



FARMLAND AUCTION!

Meckstroth Farm

OFFERED BY SEALED BID AUCTION

March 21st, 2023

65.37 Acres; 65.0 Tillable

SURVEY PARCEL "B"; S 1/2 NW 1/4 SEC. 21,
GRANT TWP; ALL IN T97N-R22W CERRO GORDO Co., IOWA

SALE BY SEALED BID AUCTION

Bidding Details on Next Page

Outright Possession available for 2023.

*For questions and more information,
please contact Closing Broker Fred Greder*



Closing Broker Fred Greder

ph: 641-424-6983 · cell: 641-425-0080

www.benchmarkagribusiness.com · email: fred@benchmarkagribusiness.com

Licensed Real Estate Broker in the State of Iowa



**American Society
of Farm Managers
& Rural Appraisers**

Written bids must be submitted to Benchmark Agribusiness, Inc. Bids may be submitted by either email or regular USPS delivery or hand delivered. The USPS address is: 23 Third Street NW, Mason City, Iowa. 50401. Bids sent by USPS must be received by Noon, Tuesday, March 21st. Emailed bids or hand delivered bids will be accepted right up until the bid opening @ 1:30 CDT on Tuesday, March 21st, 2023. The email address is fred@benchmarkagribusiness.com.

All bids should state "Meckstroth farm – Farm sale bid" on the outside of the envelope.

The bids must be submitted as \$/gross acre. The multiplier will be 65.57 Acres.

ALL of those who submit a bid will be invited to raise their bid at a meeting at 1:30 PM on March 21st. The location of the meeting will be at Courtside Offices, 23 Third Street NW in Mason City. All interested parties are required to submit their bid using the purchase contract form included in this packet. Bidders will be allowed to participate by phone.

The seller reserves the right to reject any and all bids and modify the bidding requirements at the seller's sole discretion.

Per Iowa law, the successful bidder will be required to make an earnest money deposit of \$75,000 into the Benchmark Agribusiness, Inc. Real Estate Trust account within five business days after March 21st.

SPECIAL PROVISIONS

The sale will close on, or about, April 21st, 2023. The buyer will receive outright possession for the 2023 growing season.

The offer must not be subject to a financing contingency or any other contingencies.

The buyers will be responsible for additional legal expenses, additional surveying expenses and additional closing agent charges if the existing parcel is subsequently split into smaller parcels after the bid is accepted and prior to closing.

Real Estate taxes will be pro-rated to date of closing. Unpaid special assessments to be paid by the seller. The semi-annual installments due after the closing on September 30, 2023 and March 31st, 2024 will be credited to the buyer. All subsequent semi-annual installments will be paid by the buyer.

The property is being sold “ as is”.

The cropland has been enrolled in the ARC/PLC program for the 2023 growing season. It will be the buyer’s responsibility to provide the FSA office in their control County a copy of the recorded deed to authorize the FSA to assign the program contract, allotted bases and existing CRP contracts to the buyers.



MECKSTROTH FARM BID FORM

65.57 Gross Acres

LEGAL DESCRIPTION: Survey Parcel "B" S ½ NW ¼ Section 21, Grant Township;
All in T97N-R22W

I hereby offer \$ _____/Acre (multiplier of 65.57 acres) for the above referenced farmland. Bid is NOT for the total price.

I agree to sign the standard FARM & LAND – OFFER FOR REAL ESTATE available through the Iowa Realtors Association within the next business day after being notified that I am the successful bidder. I agree to make an earnest money deposit of \$75,000.00 which, per Iowa law, must be in the Benchmark Agribusiness, Inc. Real Estate Trust account within five business days after March 21st, 2023.

SIGNED _____ Date _____

Print Name _____

Address _____

City _____ State _____ ZIP code _____

Telephone # _____ Cell phone # (if different) _____

Email _____

Return no later than 1:30 PM on Tuesday, March 21st, 2023 to:

Courtside Offices * 23 Third Street NW * Mason City, Iowa 50401
641-424-6983 * Fax 641-424-0318 * cell – 641-425-0080
www.benchmarkagribusiness.com * Email – fred@benchmarkagribusiness.com

Property Description

SIZE – 65.57 Gross Acres - bare cropland

LEGAL DESCRIPTION – Survey Parcel “B” S ½ NW ¼ Section 21, Grant Township; All in T97N-R22W

REAL ESTATE TAXES - \$1,750.00 Estimated

TILLABLE ACRES – ~ 64.84 tillable; no Conservation Reserve Program (CRP) acres; New highly erodible (HEL) determination request is in process.

CSR2 ave. – 76.9

DRAINAGE – FSA Form 156EZ says “the wetlands determinations are incomplete”. New wetlands determination request is in process.

IMPROVEMENTS – None

MINERAL RIGHTS – All of the mineral rights go with the farm.

POSSESSION - Outright possession available for the 2023 growing season. The 2022 lease was terminated.

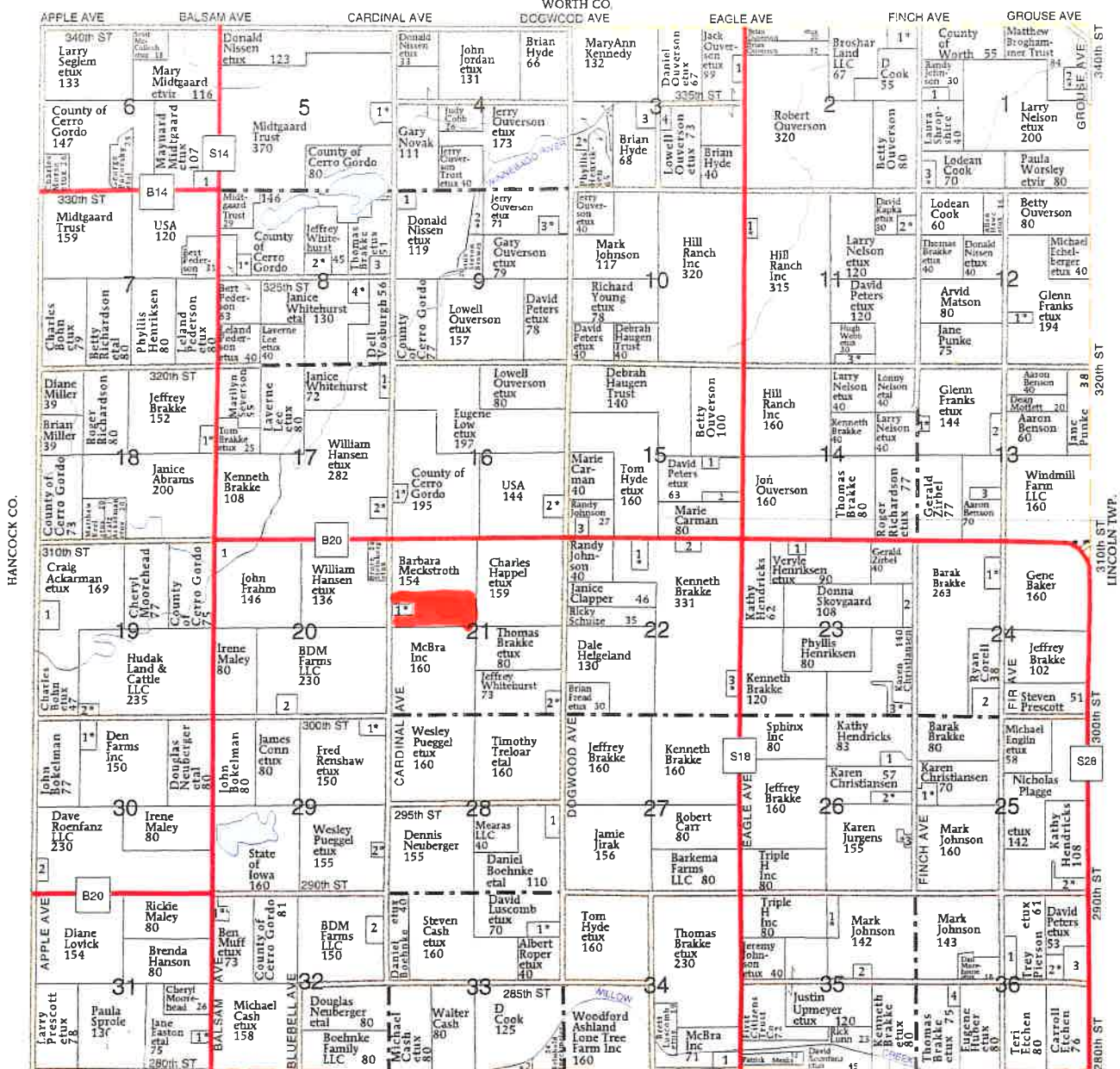
EASEMENTS - None known.

