

The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (202) 720-5964.

PRIVACY ACT STATEMENT

The above statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 522a). Furnishing this information is voluntary; however, failure to furnish correct, complete information will result in the withholding or withdrawal of such technical or financial assistance. The information may be furnished to other USDA agencies, the Internal Revenue Service, the Department of Justice, or other State or Federal Law enforcement agencies, or in response to orders of a court, magistrate, or administrative tribunal.

Book 2009 Page 1101
Document 2009 1101 Type 06 002 Pages 1
Date 3/19/2009 Time 3:23:51PM
Rec Amt $7.00

COPY

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

PREPARED BY: VJ ENGINEERING, DAVID M. WEST, 2570 HOLIDAY ROAD STE 10, CORALVILLE, IA 52241, 319-338-4939

PLAT OF SURVEY - WETLAND EASEMENT

TRACT "C"
PART OF THE SW 1/4 OF SECTION 15, T89N, R6W OF THE 5th P.M.,
DELAWARE COUNTY, IOWA

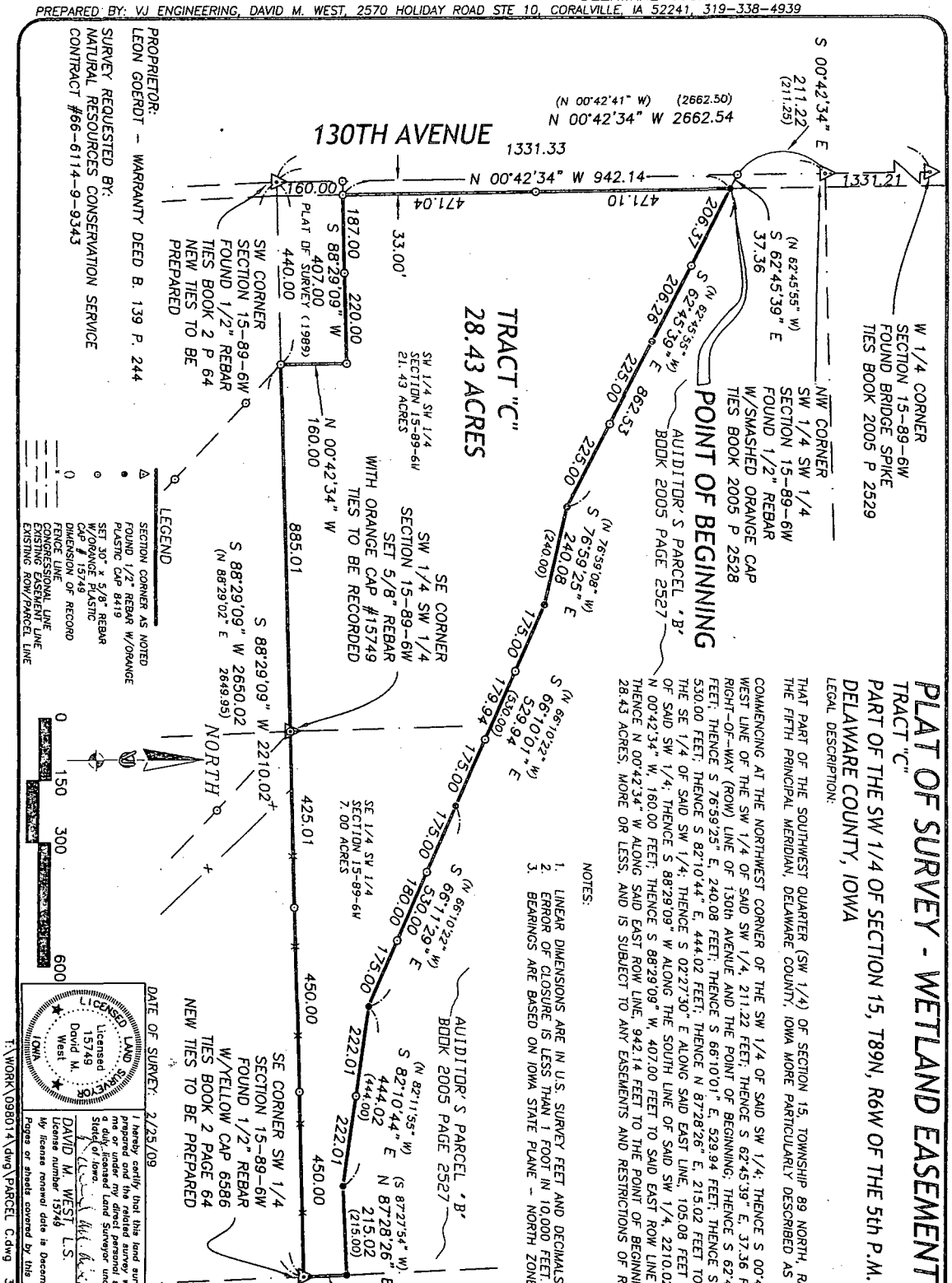
LEGAL DESCRIPTION:

THAT PART OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 15, TOWNSHIP 89 NORTH, RANGE 6 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SW 1/4 OF SAID SW 1/4; THENCE S 62°45'39" E, 37.36 FEET TO THE EAST WEST LINE OF THE SW 1/4 OF SAID SW 1/4, 211.22 FEET; THENCE S 62°45'39" E, 862.53 RIGHT-OF-WAY (ROW) LINE OF 130th AVENUE AND THE POINT OF BEGINNING; THENCE S 62°45'39" E, 862.53 FEET; THENCE S 76°59'25" E, 240.08 FEET; THENCE S 66°10'01" E, 529.94 FEET; THENCE S 66°11'29" E, 530.00 FEET; THENCE S 82°10'44" E, 444.02 FEET; THENCE N 87°28'26" E, 215.02 FEET TO THE EAST LINE OF THE SE 1/4 OF SAID SW 1/4; THENCE S 02°27'30" E ALONG SAID EAST LINE, 105.08 FEET TO THE SE CORNER OF SAID SW 1/4; THENCE S 88°29'09" W ALONG THE SOUTH LINE OF SAID SW 1/4, 2210.02 FEET; THENCE N 00°42'34" W, 160.00 FEET; THENCE S 88°29'09" W ALONG SAID EAST ROW LINE, 942.14 FEET TO THE POINT OF BEGINNING, CONTAINING 28.43 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS AND RESTRICTIONS OF RECORD.

NOTES:

1. LINEAR DIMENSIONS ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.
2. ERROR OF CLOSURE IS LESS THAN 1 FOOT IN 10,000 FEET.
3. BEARINGS ARE BASED ON IOWA STATE PLANE - NORTH ZONE NAD 83



PROPRIETOR:
LEON GOERDT - WARRANTY DEED B. 139 P. 244

SURVEY REQUESTED BY:
NATURAL RESOURCES CONSERVATION SERVICE
CONTRACT #66-6114-9-9343

DATE OF SURVEY: 2/25/09

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

DAVID M. WEST L.S. — DATE

My license number is 15749
My license renewal date is December 31, 2010
Pages or sheets covered by this seal: 1

LICENSED LAND SURVEYOR IOWA David M. West Licensed 15749

vj engineering
2570 holiday road
coralville, iowa - 319-338-4939

PLAT OF SURVEY
TRACT C
PART OF THE SW 1/4 SECTION 15-89-6W

scale
1" = 300
drawn by
DMW
date
2/27/09

098014

T:\WORK\098014\dwg\PARCEL C.dwg 3/19/2009 10:01:42 AM CDT

Book 2009 Page 1102
Document 2009 1102 Type 06 002 Pages 1
Date 3/19/2009 Time 3:24:39PM
Rec Amt $7.00

COPY

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

PREPARED BY: VJ ENGINEERING, DAVID M. WEST, 2570 HOLIDAY ROAD STE 10, CORALVILLE, IA 52241, 319-338-4939

PLAT OF SURVEY - WETLAND EASEMENT

TRACT "B"
PART OF THE NW 1/4 OF SECTION 22, T89N, R6W OF THE 5th P.M.,
DELAWARE COUNTY, IOWA

130TH AVENUE

N 02°38'12" W 2640.28

N 02°38'05" W 1315.30

1324.98

SW CORNER NW 1/4 NW 1/4 SECTION 22-89-6W FOUND BLUESTONE 0.1' ABOVE ROAD SURFACE TIES TO BE PREPARED

W 1/4 CORNER SECTION 22-89-6W FOUND 1/2" REBAR W/YELLOW CAP (ILLEGIBLE) TIES BOOK 2 PAGE 64 NEW TIES TO BE PREPARED

NW CORNER SECTION 22-89-6W FOUND 1/2" REBAR TIES BOOK 2 P 64 NEW TIES TO BE PREPARED

PLAT OF SURVEY (1989)

