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Document 2020 533 Type 06 006 Pages 2
Date 2/27/2020 Time 11:54:19AM
Rec Amt $12.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by/return to: Shirley Manternach, Farm Service Agency, 200 South 12th St, Manchester, IA 52057 (563)927-4250

This form is available electronically.

CCC-297
(12-21-17)

U.S. DEPARTMENT OF AGRICULTURE
Commodity Credit Corporation

SEVERANCE AGREEMENT

2019-438

See Page 2 for Privacy Act and Paperwork Reduction Act Statements.

WHEREAS, *(a)* Michael Edmund Jesenovec and *(b)* Kay Thi Jesenovec, of *(c)* 3212 312th Ave, Hopkinton, County of *(d)* Delaware, State of *(e)* Iowa, (herein called Debtors), have applied to the Commodity Credit Corporation (herein called the Secured Party), for a loan and have agreed to give the Secured Party a security interest in the following-described fixture(s) *(f)*:

A used 24' Butler Bin, 8" unload auger, 5hp motor & pulley, fan concrete, electrical and all other attachments.

which fixture(s) is (are) affixed to the following-described real estate: (Add legal description) *(g)*:

All that part of the NW1/4 of Sec 27, T87N, R3W of the 5th P.M., lying West of the Railroad right of way & North of the North line of Langworthy St. in Sand Spring, IA, except that part of Rail Road Ave lying South of the North line of Center St; and Lots 211 – 219 inclusive, & that part of Rock St. as vacated which lies South of & adjacent to said Lots 211 – 219, all in Sand Spring, IA, according to plat recorded in Book I L.D., Pages 220-221; & commencing at the intersection of the West line of 4th St. with the South line of Rock St. (vacated) in Sand Spring, IA, thence running Northwesterly along the South line of Rock St. (vacated) to the Easterly line of the Railroad right of way, thence at right angles Southerly along the Easterly line of the Railroad right of way to the point of intersection of an extension of the North line of Lot 230, Sand Spring, thence at right angles Easterly to the NE corner of said Lot 230, thence at right angles Southerly to the SE corner of Lot 231, Sand Spring, thence at right angles Easterly along the North line of Spring St. to the intersection with the West line of 4th St, thence Northerly along said West line of 4th St to point of beginning, which description also includes Lots 205 & 206, Sand Springs, IA; & commencing at the NE corner of the NW ¼ of Sec 27, T87N, R3W of the 5th P.M., running thence West along the North line of said NW1/4 to the East line of 4th St, thence Southerly along the East line of 4th St to the intersection with the South line of Spring St, thence Northwesterly along the South line of Spring St. 81 feet, thence Southwesterly to a point on the East line of the Railroad right of way which is 119 feet Southwesterly from the South line of Spring St, thence Southerly along the East line of the Railroad right of way 294.5 feet, thence at right angles Easterly 558 feet, thence at right angles Northerly to a point on the South line of the NE1/4 of the NW1/4 of said Sec 27 which is 709 feet West of the SE corner of said NE1/4 of the NW1/4, thence East to said SE corner of said NE1/4 of the NW1/4, thence North to the point of beginning; & the NW1/4 of the NE1/4 of Sec 27, T87N, R3W of the 5th P.M.; except Parcel C Part of the NE1/4 of the NW1/4 Sec 27, T87N, R3W of the 5th P.M., Delaware County, IA, according to plat recorded in Book 2005, Page 3350.

NOW, THEREFORE, in consideration of the making or insuring of such loan by the Secured Party, the undersigned parties hereby *(1)* consent that the Debtors may grant to the Secured Party a security interest in said fixture*(s)* under the Uniform Commercial Code, *(2)* consent to the installation of said equipment and agree said equipment shall be and remain severed from the real property described above, and *(3)* agree that upon default of Debtors the Secured Party may *(a)* take possession of and remove said fixture*(s)* without notice to the undersigned parties and without liability to them for any diminution of value of the real estate caused by the absence of the fixture*(s)* or by any necessity for replacing the fixture*(s)*, and *(b)* enforce its security interest against said fixture*(s)* as personally.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.

IN WITNESS WHEREOF, the undersigned parties hereto have executed this instrument this *(h)* 11 day of *(i)* ~~June~~ February, *(j)* 2020 *(year)*.

if a corporation:

_____ David Alphonse Jesenovec

*(k) Name of Corporate (Mortgagee) (Owner) ** *(n) Individual (Mortgagee) (Owner) **

By _____ Jane Elizabeth Jesenovec

Jane Elizabeth Jesenovec

(l) Duly Authorized Officer *(o) Individual (Mortgagee) (Owner) **

_____

(m) Title

CORPORATE SEAL

"Mortgagee" includes holder of any type of real estate lien.

*Delete "Mortgagee" or "Owner."

(p) **STATE OF** Iowa }
(q) **COUNTY OF** Delaware } *ss.* **ACKNOWLEDGMENT:**

On this *(r)* 11 day of *(s)* February in the year *(t)* 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared *(u)* David Jesenovec & Jane Jesenovec, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her/their capacity (ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person on behalf of which the individual(s) acted, execute the instrument.

(SEAL) Jill A Roberg

JILL A. ROBERG
Commission Number 791035
My Commission Expires
12/7/2022

(v) Notary Public

My commission expires *(w)* 12/7/2022 *(MM-DD-YYYY)*

NOTE: *The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 1436, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to determine eligibility to participate in and receive benefits under the Farm Storage Facility Loan Program through documentation of a severance agreement when there are real estate lien holders involving the land where a storage structure is to be located. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-14, Applicant/Borrower. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under the Farm Storage Facility Loan Program.*

This information collection is exempted from the Paperwork Reduction Act, as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title I Subtitle F. Administration). The provisions of criminal and civil fraud, privacy and other statutes may be applicable to the information provided. ***RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.***