T-97-N

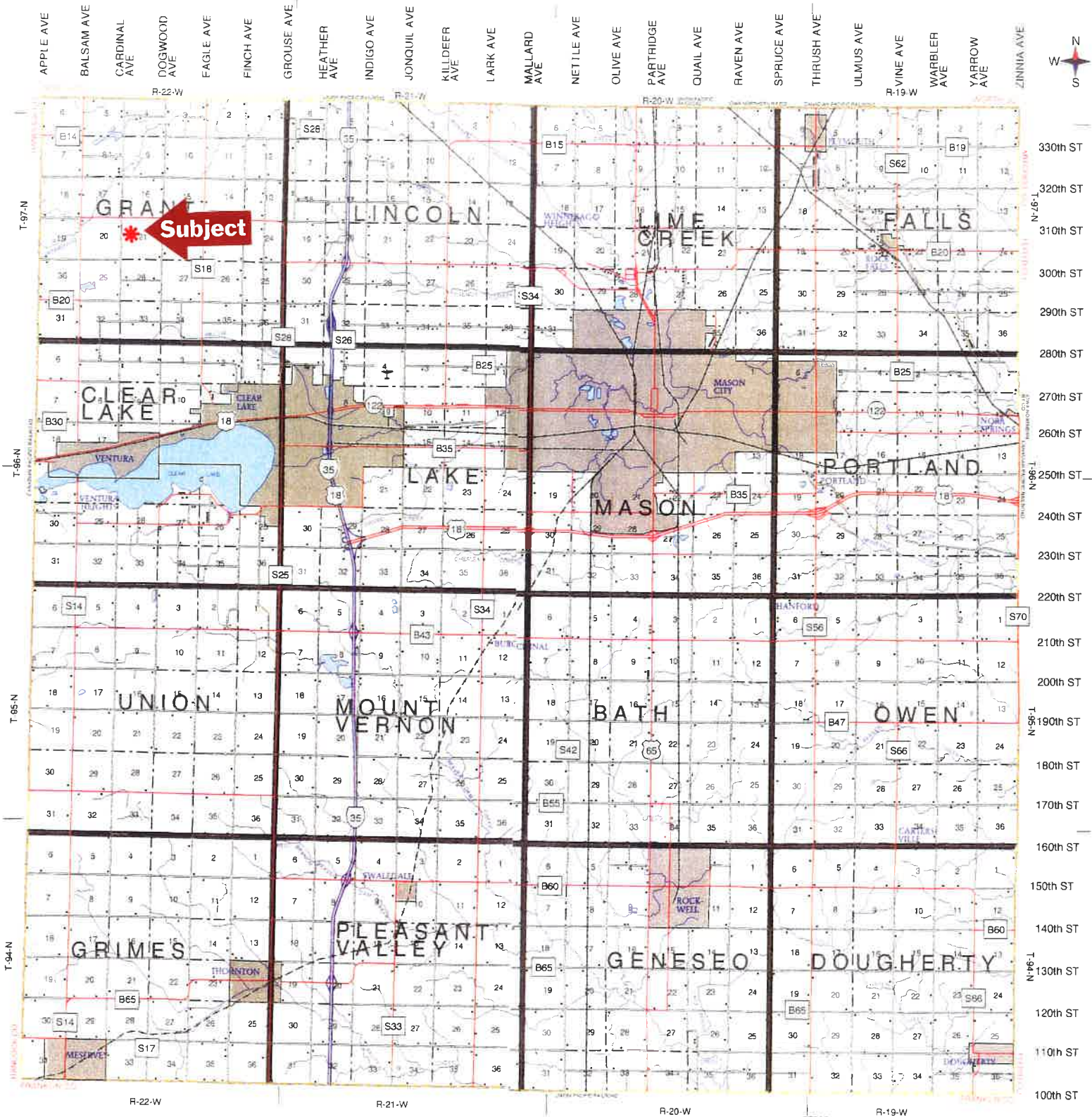
GRANT PLAT

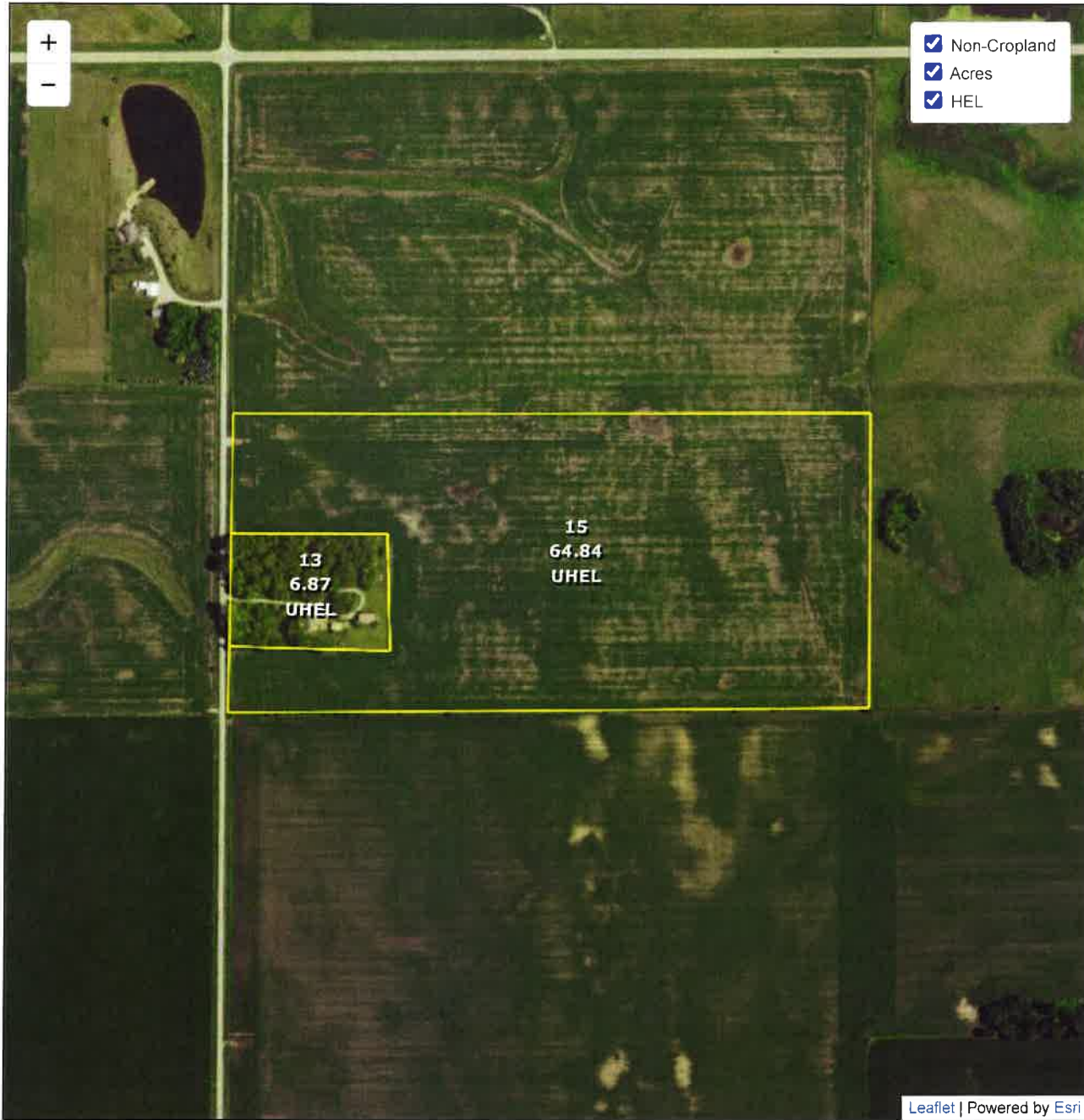
R-22-W

(Landowners)