N 88°29'09" E 440.00

33.00'

PROPRIETOR: LEON GOERDT - WARRANTY DEED B. 139 P. 244

SURVEY REQUESTED BY: NATURAL RESOURCES CONSERVATION SERVICE CONTRACT #66-6114-9-9343

TRACT 'C'

126.80

N 88°29'09" E 885.01

S 88°29'09" W 2650.02 (N 88°29'02" E 2649.95)

NW 1/4 NW 1/4 SECTION 22-89-6W 8.87 ACRES

NE 1/4 NW 1/4 SECTION 22-89-6W 17.44 ACRES

LEGAL DESCRIPTION:

THAT PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 22, TOWNSHIP 89 NORTH, RANGE 6 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NW 1/4 OF SAID NW 1/4; THENCE S 4702'07" E, 1867.27 FEET; THENCE S 88°36'00" W ALONG A LINE 12.00 FEET NORMALLY DISTANT NORTH OF THE SOUTH LINE OF THE NE 1/4 OF SAID NW 1/4, 870.00 FEET; THENCE N 47°23'39" W, 1876.80 FEET TO THE NORTH LINE OF THE NW 1/4 OF SAID NW 1/4; THENCE N 88°29'09" E ALONG SAID NORTH LINE, 885.01 FEET TO THE POINT OF BEGINNING, CONTAINING 26.31 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS AND RESTRICTIONS OF RECORD.

TRACT "B"
26.31 ACRES

250.00 N 47°23'39" W 1876.80

250.00 250.00 250.00 250.00 250.00 250.00 250.00 250.00 250.00 250.00 250.00 260.00

240.00

12' ACCESS EASEMENT BOOK 71 P. 57

S 88°36'00" W 2643.85

12.00'

NORTH

170.00

200.00

S 88°36'00" W 870.00

250.00

184.00

183.27

S 4702'07" E 1867.27

S 4702'07" E 1884.43

POINT OF BEGINNING

S 88°29'09" W 1325.01

NE CORNER NW 1/4 NW 1/4 SECTION 22-89-6W SET 5/8" REBAR WITH ORANGE CAP #15749 TIES TO BE PREPARED

NE CORNER NW 1/4 SECTION 22-89-6W FOUND 1/2" REBAR W/YELLOW CAP 6586 TIES BOOK 2 PAGE 64 NEW TIES TO BE PREPARED

SE CORNER NE 1/4 NW 1/4 SECTION 22-89-6W SET 5/8" REBAR W/ORANGE CAP 15749 TIES TO BE PREPARED

CENTER SECTION 22-89-6W FOUND 1/2" REBAR W/YELLOW CAP 6586 TIES BOOK 2 PAGE 64 NEW TIES TO BE PREPARED

S 02°21'45" E 1320.47

924.99 (924.97)

N 02°21'45" W 1320.47 (N 02°21'37" W)

S 4702'07" E 17.16

LEGEND

- SECTION CORNER AS NOTED
- FOUND 1/2" REBAR W/ORANGE PLASTIC CAP #8419
- SET 30" x 5/8" REBAR W/ORANGE PLASTIC CAP # 15749
- DIMENSION OF RECORD
- FENCE LINE
- CONGRESSIONAL LINE
- EXISTING EASEMENT LINE
- EXISTING ROW/PARCEL LINE

0 150 300 600

NOTES:

1. LINEAR DIMENSIONS ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.
2. ERROR OF CLOSURE IS LESS THAN 1 FOOT IN 10,000 FEET.
3. BEARINGS ARE BASED ON IOWA STATE PLANE - NORTH ZONE NAD 83

DATE OF SURVEY: 2/25/09

LICENSED LAND SURVEYOR
Licensed 15749 David M. West
IOWA

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

DAVID M. WEST, L.S. DATE 3/9/09
License number 15749
My license renewal date is December 31, 2010
Pages or sheets covered by this seal: 1

vj engineering
2570 holiday road
coralville, iowa - 319-338-4939

PLAT OF SURVEY
TRACT B
PART OF THE NW 1/4 SECTION 22-89-6W

scale	1" = 300
drawn by	DMW
date	3/2/09

098014