Book 2009 Page 484
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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

REAL ESTATE TRANSFER - GROUNDWATER HAZARD STATEMENT

TO BE COMPLETED BY TRANSFEROR

TRANSFEROR:

Name Lake Delhi Recreation Association, Inc. (LDRA)

Address P.O. Box 67 (Number and Street or RR) | Delhi (City, Town or P.O.) | IA (State) | 52223-0067 (Zip)

TRANSFEREE:

Name Modern Hydro

Address E2030 N Westgate Acres Rd. (Number and Street or RR) | Waupaca (City, Town or P.O.) | WI (State) | 54981 (Zip)

Address of Property Transferred:

Lake Delhi Dam, 230th Street (Number and Street or RR) | Delhi (City, Town, or P.O.) | IA (State) | 52223 (Zip)

Legal Description of Property: (Attach if necessary) See Attached

1. **Wells (check one)**
   - ☒ There are no known wells situated on this property.
   - ☐ There is a well or wells situated on this property. The type(s), location(s) and legal status are stated below or set forth on an attached separate sheet, as necessary.
2. **Solid Waste Disposal (check one)**
   - ☒ There is no known solid waste disposal site on this property.
   - ☐ There is a solid waste disposal site on this property, but no notice has been received from the Department of Natural Resources that the site is deemed to be potentially hazardous.
   - ☐ There is a solid waste disposal site on this property which has been deemed to be potentially hazardous by the Department of Natural Resources. The location(s) of the site(s) is stated below or on an attached separate sheet, as necessary.
3. **Hazardous Wastes (check one)**
   - ☒ There is no known hazardous waste on this property.
   - ☐ There is hazardous waste on this property and it is being managed in accordance with Department of Natural Resources rules.

4. **Underground Storage Tanks (check one)**
   - ☒ There are no known underground storage tanks on this property. (Note exclusions such as small farm and residential motor fuel tanks, most heating oil tanks, cisterns and septic tanks, in instructions.)
   - ☐ There is an underground storage tank on this property. The type(s), size(s) and any known substance(s) contained are listed below or on an attached separate sheet, as necessary.
5. **Private Burial Site (check one)**
   - ☒ There are no known private burial sites on this property.
   - ☐ There is a private burial site on this property. The location(s) of the site(s) and known identifying information of the decedent(s) is stated below or on an attached separate sheet, as necessary.
6. **Private Sewage Disposal System (check one)**
   - ☒ There are no known private sewage disposal systems on this property.
   - ☐ There is a private sewage disposal system on this property. A certified inspector's report is provided which documents the condition of the private sewage disposal system and whether any modifications are required to conform to standards adopted by the Department of Natural Resources.
   - ☐ There is a private sewage disposal system on this property. Weather or other temporary physical conditions prevent the certified inspection of the private sewage disposal system from being conducted. The buyer has executed a binding acknowledgment with the county board of health to conduct a certified inspection of the private sewage disposal system at the earliest practicable time and to be responsible for any required modifications to the private sewage disposal system as identified by the certified inspection. A copy of the binding acknowledgment is provided with this form.
   - ☐ There is a private sewage disposal system on this property. The building to which the sewage disposal system is connected will be demolished without being occupied. The buyer has executed a binding acknowledgment with the county board of health to demolish the building within an agreed upon time period. A copy of the binding acknowledgment is provided with this form.

Information required by statements checked above should be provided here or on separate sheets attached hereto:

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_____

I HEREBY DECLARE THAT I HAVE REVIEWED THE INSTRUCTIONS FOR THIS FORM
AND THAT THE INFORMATION STATED ABOVE IS TRUE AND CORRECT.

Signature: Maggie Burger, Exec. Director Telephone No.: (563) 920-1145
(Transferor or Agent)

FILE WITH RECORDER **DNR form 542-0960 (February 1, 2009)**

LEGAL DESCRIPTION:

LEASE AREA FOR LAKE DELHI DAM STRUCTURE

COMMENCING at the Northeast Corner of Tract No. 4 (the Delhi Hydro-Electric Plant Site) as recorded in Plat Book B, Page 4 and Page 53 in the Office of the Delaware County Recorder;

THENCE along the Northerly Line of said Tract No. 4, South 55° 22' 52" West, to the centerline of County Road X-31, also being 230th Avenue, 94.46 feet;

THENCE along the centerline of said County Road X-31, also being 230th Avenue, South 20° 28' 15" East, to the intersection of said centerline with the Northerly Line of the Lake Delhi Dam and bridge structure, 79.89 feet, the **POINT OF BEGINNING**;

THENCE North 69° 39' 46" East, 12.55 feet;

THENCE South 20° 20' 14" East, 16.14 feet;

THENCE North 69° 39' 46" East, 63.56 feet;

THENCE South 20° 20' 14" East, 130.71 feet;

THENCE South 65° 20' 14" East, 25.49 feet;

THENCE South 24° 39' 46" West, 2.55 feet;

THENCE North 85° 35' 18" West, 23.01 feet;

THENCE South 69° 39' 46" West, 39.26 feet;

THENCE South 20° 20' 14" East, 9.18 feet;

THENCE South 69° 39' 46"West, 56.55 feet;

THENCE South 24° 39' 46"West, 45.76 feet;

THENCE North 65° 20' 14" West, 20.40 feet;

THENCE North 24° 39' 46" East, 53.22 feet;

THENCE North 20° 20' 14" West, 127.15 feet;

THENCE North 69° 39' 46" East, 8.16 feet;

THENCE North 20° 20' 14" West, 19.38 feet;

THENCE North 69° 39' 46" East, 25.36 feet to the **POINT OF BEGINNING**

The above Legal Description and attached Exhibit A is for a lease agreement for the Delhi Dam and Bridge Structure located upon Tract No. 4 and Tract No. 5 of the Land acquired by Interstate Power and Light Company in Plat Book B, Page 4 and Page 53 and Plat Book B, Page 3, respectively, in the Office of the Delaware County Recorder. The distances for the Delhi Dam and Bridge Structure are based upon construction plans and surveyed locations. This legal description may or may not include portions of the Delhi Dam and Bridge Structure that are under water, buried or deemed not a part of the actual Delhi Dam and Bridge Structure. The intent of this Legal Description is to generally describe the Delhi Dam and Bridge Structure for lease purposes. It is not intended for title transfer or taxation purposes.

The Northerly Line of Tract No. 4 of the Land acquired by Interstate Power and Light Company in Plat Book B, Page 4 and Page 53 in the Office of the Delaware County Recorder is assumed to bear South 55° 22' 52" West.