Cerro Gordo County, Iowa





Common Land Unit

Cropland Non-cropland CRP

Farm 8996

Tract 9763

Wetland Determination Identifiers

Restricted Use

Limited Restrictions

Exempt from Conservation Compliance Provisions

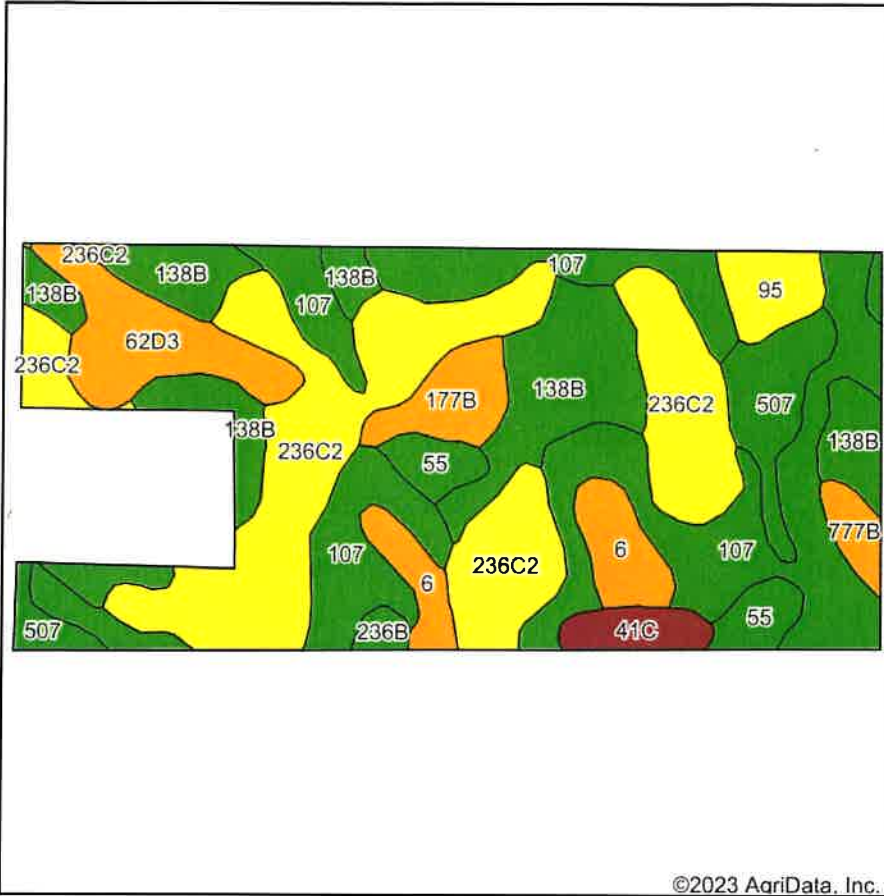
2023 Crop Year



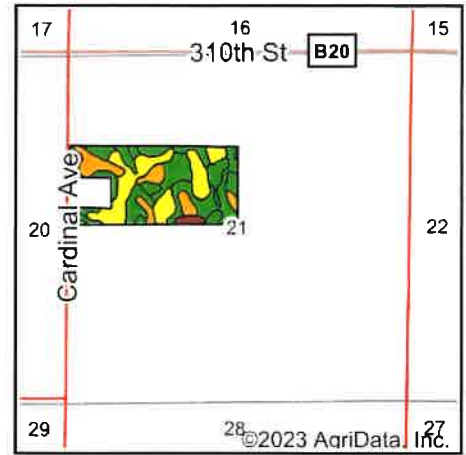
Tract 1 of 1

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

Soils Map



Soils data provided by USDA and NRCS.



State: **Iowa**
 County: **Cerro Gordo**
 Location: **21-97N-22W**
 Township: **Grant**
 Acres: **64.84**
 Date: **2/23/2023**



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www.AgriDataInc.com



Archived Soils Ending 12/19/2016 Area Symbol: 1A033, Soil Area Version: 17											
Code	Soil Description	Acres	Percent of field	CSR2 Legend	Non-Irr Class *c	Irr Class *c	*i Corn Bu	*i Soybeans Bu	CSR2**	CSR	Oats Bu
236C2	Lester loam, 6 to 10 percent slopes, moderately eroded	18.32	28.3%			IIle	192.0	55.7	76	58	2
107	Webster clay loam, 0 to 2 percent slopes	17.57	27.1%			IIw	224.0	65.0	86	83	
138B	Clarion loam, 2 to 6 percent slopes	10.78	16.6%			Ile	225.6	65.4	89	80	
62D3	Storden loam, 10 to 16 percent slopes, moderately eroded	3.87	6.0%			IVe	129.6	37.6	41	36	
507	Canisteo clay loam, 0 to 2 percent slopes	3.26	5.0%			IIw	224.0	65.0	84	78	
6	Okoboji silty clay loam, 0 to 1 percent slopes	2.97	4.6%			IIIw	164.8	47.8	59	57	
177B	Saude loam, 2 to 5 percent slopes	1.98	3.1%			IIIs	185.6	53.8	55	58	
55	Nicollet clay loam, 1 to 3 percent slopes	1.97	3.0%			Iw	233.6	67.7	89	88	
95	Harps clay loam, 0 to 2 percent slopes	1.60	2.5%			IIw	198.4	57.5	72	62	
41C	Sparta loamy fine sand, 5 to 9 percent slopes	1.24	1.9%			IVs	124.8	36.2	34	34	
777B	Wapsie loam, 2 to 5 percent slopes	0.87	1.3%			Ile	155.2	45.0	47	53	
236B	Lester loam, 2 to 6 percent slopes	0.41	0.6%			Ile	212.8	61.7	85	75	5
Weighted Average					2.46	*-	202.5	58.7	76.9	68.7	0.6

**IA has updated the CSR values for each county to CSR2.

*i Yield data provided by the ISPAID Database version 8.1 developed by IA State University.

*c: Using Capabilities Class Dominant Condition Aggregation Method

*- Irr Class weighted average cannot be calculated on the current soils data due to missing data.

Soils data provided by USDA and NRCS.

IOWA
CERRO GORDO
Form: FSA-156EZ



United States Department of Agriculture
Farm Service Agency

FARM : 8996
Prepared : 2/14/23 4:06 PM CST
Crop Year : 2023

See Page 2 for non-discriminatory Statements.

