U.S. DEPARTMENT OF AGRICULTURE

OMB NO. 0578-0013

AD-1158

SUBORDINATION AGREEMENT AND LIMITED LIEN WAIVER

1. To be completed by NRCS; check appropriate box:

2. AGREEMENT NO.: _____

☐ **This transaction is for CCC**

☐ **This transaction is for NRCS**

This Subordination Agreement and Limited Lien Waiver, effective (3.) _____ , is signed by (4.) _____ (indicate person or person signing this document or party on whose behalf the document is signed) "Subordinating Party" who hereby grants, to the extent specified in Part II of this document, the following subordination and limited lien waiver to the United States of America (United States) by and through the Natural Resources Conservation Service or the Commodity Credit Corporation, as indicated above. The property described below is encumbered with an easement as described in the attached Warranty Easement Deed.

This easement are is located in the County (Borough or Parish) of (5.) _____ and State of (5a.) _____ and is identified as follows:

6. Easement Area. The property encumbered by the Federal easement is described as follows: (Provide a legal description of the land comprising the easement area or record-able plot).

PART I - GENERAL TERMS

A. Authority. This Subordination Agreement and Limited Lien Waiver is acquired by the United States under the authority of 7 U.S.C 428a.

B. Purposes. This Subordination Agreement and Limited Lien Waiver is required by the United States in connection with its acquisition of an easement over the property described above to ensure that the easement area is maintained to promote wetland functions and values.

C. Duration of Easement and this Subordination Agreement and Limited Lien Waiver. The easement and subordination and limited lien waiver shall continue for the duration of the easement deed.

PART II - SUBORDINATION AGREEMENT AND LIMITED LIEN WAIVER

The Subordinating Party: (1) subordinates its interest in the property described herein to the easement of the United States for the same property which is conveyed to the United States in the easement; (2) acknowledges that the property which contains the easement area is burdened by the right of access granted to the United States in the easement and agrees that this right of access shall be superior to any rights of the Subordinating Party; (3) subordinates its interest in the property to the purposes of the easement and any easement practices adopted pursuant to such purposes; and (4) agrees that the United States may make payments in connection with the easement deed without regard to any lien or claim that the Subordinating Party may have with respect to any person with an interest in the easement area, unless an assignment of such payment has been made to the Subordinating Party on a form approved by the United States.

SUBORDINATION AGREEMENT AND LIMITED LIEN WAIVER

This Subordination Agreement and Limited Lien Waiver: (1) binds the Subordinating Party and its heirs, agents, assigns, and successors with respect to the interests that the Subordinating Party and such other persons have, or may have, in the property or against any person having an interest in the property; and (2) inures in favor of the United States and its assigns of any kind.

7 a. _____ 7 b. Date: _____ 7 c. Title: _____
Signature Authorizing Rep. of Sub. Party

8. (INSERT ACKNOWLEDGEMENT STATEMENT BY NOTARY IN ACCORDANCE WITH STATE OR LOCAL PRACTICE)

OMB Disclosure Statement

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