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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by: Rebecca Sexton, 2203 Ogden Ave., Rockwell City, IA 50579 (712) 297-5530
Return to: Terry Recker, 3090 190th Ave., Ryan, IA 52330

SEPARATION DISTANCE WAIVER

STATE OF IOWA, COUNTY OF DELAWARE, ss:

In re: Part NW¼ NW¼ Section 22, T87N R5W, Hazel Green Township,

Delaware County, Iowa

This waiver of separation affecting the following described property in Delaware County, Hazel Green Township, legally described as: [illegible] (see page 2) Hazel Green Township, Dealware County with 911 addresses of 1916 310 St Ryan, Iowa.

TomDrummy Inc titleholder to the above described property and has every legal authority to sign this separation distance waiver.

The following is where the livestock operation will be located:

SW1/4 SW1/4 Section 15, T87N R5W, Hazel Green Township, Delaware County, Iowa;

This site has an address 3090 190th Street; Ryan Iowa 52330 and will be locally known as Recker Farms. Recker Farms plans to construct a deep pit formed manure structure, tunnel ventilated confinement building with an animal unit capacity of 480 (1200 actual animal capacity; building dimensions of 51'2" by 209'). Pursuant to Iowa Code 459.202 (2007), a separation distance of 750 feet is required between the formed manure structure and the undersigned's land where the residence is located . Pursuant to

Iowa Code 459.205 (2)(2007), the undersigned as titleholder to the land where the residence is located wants the enforcement of separation distance to be at 500' between their residence and this formed manure structure and/or built north of the existing confinement building. This separation distance shall apply only to the livestock facilities described in this agreement, it shall be perpetual and shall run with the land.

4-23-12

Date

Tom Drummy for
Thomas A Drummy Pur
THOMAS A. DRUMMY
By:

4-23-12

Date

by Suzanne M Drummy see
SUZANNE M. DRUMMY
By:

State of Iowa, Delaware County,

On this 23rd day of April 2012 before me, the undersigned, a Notary Public in and for the state of Iowa, personally appeared Tom Drummy Inc, to me known to be the identical person(s) named, in and who executed the forgoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Marie Hunt

Notary Public

NOTARIAL SEAL IOWA
MARIE HUNT
Commission Number 720784
My Commission Expires
02-07-2015

Legal Description: N 1/2 of the NW 1/4 of 22-87-5, west of the 5th PM. Excepting therefrom the South 335.9' of the below described tract:

That pt NW NW 22-87-5, West of the 5th PM, Delaware County, Iowa described as follows: Commencing as a point of reference at the NW corner of said Section 22; thence N 90 degrees 00' 00" East (bearing assumed for purposes of this description only) 706.77' along the North line of the NW 1/4 of said Section 22 to the point of beginning; thence continuing North 90 degrees 00' 00" East 272.96' along said North line; thence South 00 degrees 10' 10" West, 515.90'; thence North 89 degrees 59' 56" West, 274.26'; thence North 00 degrees 18' 50" East, 515.90' to the point of beginning; said parcel contains 3.24 acres, more or less, which includes 0.25 acres, more or less, of County road right of way.

TR