Abbreviated 156 Farm Record

Operator Name :
CRP Contract Number(s) : None
Recon ID : 19-033-2023-72
Transferred From : None
ARCPLC G//F Eligibility : Eligible

Farm Land Data

Farmland	Cropland	DCP Cropland	WBP	EWP	WRP	GRP	Sugarcane	Farm Status	Number Of Tracts
71.71	64.84	64.84	0.00	0.00	0.00	0.00	0.0	Active	1
State Conservation	Other Conservation	Effective DCP Cropland		Double Cropped		CRP	MPL	DCP Ag.Rel. Activity	SOD
0.00	0.00	64.84		0.00		0.00	0.00	0.00	0.00

Crop Election Choice

ARC Individual	ARC County	Price Loss Coverage
None	CORN, SOYBN	None

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PLC Yield	HIP
Corn	33.27	0.00	125	
Soybeans	31.57	0.00	38	
TOTAL	64.84	0.00		

NOTES

Tract Number : 9763

Description : S2 NW4 21-97-22 GRANT
FSA Physical Location : IOWA/CERRO GORDO
ANSI Physical Location : IOWA/CERRO GORDO
BIA Unit Range Number :
HEL Status : HEL determinations not completed for all fields on the tract
Wetland Status : Wetland determinations not complete
WL Violations : None
Owners : DANIEL W MECKSTROTH, DENISE L CRAWFORD, MARCIE S WALTER
Other Producers : SONYA L RENDER
Recon ID : 19-033-2023-71

Tract Land Data

Farm Land	Cropland	DCP Cropland	WBP	EWP	WRP	GRP	Sugarcane
71.71	64.84	64.84	0.00	0.00	0.00	0.00	0.0

IOWA
CERRO GORDO
Form: FSA-156EZ



United States Department of Agriculture
Farm Service Agency

Abbreviated 156 Farm Record

FARM : 8996
Prepared : 2/14/23 4:06 PM CST
Crop Year : 2023

Tract 9763 Continued ...

State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	CRP	MPL	DCP Ag. Rel Activity	SOD
0.00	0.00	64.84	0.00	0.00	0.00	0.00	0.00

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PLC Yield
Corn	33.27	0.00	125
Soybeans	31.57	0.00	38
TOTAL	64.84	0.00	

NOTES

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) e-mail: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.

INDEX LEGEND
LOCATION PARCEL 'B' BEING PART OF THE NW 1/4 SEC. 21-T97N-R22W OF THE 5TH P.M., CERRO GORDO COUNTY, IOWA
PROPRIETOR BARBARA J. MECKSTROTH DANIEL W. MECKSTROTH MARCI S. WALTER DENISE LEANN MECKSTROTH
SURVEY REQUESTED BY BARB MECKSTROTH
SURVEYOR COMPANY STARK SURVEYING INC. 1822 S. TAFT AVE. MASON CITY, IOWA, 50401 PHONE: 641-423-7947
RETURN TO: BENJAMIN STARK 1822 S. TAFT AVE. MASON CITY, IOWA, 50401

Doc. #: 2023-745

Type: ISUR Pages: 2 02/21/2023 09:00 AM
R: \$10.00 - Tr: \$0.00 - M: \$1.00 - Tc: \$1 - N: \$0
Pymt: Check

AnnMarie Legler, Cerro Gordo County Recorder



PLAT OF SURVEY

DESCRIPTION

A PARCEL OF LAND DESIGNATED AS PARCEL 'B' BEING PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21-T97N-R22W OF THE 5TH P.M. CERRO GORDO COUNTY, IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING (P.O.B.) AT THE WEST QUARTER CORNER (W 1/4 COR.) OF SAID SECTION TWENTY-ONE (21);

THENCE ON AN IOWA ZONE TWO (2) REGIONAL COORDINATE SYSTEM BEARING OF S89°59'17"E 2636.41 FEET ALONG THE SOUTHERLY LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION TWENTY-ONE (21) TO THE CENTER OF SAID SECTION TWENTY-ONE (21);

THENCE N00°46'56"E 1189.06 FEET ALONG THE EASTERLY LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION TWENTY-ONE (21);

THENCE N89°59'17"W 2641.24 FEET PARALLEL WITH SAID SOUTHERLY LINE TO THE WESTERLY LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION TWENTY-ONE (21);

THENCE S00°32'57"W (N00°00'00"E) 487.15 FEET TO THE NORTHWEST CORNER (NW COR.) AS DESCRIBED AND DEPICTED IN PLAT OF SURVEY RECORDED AS DOCUMENT NUMBER 9407905 AT THE CERRO GORDO COUNTY RECORDER'S OFFICE;

THENCE S89°25'13"E 653.53 FEET (S90°00'00"E 654.42 FEET) ALONG THE NORTHERLY LINE OF SAID DOCUMENT NUMBER 9407905 TO THE NORTHEAST CORNER (NE COR.) THEREOF;

THENCE S00°25'55"W 429.62 FEET (S00°00'00"W 429.00 FEET) ALONG THE EASTERLY LINE OF SAID DOCUMENT NUMBER 9407905 TO THE SOUTHEAST CORNER (SE COR.) THEREOF;

THENCE N89°25'17"W 654.41 FEET (N90°00'00"W 654.42 FEET) ALONG THE SOUTHERLY LINE OF SAID DOCUMENT NUMBER 9407905 TO THE SOUTHWEST CORNER (SW COR.) THEREOF THAT IS ON THE WESTERLY LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION TWENTY-ONE (21);

THENCE S00°32'57"W 272.22 FEET (N00°00'00"E 284.65) ALONG SAID WESTERLY LINE TO THE POINT OF BEGINNING (P.O.B.).

SAID PARCEL 'B' CONTAINS 65.57 ACRES INCLUDING 0.57 ACRES IN PUBLIC ROAD RIGHT OF WAY (R.O.W.), AND IS SUBJECT TO ANY EASEMENTS WRITTEN OR OTHERWISE.

SURVEYOR'S NOTES:

- 1) IGRC'S ZONE 2 IS THE BASIS OF BEARING FOR THE PURPOSE OF THIS SURVEY.
- 2) THE FND. COMMON NAIL AT THE SW COR. OF PLAT OF SURVEY DOC. #9407905 IS WEST OF THE SECTION LINE APPROXIMATELY 0.25'.
- 3) THE FND. 5/8" REBAR W/ YPC 8656 AT THE R.O.W. LINE FOR THE NORTHERLY LINE OF PLAT OF SURVEY DOC. #9407905 IS WEST OF THE R.O.W. LINE APPROXIMATELY 0.60'.

DOCUMENTS USED FOR THIS SURVEY:

PLATS: DOC. #9407905
CERTS: DOC. #2009-4356, DOC. #2009-4355, DOC. #2022-158, DOC. #2009-4357
DEED: DOC. #0068815, DOC. #2020-499

DATE SURVEYED	1-26-23
SCALE:	AS SHOWN
PROJECT NO.:	23208
DRAWN BY:	BVS
CHECKED BY:	BVS
SHEET	1 of 2



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.

