Book 2010 Page 242

Document 2010 GWH-242 Type 53 001 Pages 2 6
Date 1/25/2010 Time 10:44:05AM
Rec Amt $.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

REAL ESTATE TRANSFER - GROUNDWATER HAZARD STATEMENT
TO BE COMPLETED BY TRANSFEROR

TRANSFEROR:
Name Wiewel Holdings, L.L.C., an Iowa Limited Liabilty Company

Address 18271 224th Street, Manchester, Iowa 52057
Number and Street or RR | City, Town or P.O. | State | Zip

TRANSFEREE:
Name Richard J. Foust and Dianne K. Foust

Address 709 Anderson Street, Manchester, Iowa 52057
Number and Street or RR | City, Town or P.O. | State | Zip

Address of Property Transferred:
969 East Main Street, Manchester, Iowa 52057
Number and Street or RR | City, Town, or P.O. | State | Zip

Legal Description of Property: (Attach if necessary) Lot Four (4) of "Homeworks Subdivision" being a subdivision of Parcel J in Section 33, Township 89 North, Range 5 West of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa, according to plat recorded in Book 1999, Page 232.

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: _____ Telephone No.: 563 927-5090
(Transferor or Agent)

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

Time of Transfer Inspection Report (DNR Form 542-0191)

Property information

Current owner Stanley James
Buyer Dick Faust Realtor
Mailing address 709 Anderson St. Manchester IA 52057

Site Address/County 985 East Main st. Manchester IA (Delaware) Co.
Legal Description
3 commercal shops
No. of bedrooms ____ Last occupied? Presnt Records available No

Permit/installation date N/A Separation distances ok/ no? OK

Septic system information

Septic tank(s): size 1250 gal 2 comp material Concrete condition Good
Tank pumped? Yes date 1-17-10 licensed pumper st 49
Septic/trash/processing tank: size ____ material ____ condition ____
Tank pumped? ____ date ____ licensed pumper ____

Aerobic treatment unit (ATU) mfgr ____ size ____
Tank pumped? ____ date ____ licensed pumper ____
Maintenance contract? ____ expiration date ____ service provider ____
Condition ____

Pump tanks/vaults: type PVC Basin size 30"x 48" condition Poor

Distribution system: distribution box Yes outlets used 3 condition Fair
Header pipe(s) ____ # of lines 3 Pressure dosed? No (gravity)

Secondary treatment:
length of absorption fields UK determined by ____
condition of fields UK determined by ____
type of trench material Rock + Pipe

Size of sand filter ____ determined by ____
Vent pipes above grade? ____ discharge pipe located? ____
Effluent sample taken? ____ Results ____

Media filters: type ____
Maintenance contract? ____ expiration date ____ service provider ____
Condition ____

NPDES General Permit No. 4: required? ____ permitted? ____ NOI provided ____

Time of Transfer Inspection Worksheet

Other components:
Alarms NA Working? NA disinfection NA working? NA

Control box NA Timers NA inspection ports NA

Other components Junction Box Above ground splice for pump + Float.

Overall condition of the private sewage disposal system

Report system status System is in good working order but pump tank needs to be updated + sealed up
Explain (attach additional pages as needed): Septic System had Petroleum odors

Comments:

Site status at conclusion of Time of Transfer inspection:

- Verify that controls are set on the appropriate mode.
- Power is on to all components.
- Revisit all components to verify lids are secure.
- Gather all tools for removal from the site.
- Verify that no sewage is on the ground surface.

Using this worksheet, write a narrative report of the inspection results and attach a site sketch.

This report indicates the condition of the private sewage disposal system at the time of the inspection. It does not guarantee that it will continue to function satisfactorily.

Signature of Certified inspector: [signature] Date: 1-19-10
Name (print): Luke Ogden Certificate #: 6715
Address: 1332 N Franklin St. Manchester IA 52057
Phone # 563-927-5790

Provide a copy of this report, the narrative report and sketch to the seller/agent, buyer/agent, the county sanitarian/environmental health office in the county the inspection was conducted and to;

Iowa DNR Onsite Wastewater Program
502 E. 9th St.
Des Moines, IA 50319

THE IOWA STATE BAR ASSOCIATION Official Form No. 103 | ISBA# 00756 | FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

Personal Property of 5,000 Total Paid for Real Property is $35,000

Entered for taxation 9th day of May A.D., 1996
Sharon McCrabb, Auditor
By Carla Becker, Deputy
89-143

REAL ESTATE TRANSFER TAX PAID 10 STAMP #
$ 55.20
Deborah L. Peyton RECORDER By: mcg
4-25-96 DATE
Shelf Address

AUDITOR FEE $ 5.00 RECORDER FEE $ 6.00

DELAWARE COUNTY, IOWA FILED
APR 25 PM 1 50
214-3028
136 PAGE 252
DEBORAH L. PEYTON DELAWARE CO. RECORDER

Ken Burns 129 Crescent Manchester, IA

Preparer Information: E. MICHAEL CARR, ATTY. P.O. BOX 333 MANCHESTER, IA 52057 319-927-4164
Individual's Name | City | Phone

SPACE ABOVE THIS LINE FOR RECORDER

WARRANTY DEED - JOINT TENANCY

For the consideration of Forty Thousand and 00/100 ($40,000.00)---------- Dollar(s) and other valuable consideration,
Richard J. Foust and Dianne Foust, husband and wife

do hereby Convey to
Kenneth A. Burns and Janet K. Burns, husband and wife

as Joint Tenants with Full Rights of Survivorship, and not as Tenants in Common, the following described real estate in Delaware County, Iowa:

