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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

CERTIFICATE OF NO FURTHER ACTION

Prepared By: Bonnie Garrison, 515-281-6010
IOWA DEPARTMENT OF NATURAL RESOURCES, ~~502 E 9th Street, Des Moines, IA 50319~~
819 E. BUTLER STREET.
Return To: Don and Barbara Gentz, ~~220 E. Main Street~~, Manchester, IA 52057

This document certifies that the referenced underground storage tank (UST) site has been classified by the Iowa Department of Natural Resources (Department) as "no further action" as provided in Iowa Code section 455B.474(1)(h)(3), as amended by 2007 Iowa Acts, S.F. 499, Section 2. This certificate must be recorded in the referenced site's County Recorders Office. *See id.*

Date of Issuance: April 24, 2009
Owner/Operator of the Tank(s): DON GENTZ
Department File Reference: UST No. 8913674
LUST No. 8LTM47

UST Facility Address:
DON'S STANDARD SERVICE
220 E. MAIN STREET
MANCHESTER, IA 52057

Owner/Operator Mailing Address:
DON R. AND BARBARA E. GENTZ
220 E. MAIN STREET
MANCHESTER, IA 52057

Legal Description of the UST Site:
THE SOUTH SIXTY FEET (60') OF LOT ONE HUNDRED THIRTY-FOUR (134); AND

THE EAST FORTY-FOUR (44) FEET OF LOT ONE HUNDRED THIRTY-FIVE (135), MANCHESTER, IOWA, SAME BEING A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION TWENTY-NINE (29), TOWNSHIP EIGHTY-NINE (89) NORTH, RANGE FIVE (5) WEST OF THE FIFTH PRINCIPAL MERIDIAN, TOGETHER WITH A GRANT, WITHOUT WARRANTY, OF A RIGHT-OF-WAY INSOFAR AS THE INTEREST

OF THE GRANTOR MAY BE CONCERNED, OVER AND UPON THAT PORTION OF THE STREET TO THE SOUTH OF LOT ONE HUNDRED THIRTY-FIVE (135) IN THE CITY OF MANCHESTER, DELAWARE COUNTY, IOWA, LYING SOUTH AND EAST OF A LINE COMMENCING AT THE SOUTHWEST CORNER OF THE EAST FORTY-FOUR (44) FEET OF SAID LOT AND RUNNING THENCE SOUTHWEST, AT AN ANGLE OF 45 DEGREE TO THE EXTENSION OF THE WEST LINE OF SAID EAST FORTY-FOUR (44) FEET OF SAID LOT, TO THE CENTER OF MAIN STREET, FOR THE USE OF THE GRANTEE AND THE PUBLIC GENERALLY;

GROUNDWATER INGESTION--ORDINANCE: Soil or Groundwater contamination is present (or may be present in the furture due to contaminant migration) at levels which if ingested by humans could present an unreasonable risk to health. The potential for exposure to this groundwater by installation of groundwater wells is being regulated by the following control: A city or county ordinance was in place at the time of issuance of this no further action certificate which regulates the installation of drinking and non-drinking water wells. The permitting authority has provided a non-binding certification that it is not likely to allow permitting of groundwater wells on this property because of the availability of a public water supply. If this ordinance is not maintained or is otherwise establised to be ineffective, the 'no action required' classification may be rescinded.

This certificate prohibits the Department from requiring a property owner or a responsible party from conducting further corrective action if the only reason is a change in action levels. *See id.* However, this certificate does not prevent the Department from requiring further corrective action at the site if a new petroleum release occurs or if a previously-unknown or unforeseen risk condition should arise. *See id; see also* 567 IOWA ADMINISTRATIVE CODE 135.12(10)(b).

This certificate does not constitute a warranty or representation of any kind to any person as to the environmental condition, marketability, or value of the above-referenced property other than that NFA-qualifying status was achieved upon the date of certificate issuance. *See* IOWA CODE § 455B.474(1)(h)(1).

FOR THE DIRECTOR:

Elaine R. Douskey

ELAINE DOUSKEY, Supervisor
UST Section
Environmental Services Division

State of Iowa)
County of Polk) ss.

This instrument was acknowledged before me on this 24th day of April, 2009, by Elaine R. Douskey, who executed the foregoing instrument, and acknowledge that this person executed the same as his/her/their voluntary act and deed.

Karen A. Anderson

Notary Public for State of Iowa

My Commission Expires 10-19-2011