Benjamin Stark
Benjamin Stark

2-3-23
Date

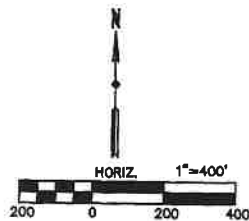
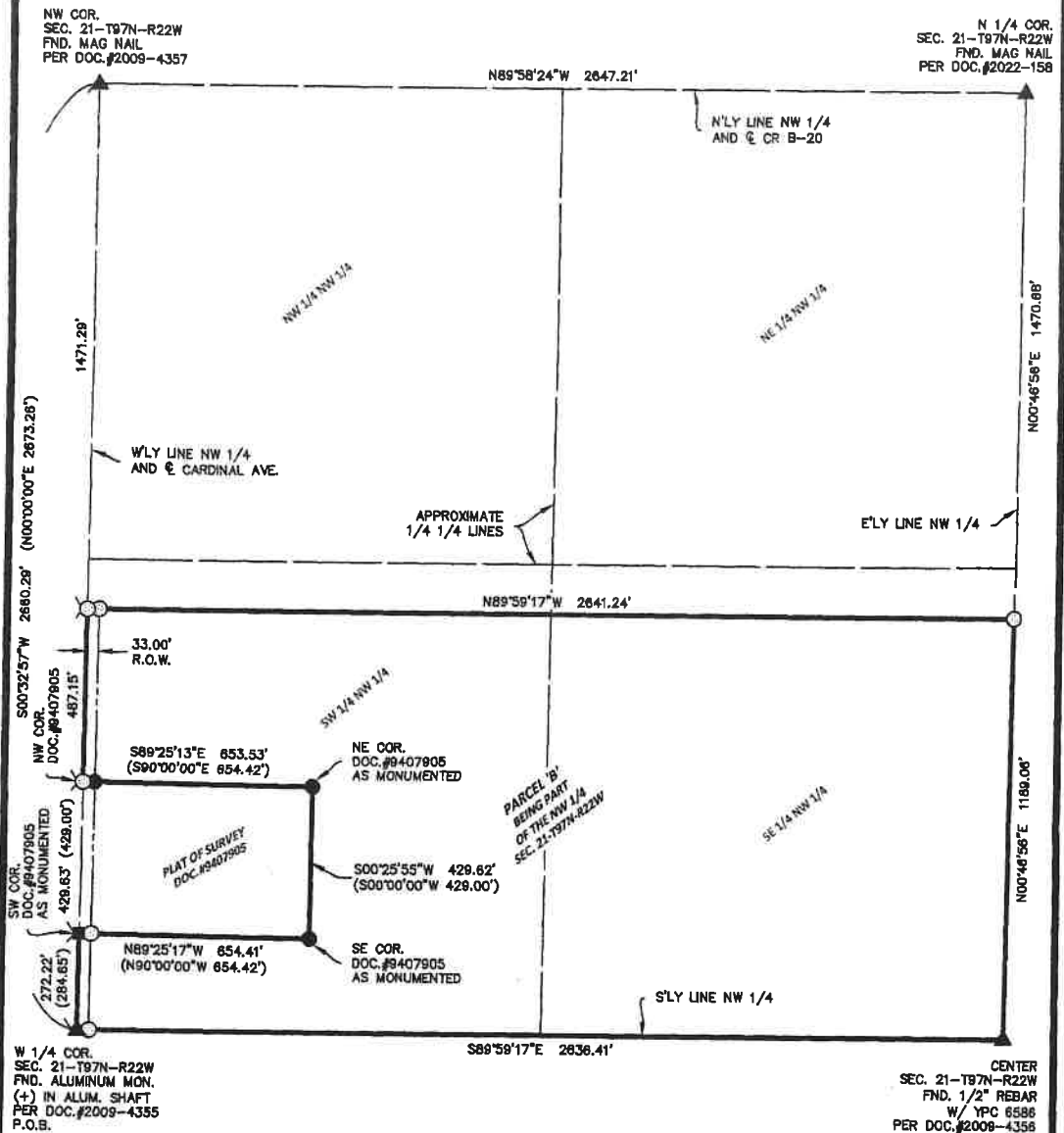
License number 23709

Sheets covered by this seal: 2

My license renewal date is December 31, 2023

**STARK
SURVEYING
INC.**

PLAT OF SURVEY



SURVEYOR'S NOTES:

- 1) IGRCS ZONE 2 IS THE BASIS OF BEARING FOR THE PURPOSE OF THIS SURVEY.
- 2) THE FND. COMMON NAIL AT THE SW COR. OF PLAT OF SURVEY DOC. #9407905 IS WEST OF THE SECTION LINE APPROXIMATELY 0.25'.
- 3) THE FND. 5/8" REBAR W/ YPC 8858 AT THE R.O.W. LINE FOR THE NORTHERLY LINE OF PLAT OF SURVEY DOC. #9407905 IS WEST OF THE R.O.W. LINE APPROXIMATELY 0.60'.

DOCUMENTS USED FOR THIS SURVEY

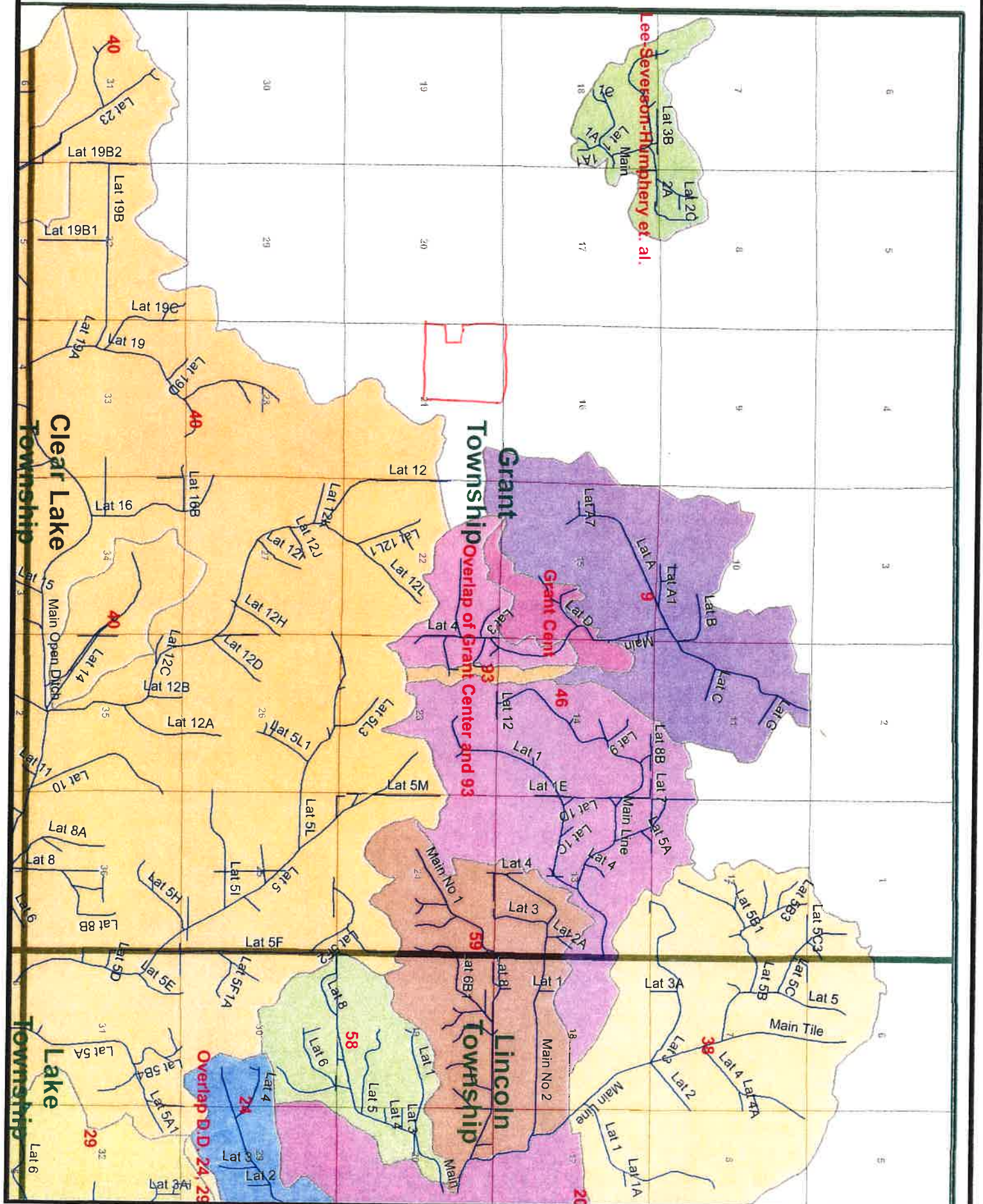
PLATS: DOC. #9407905
CERTS: DOC. #2009-4355, DOC. #2009-4355, DOC. #2022-158, DOC. #2009-4357
DEED: DOC. #0006815, DOC. #2020-499

LEGEND

- △ SET SECTION CORNER AS NOTED (P.O.C.) POINT OF COMMENCEMENT
- ⊙ SET 1/2" REBAR 24" LONG YPC 23708 (P.O.B.) POINT OF BEGINNING
- FOUND 5/8" REBAR W/ YPC 8858 MONUMENT UNLESS NOTED (65) LOT NUMBER
- ▲ FOUND SECTION CORNER AS NOTED (0.00') RECORD MEASUREMENT
- ⊗ SET MAG NAIL ■ FOUND COMMON NAIL

DATE SURVEYED	1-26-23
SCALE	AS SHOWN
PROJECT NO.	23208
DRAWN BY	BVS
CHECKED BY	BVS
SHEET	2 of 2

**STARK
SURVEYING
INC.**



This information has been gathered from reliable sources but, Benchmark Agribusiness, Inc. does not guarantee the accuracy. All prospective buyers should do their own research and independently verify any information on which they are going to base their decision to buy.