East two hundred (200) feet of that part of the Northeast Quarter of the Northwest Quarter of Section Thirty Three (33), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M. lying North of the Illinois Central Railroad right-of-way; and commencing at a point two hundred (200) feet West of the intersection of the East line of said Northeast Quarter of Northwest Quarter with the North line of said Railroad right-of-way, thence North one hundred forty four (144) feet, thence Southwesterly to a point on the North line of said Railroad right-of-way one hundred eighty five (185) feet West of the point of beginning, thence East to point of beginning, except Parcel "J" of the Plat of Survey of part of the East 200 feet of that part of the Northeast Quarter of the Northwest Quarter of Section Thirty Three (33), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M. lying North of the Illinois Central Railroad right-of-way in Delaware County, Iowa, recorded in Book 7 Plats, Page 184 of the records of the Delaware County Recorder subject to easements of record.

Grantors do Hereby Covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and convey the real estate; that the real estate is Free and Clear of all Liens and Encumbrances except as may be above stated; and grantors Covenant to Warrant and Defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

STATE OF IOWA, ss:
DELAWARE COUNTY,

On this 25 day of April, 19 96, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard J. Foust and Dianne Foust, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Carol A. Cooper
Notary Public

(This form of acknowledgment for individual grantor(s) only)

Dated: April 25, 1996

Richard J. Foust (Grantor)

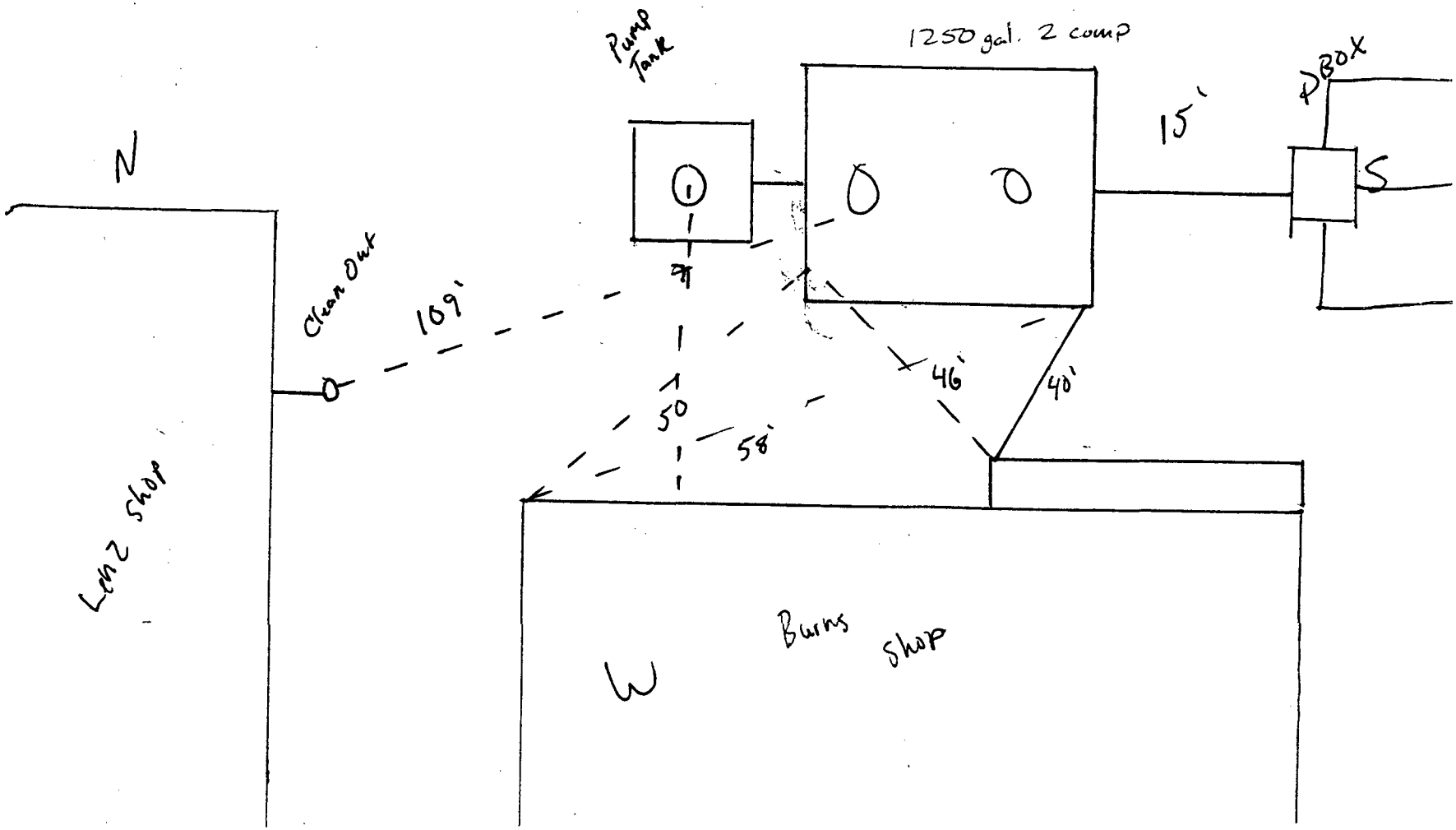
Dianne Foust (Grantor)

(Grantor)

(Grantor)

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E
Pump Tank
1250 gal. 2 comp
D BOX
15'
N
S
Clean Out
109'
46'
40'
50'
58'
Lenz Shop
Burns Shop
W