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LISA SMITH, COUNTY RECORDER
MADISON IOWA

WAIVER OF SEPARATION

I hereby agree that I am familiar with the proposed wastewater improvements project to be constructed by the City of St. Charles, Iowa in the Southwest Quarter of the Southeast Quarter of Section 23, Township 75 North, Range 26 West of the Fifth Principal Meridian in Madison County Iowa. I understand that the minimum separation requirement between the water surface of a wastewater treatment facility and a commercial or residential building, as established by the Iowa Department of Natural Resources, is 1000 feet or 90% of the existing separation distance, whichever is less. I further understand that the distance from the above-described proposed facility to my building is less than minimum distances.

I hereby agree to waive the separation distance requirement as it relates to my building located on the property described as follows.

Legal Description

Parcel "A" located in the Northwest Quarter (1/4) of the Northeast Quarter (1/4) of Section Twenty-six (26), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 13.047 acres, as shown in Plat of Survey filed in Book 2003, Page 2151 on April 15, 2003, in the Office of the Recorder of Madison County, Iowa.

This Waiver shall be binding upon all heirs and successors in interest to the current property owners, and said successors in interest shall be bound by this instrument.

SIGNED: Steve Allsup Elizabeth D. Allsup

PRINTED: Steve Allsup Elizabeth D. Allsup

DATE: 9-5-2008 9-5-08

STATE OF IOWA

On this 5th day of September, 2008 before me a Notary Public in and for said State of Iowa, County of Polk

_____ To me know to be the person or persons named in and who executed the foregoing instrument, and acknowledged the same voluntary act and deed.

Kimberly A. Jensen
Notary Public - State of Iowa

Prepared by:
Bartlett & West
West Des Moines, IA (515) 440-2856

✓ Return To: Bruce Jagemann
6919 Vista Drive
West Des Moines, IA 50266-
9309