This property is being sold "AS IS." The property is being sold subject to any easements including road, drainage, utility or other easements of record or pending. The sellers do not warranty or guarantee that existing fences coincide exactly with the rectangular survey lines. Any new fencing, if applicable, will be the responsibility of the purchaser pursuant to Iowa statutes.

Benchmark Agribusiness, Inc. is an agent for the Seller.

HIGHLY ERODIBLE LAND (HEL) DETERMINATION

1. Name:	Daniel Meckstroth 307 W Front St		3. Location County:	Cerro Gordo, IA
2. Address:	Grand Ledge, MI 48837-1017		4. Admin County:	Cerro Gordo, IA
5. Request Form:	AD-1026	7. Farm Number:	8996	
6. Request Date:		8. Tract Number:	9763	
9. Are there HEL soil map units on this Tract? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
If a field is not listed, no determination was made at this time. Contact the Farm Service Agency for previously determined HEL status of fields not listed below. In order to be eligible for most USDA program benefits, a person must be implementing a conservation plan or using an approved conservation system on all HEL fields. Fields that are not highly erodible (NHEL) do not require implementation of an approved conservation system.				
Field(s)	HEL/NHEL	Sodbust (Y/N)	Field Acreage	
15	NHEL	No	64.84	
10. The HEL determination was completed in: <input checked="" type="checkbox"/> Office <input type="checkbox"/> Field				
11. Remarks:	This Highly Erodible Land determination was conducted offsite using the soil survey. If PHEL soil map units were present, they may have been evaluated using elevation data.			
The above HEL determination is correct and conducted in accordance with policies and procedures contained in the National Food Security Act Manual.				
12. Signature Designated Conservationist			13. Date	
Nic Zmoos			Wednesday, March 15, 2023	



HEL Determination

3/15/2023

Farm: 8996

Tract: 9763

Customer(s): Daniel Meckstroth

County: Cerro Gordo, IA

Location: Grant 21

Assisted by: Nic Zmoos

USDA-NRCS

Service Center: New Hampton



Prepared with assistance from USDA-Natural Resources Conservation Service

0 330 660 Feet



An Equal Opportunity Provider, Employer, and Lender

CERTIFIED WETLAND DETERMINATION

1. Name:	Daniel Meckstroth	2. Location County:	Cerro Gordo
3. Address:	307 W Front St, Grand Ledge, MI 48837-1017	4. Admin. County:	Cerro Gordo
5. Request Form:	AD-1026	6. Farm Number:	8996
7. Request Date:	02/23/2023	8. Tract Number:	9763

This certified wetland determination identifies areas subject to the wetland conservation provisions of the 1985 Food Security Act, as amended. See the attached **Definitions of Wetland Labels and Uses** for additional information and currently authorized activities under the Act.

Field	Label	Occurrence year (CW+YEAR)	Acreage
1	PC/NW		71.71

9. Remarks

I certify that the above determinations are sufficient for the purpose of making a determination of eligibility for program benefits and were conducted in accordance with policies and procedures contained in the National Food Security Act Manual.

10. Signature Designated Conservationist:	Date:
NICHOLAS ZMOOS <small>Digitally signed by NICHOLAS ZMOOS Date: 2023.03.15 16:14:49 -05'00'</small>	03/15/2023

Farm: 8996
Tract: 9763
Geographic County: Cerro Gordo
Administrative County: Cerro Gordo
Customer: Daniel Meckstroth

Wetland Determination



Map Creation Date: 3/15/2023

Location: T97N, R22W, Sec 21
5th Meridian



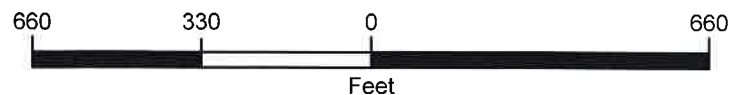
Image: 2021 NAIP Natural Color

- | | | |
|-----------------------|--|------------------------|
| Site_CWD | | Iowa - Counties |
| Wetland Label | | Iowa - Civil Townships |
| PC/NW | | Iowa - Section Lines |
| Iowa - PLSS Townships | | |

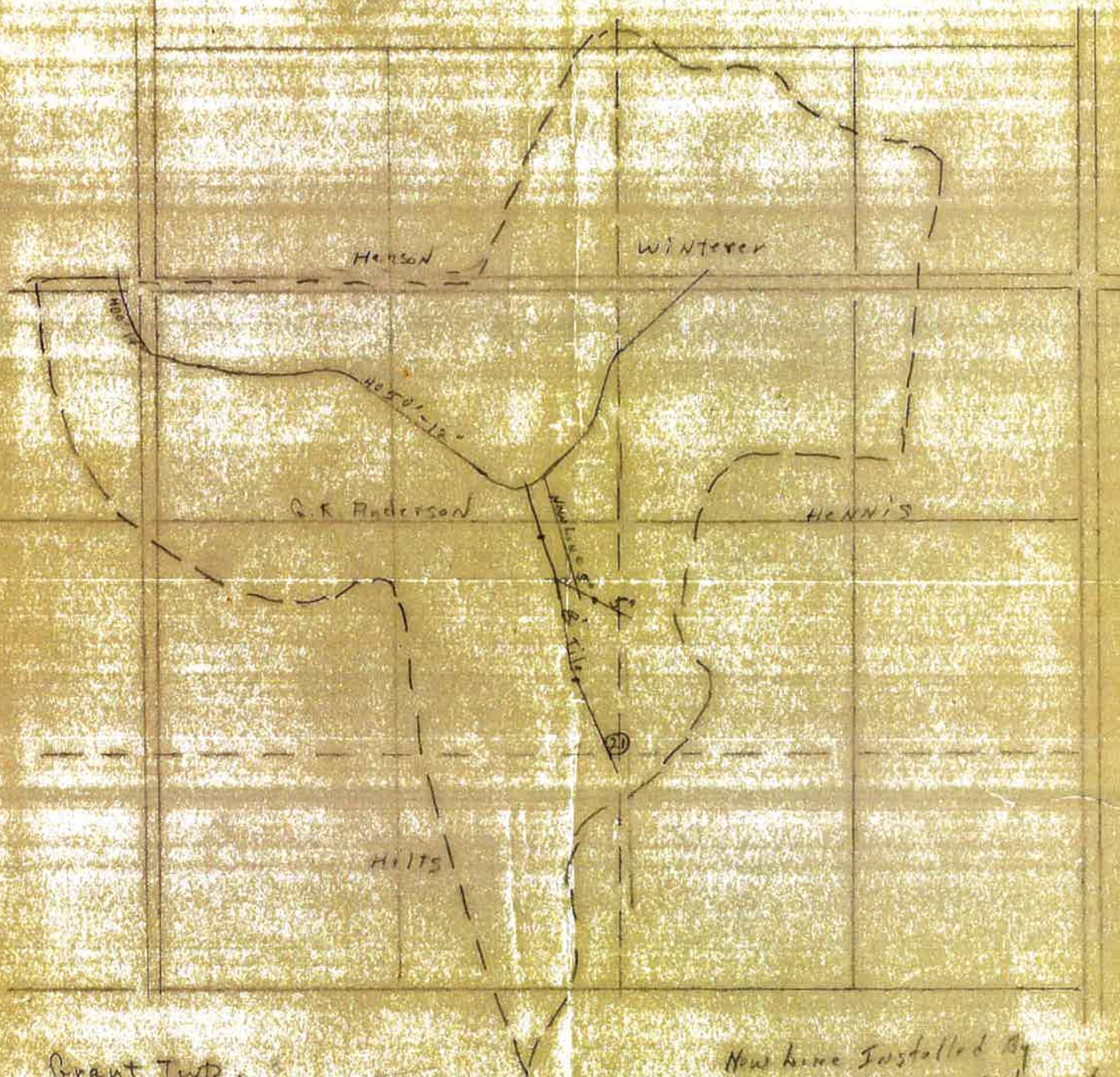
This certified wetland determination has been conducted for the purpose of implementing the wetland conservation provisions of the Food Security Act of 1985, as amended. No determination is made or implied in the unlabeled portions of the map. If land manipulations are planned in unlabeled areas which do not have previous determinations, a new determination should be requested.

