Book 2009 Page 4742

Document 2009 GWH-4742 Type 53 001 Pages 3
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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 Sandi's Pond, L.L.C., an Iowa Limited Liability Company

Address 510 S Brewer Street, Manchester, Iowa 52057
Number and Street or RR | City, Town or P.O. | State | Zip

TRANSFEREE:

Name James A. Boge

Address 1701 195th Street, Manchester, Iowa 52057
Number and Street or RR | City, Town or P.O. | State | Zip

Address of Property Transferred:
911 Burrington Rd | Manchester | Ia | 52057
Number and Street or RR | City, Town, or P.O. | State | Zip

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

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 and information related thereto is provided in Attachment #1, attached to this document.
3. **Hazardous Wastes (check one)**
   - ☒ There is no known hazardous waste on this property.
   - ☐ There is hazardous waste on this property and information related thereto is provided in Attachment #1, attached to this document.
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 attached 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. A certified inspection report must be accompanied by this form when recording.
   - ☐ 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 attached to this form. When the inspection is completed, an amended Groundwater Hazard Statement shall be recorded with the certified inspection and shall include the document numbers of both the real estate transfer document and the original Groundwater Hazard Statement.
   - ☐ 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.
   - ☐ This property is exempt from the private sewage disposal inspection requirements pursuant to the following exemption: _____.
   - ☐ The private sewage disposal system has been installed within the past two years pursuant to permit number _____.

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

_____

_____

_____

_____

_____

_____

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

Signature: X _____ Telephone No.: X 563-927-2988
(Transferor or Agent)

FILE WITH RECORDER **DNR form 542-0960 (June 26, 2009)**

Sandi's Pond, LLC – Boge
Legal Description

That part of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section Thirty Two (32), Township Eighty Nine (89) North, Range Five (5), West of the Fifth Principal Meridian described as commencing at the Southeast corner of said Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) and running thence West four hundred thirty nine and five-tenths (439.5) feet to the East right-of-way line of the county road, thence North two hundred twenty one and five-tenths (221.5) feet to a point sixty (60.0) feet radially distant Southeasterly from the centerline of Primary Road No. 13, as relocated in 1930, thence Northeasterly along a one thousand two hundred six (1206.0) feet radius curve, concave Northwesterly, a distance of approximately eight hundred forty (840.0) feet to a point on the East line of said Southwest Quarter (SW¼) of the Southwest Quarter (SW¼), said point being sixty (60.0) feet radially distant Southeasterly from the centerline of Primary Road No. 13, thence South 0° 03' East eight hundred eighty seven (887.0) feet to the point of beginning, except that part lying Southerly of the following described line: commencing at the Southeast corner of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of said Section Thirty Two (32), thence Northerly along the East line of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of said Section Thirty Two (32) eighty (80) feet to the point of beginning, thence West along a line parallel to the South line of said Section Thirty Two (32) sixty and twenty six hundredths (60.26) feet to a tangent point, thence Northwesterly along a circular curve concave Northeasterly with a radius of three hundred three and seventy seven hundredths (303.77) feet for an arc length of two hundred sixty five and nine hundredths (265.09) feet, thence North 32° 03' 30" West seventy two and twenty six hundredths (72.26) feet to a point sixty (60) feet radially distant Southeasterly from the centerline of former Primary Road No. 13, as relocated in 1930; also that part of Lots Twelve (12) and Thirteen (13) of the Subdivision of the East three-fourths (E 3/4) of the South one-half (S½) of Section Thirty Two (32), Township Eighty Nine (89) North, Range Five (5), West of the Fifth Principal Meridian, according to plat recorded in Book A Plats, Page 5, described as commencing at the Southwest corner of said Lot Thirteen (13), which is the Southwest corner of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of said Section Thirty Two (32), thence running North along the West line of said Lot Thirteen (13) and Lot Twelve (12) to a point on the West line of said Lot Twelve (12) which is two hundred (200.0) feet South of the Southwest corner of Lot Eleven (11) of said Subdivision, thence running East on a line parallel with the South line of said Lot Eleven (11) to the West line of the right-of-way of the Cedar Rapids Branch of the Illinois Central Railroad Company, thence South along the West line of said right-of-way to the South line of said Lot Thirteen (13), thence West along the South line of Lot Thirteen (13) to the point of beginning, except that part of Lot Twelve (12) described as commencing at a point eight hundred forty three and sixty five one-hundredths (843.65) feet North and thirty three (33.0) feet East from the Southwest corner of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of said Section Thirty Two (32), and running thence North seventy five (75.0) feet, thence East one hundred twenty five (125.0) feet, thence South seventy five (75.0) feet, thence West one hundred twenty five (125.0) feet to the point of beginning, and also except that part of Lot Twelve (12) described as commencing at the Southwest corner of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of said Section Thirty Two (32), thence East thirty three (33.0) feet, thence North nine hundred forty eight (948.0) feet to a point on the North line of the railroad spur easement, said point being the point of beginning, thence North three hundred twenty five (325.0) feet, thence East three hundred seventy four (374.0) feet, thence Southwesterly five hundred thirty six and six-tenths (536.6) feet along the Northerly line of the railroad spur easement, concave Northwesterly, with a radius of three hundred ninety and three-tenths (390.3) feet to the point of beginning, except that part conveyed to the City of Manchester, Iowa, by Quit Claim Deed recorded in Book 125 L.D., Page 153