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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Do not write or type above this line; for recorder use only.

FORM 5156 (12-2009)

RETURN TO PREPARER: Farm Credit Services of America, 1301 W. Main St. Manchester, IA 52057 — Tracey Ogden (563) 927-3159

CTL 2: 300 CTL 3: 122 Customer No: 225105 Note No: 202

Farm Credit Services of America

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

The undersigned are the titleholder(s) of the following described parcel of real estate upon which there exists a residence, to wit:

Sec. **Twp.** **Rg.**

SW ¼, Sec. 29, T89N, R3W of the 5th P.M., Delaware County, Iowa.
More particularly described as follows: 2935 210th St. Earlville, IA 52041

The undersigned acknowledges that Jason M. & Jennifer L. Domeyer; Everett J. & Darline E. Schuman ("Operator") are titleholders of the following described tract of real estate, who plan to construct and/or operate a livestock feeding facility together with waste storage structures thereon ("Facility"), to wit:

Sec. **Twp.** **Rg.**

Parcel E in the NW 1/4-NW 1/4 of Sec. 32, and Parcel F in the NE 1/4-NE 1/4 of Sec. 31, all being parts of Parcel C in T89N, R3W of the 5th P.M., Delaware County, Iowa, according to plat recorded in Book 2007, Page 1180.

For the benefit of Operator, their heirs, successors and assigns, and any other party that claims by or through Operator any right, title or interest in and to the Facility, specifically including Farm Credit Services of America, FLCA and/or Farm Credit Services of America, PCA (collectively "FCSAmerica"), the undersigned hereby acknowledge and consent to the proposed construction and/or operation of the Facility on the above described premises, waive any separation distance required by law, and agree to hold Operator, their heirs, successors and assigns, and any other party that claims by or through Operator any right, title or interest in and to the Facility, specifically including FCSAmerica, harmless, both in contract and tort, for the operation of the Facility. This Waiver and Consent to Construction and/or Operation of Livestock Facility shall constitute a covenant binding on the above tracts of real estate and shall inure to the benefit of Operator, their heirs, successors and assigns, and any other party that claims by or through Operator any right, title or interest in and to the Facility, specifically including FCSAmerica,

This Waiver and Consent to Construction and/or Operation of Livestock Facility shall be unconditional and irrevocable unless otherwise indicated herein.

Ronald J. Domeyer

Ronald J. Domeyer

Ann M. Domeyer

Ann M. Domeyer

AR Holdings, LLC.

Ronald J. Domeyer

Ronald J. Domeyer, Manager

STATE OF IOWA)
) ss
COUNTY OF Delaware)

On this 26th day of May, 2011, before me, a Notary Public, personally appeared Ronald J. Domeyer and Ann M. Domeyer to me known to be the person(s) named in and who executed the foregoing instrument, and acknowledged that he/she/they executed the same as his/her/their voluntary act and deed.

(SEAL)

Tracey M. Ogden

Tracey M. Ogden
Notary Public in and for said County and State

My commission expires 6/30/14.

TRACEY M. OGDEN
Commission Number 735268
My Commission Expires
6/30/14

LLC ACKNOWLEDGMENT - MANAGER

STATE OF IOWA)
) ss
COUNTY OF Delaware)

On this 26th day of May, 2011, before me, a Notary Public, personally appeared Ronald J. Domeyer to me known to be the person(s) named in and who executed the foregoing instrument, who did say that he/she is the manager of AR Holdings, LLC., a limited liability company; that the instrument was signed on behalf of the limited liability company by authority of its members and the manager acknowledged the execution of the instrument to be voluntary act and deed of the limited liability company by it and by him/her voluntarily executed.

(SEAL)

Tracey M. Ogden
Tracey M. Ogden
Notary Public in and for said County and State

My commission expires 6/30/14.