N

Scale: 1:4,343



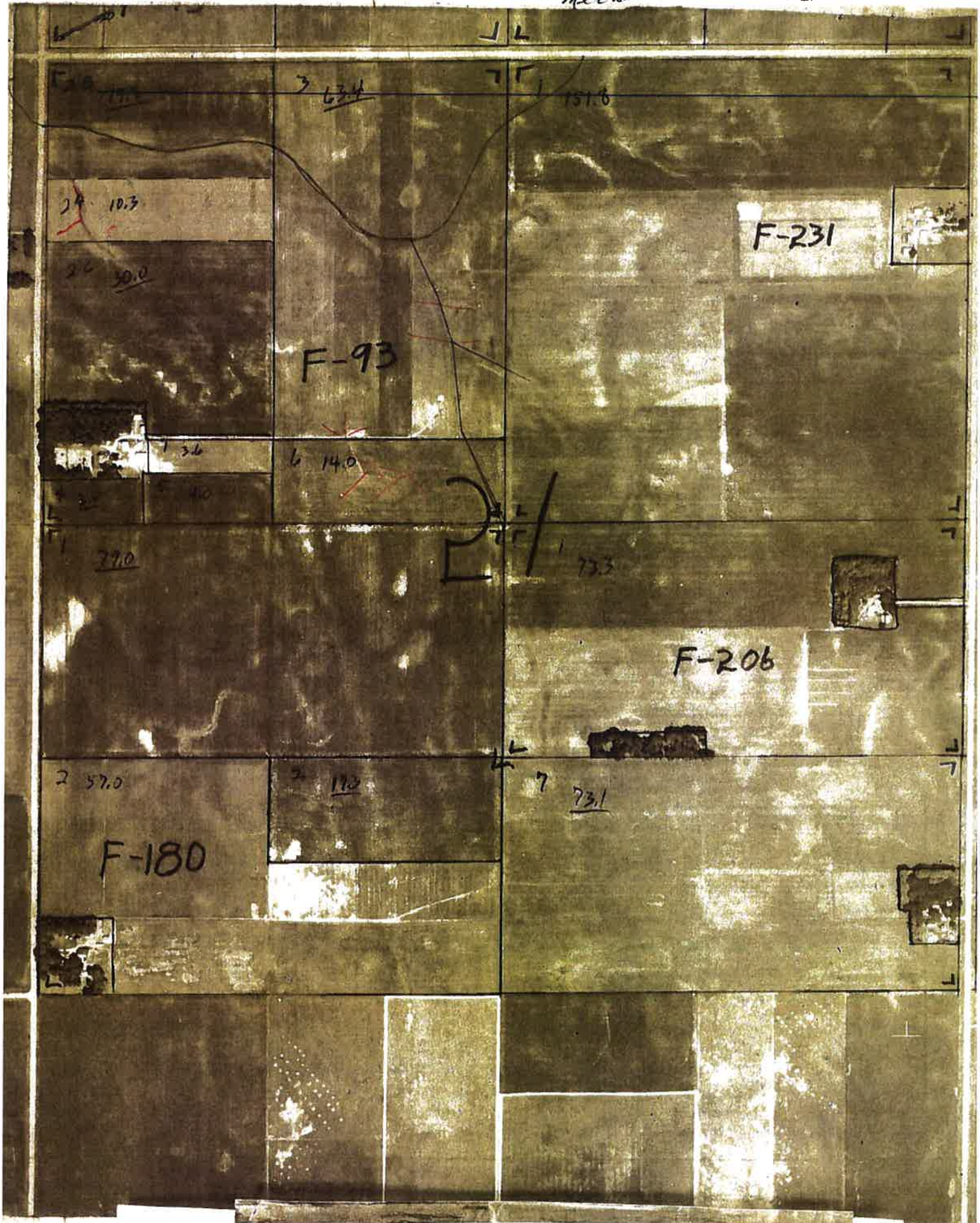
Plat of
Anderson & Henn's
Consent Dr. Dist.
in Sections 16, 20 & 21-47.22

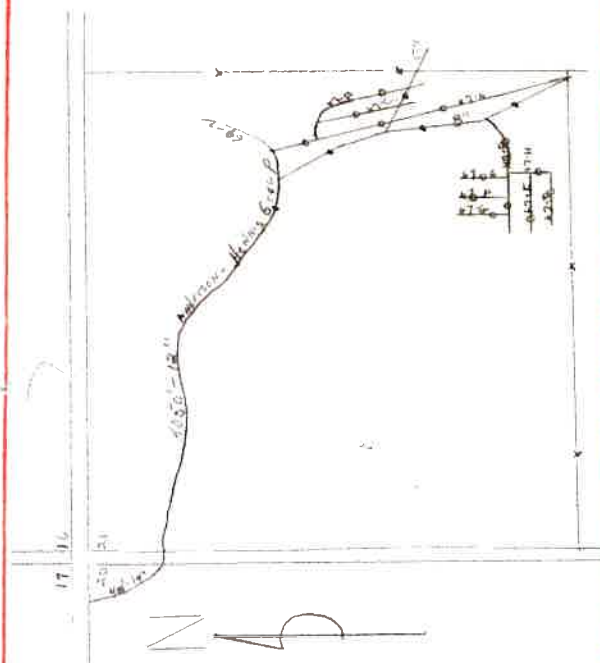


Grant Twp.

New line Installed By
Meckstrath 1967 Intercepts
old 5"

No Grades Run. Very Low
Pot Hole Areas. Tile As
Shown ON This Plat Turned
By Meckstrath Have 1/2" Coat
For Wet Areas
Approved By 1967 Time





Legend
 o New Title
 x County Title
 x Property Lines
 Section Corner

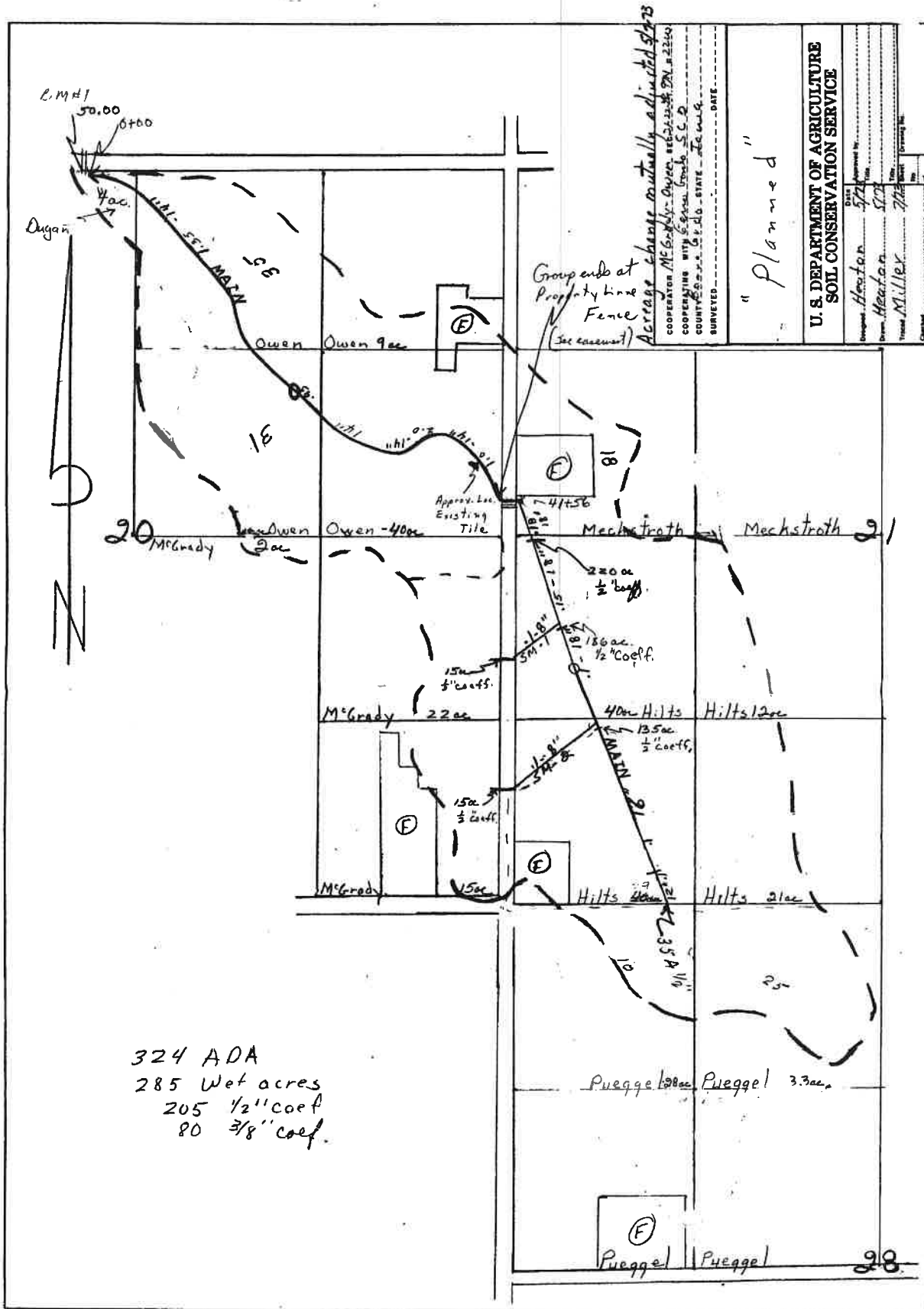


COOPERATION WITH MEKILIPATRE MO-21 COURT
COOPERATING WITH CENTRAL GOV. ASD
COUNTY CENTRAL GOV. STATE JAIL

NW 1/4 Sec. 21
Grant Twp
ACPM F-93

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE.

[illegible]



324 ADA
285 Wet acres
205 1/2" coef
80 3/8" coef.

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Tax Statement to: Barbara J. Meckstroth, Woodlands Creek Senior Living, 12655 Woodlands Parkway, Apt. 213,
Clive, Iowa 50325

TILE AND DRAINAGE AGREEMENT REGARDING

Tract 1:

The Northwest Quarter (NW 1/4) of Section Twenty-one (21), Township Ninety-seven (97) North, Range Twenty-two (22) West of the 5th P.M., Cerro Gordo County, Iowa except Parcel "B" in the Plat of Survey recorded on February 21, 2023, as Document No. 2023-745 in the office of the Cerro Gordo County Recorder and except the Plat of Survey recorded on September 28, 1994, as Document No. 9407905 in the office of the Cerro Gordo County Recorder.

Tract 2:

Parcel "B" being a part of the Northwest Quarter (NW 1/4) of Section Twenty-one (21), Township Ninety-seven (97) North, Range Twenty-two (22) West of the 5th P.M., Cerro Gordo County, Iowa in the Plat of Survey recorded on February 21, 2023, as Document No. 2023-745 in the office of the Cerro Gordo County Recorder.

1. PARTIES IDENTIFIED. This Agreement between:

Barbara J. Meckstroth, a single person, Sonya L. Render and McNeil Render, a married couple, Denise L. Crawford and Dennis C. Crawford, a married couple,

Daniel W. Meckstroth and Andrea M. Meckstroth, a married couple, and Marcie S. Walter and Tom W. Walter, a married couple.

2. CONSIDERATION. This Agreement is executed for good and valuable consideration, the receipt and sufficiency of which are acknowledged.

3. PROPERTIES IDENTIFIED.

A. Barbara J. Meckstroth owns Tract 1.

B. Sonya L. Render, Denise L. Crawford, Daniel W. Meckstroth, and Marcie S. Walter own Tract 2.

4. BACKGROUND.

A. Tract 1 lays adjacent and north of Tract 2.

B. The parties are not certain if the two Tracts are currently improved with lateral tile lines, main tile lines, outlets, and waterways.

C. The general flow of groundwater and surface water is from the south to the north.

D. If tile lines are installed some of the mains and laterals are shared, and run from one tract to the other, with the entire drainage serving both tracts.

E. There is no existing tile map that currently shows the installation of tile lines on both tracts.

5. EASEMENTS GRANTED FOR TILE AND DRAINAGE PURPOSES.

A. Each party grants to the other an easement to use, inspect, maintain, repair and replace the drain tile, outlets, and waterways that run on each tracts.

B. In the event the owner of Tract 2 decides to install a new drainage tile line in order to remove water from Tract 2, then the owner of Tract 1 will allow the new tile line and new outlet main to pass through Tract 1. The owner of Tract 2 will pay 100% of the cost for initial installation to install the tile line and outlet on both Tract 1 and Tract 2. The owner of Tract 1 at no expense shall be allowed to hook onto the new main line at no expense.

C. In the event that there are existing tile lines and an outlet then the owner of Tract 2 shall be entitled to connect all main lines and laterals on their property to the main tile line on Tract 1 at no expense to the owner of Tract 1. The owner of Tract 2 shall not destroy any existing main tile lines if there are any on Tract 1.

D. The owner of Tract 1 shall pay all future maintenance cost to maintain the tile lines on Tract 1. The owner of Tract 2 shall pay all future maintenance cost to maintain the tile lines on Tract 2.

E. The owners of Tracts 1 and 2 shall pay all costs of maintenance equally to maintain the outlet that either exists or maybe built on Tract 1 in the future.

F. The owner of one tract shall have the authority to enter the adjacent tract for the purposes of inspection, maintenance, repairs and replacements.

G. Every effort shall be made in order that any entry onto a tract shall be made at a time that will cause the least amount of crop damage.

H. After entry onto a tract, the tract shall be restored to the condition that existed before prior entry.

I. In the year in which an entry occurs, if any crops on the tract are damaged, the owners of the tract served by the tile line which was the reason for the entry, shall reimburse the owner of the other tract, and any tenant which is applicable, for crop damage based upon the cash price on December 1 in the year in which the crop damage occurred, to be based upon the average yield for the field on which the real estate is located. In some instances, it is possible that the owners of both tracts will share equally the expense of the crop damage.

J. The owner of no other property shall be permitted to connect to the drainage system located upon the two tracts without the consent of the owners of both tracts.

K. The owner of a tract shall be permitted to increase the number of tile lines within such owner's tract.

6. NATURE OF EASEMENTS.

A. The easements are permanent and perpetual and are covenants running with the lands.

B. The easements are binding upon and inure to the benefit of the successors and assigns of the owners of the Tracts described in this instrument.

7. DUTIES TO ACT FAIRLY. The parties agree that they have duties to cooperate, to act fairly, and to act in good faith in connection with all matters regarding this Agreement.

To the extent there exists tile maps and other information regarding the drainage system, the parties shall share information.

8. GOVERNING LAW. This Agreement shall be governed by the laws of Iowa.
9. CAPTIONS. Captions are for convenience and shall not affect interpretation.
10. WAIVER. No waiver of any breach of this Agreement shall be considered to be a waiver of any other or subsequent breach.
11. CONSTRUCTION. Words and phrases shall be construed as in the singular or plural number and in the masculine, feminine, or neuter gender according to the context.
12. SEPARATE SIGNATURE PAGES. This Agreement is executed on separate signature pages and becomes effective when all parties have signed, whether on the same or separate copies of this Agreement.

Dated: March _____, 2023