Book 2010 Page 2186

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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 Russell J. Peck

Address 25936 225th Avenue, Delhi, Iowa 52223
Number and Street or RR | City, Town or P.O. | State | Zip

TRANSFEREE:
Name David and Debra Wendt

Address 2389 230th Avenue, Delhi, Iowa 52223
Number and Street or RR | City, Town or P.O. | State | Zip

Address of Property Transferred:
25936 225th Avenue, Delhi, Iowa 52223
Number and Street or RR | City, Town, or P.O. | State | Zip

Legal Description of Property: (Attach if necessary) See 1 in Addendum

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 Russell L. Fuchs (Transferor or Agent) Telephone No: 319-360-6300

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

Addendum

1. Lot Five (5) and the Northerly twelve and five-tents (12.5) feet of Lot Four (4) of H.L.C. First Subdivision of part of the Southeast quarter (SE¼) of the Southeast Quarter (SE¼) and part of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section Nineteen (19), Township Eighty Eight (88) North, Range Four (4), West of the Fifth Principal Meridian, according to plat recorded in Book 2 Plats, Page 176, except that part described as commencing at the Northeast corner of said Lot Four (4) and running thence South 24° 23' East along the Easterly line of Lot Four (4) a distance of twelve and five-tenths (12.5) feet, thence South 65° 37' West one hundred fifty (150) feet to the West line of said Lot Four (4), thence North 54° 18' 24" East one hundred fifty two and ninety seven one-hundredths (152.97) feet to the Easterly line to Lot Five (5), thence South 24° 23' East along the Easterly line of Lot Four (4) seventeen and one-half (17½) feet to the point of beginning.

IOWA DEPARTMENT of NATURAL RESOURCES
TIME OF TRANSFER INSPECTION WAIVER
BINDING AGREEMENT for FUTURE INSTALLATION
542-0064

This agreement is entered into this 25 day of June ,20 10 by and between the Delaware ____ County Board of Health and Dave Wendt

It is understood that Iowa Code 455B.172(11) requires an inspection of the private sewage disposal system on all properties not specifically exempted in Iowa at the time of transfer.

The property located at 25936 Delhi , Iowa is subject to the inspection, and the buyer Dave Wendt understands there is not an adequate private sewage disposal system serving this property.

It is hereby agreed that the time of transfer inspection will not be required and the buyer agrees that a code compliant private sewage disposal system or connection to a public sewer shall be installed to serve the property and shall be completed no later than 1st day of September ,20 10

Dated the 2 day of July ,20 10 .

X Steve Carr as agent
BUYER

Dennis Lyons
COUNTY BOARD OF HEALTH or
AUTHORIZED REPRESENTATIVE

This instrument was acknowledged before me on July 2 ,20 10

-X ,20 by Steve Carr as Agent and

by X Dennis Lyons

Julia L. Hackbarth
Notary Public

X

notary public

JULIA L. HACKBARTH
Commission Number 169605
MY COMMISSION EXPIRES
MAY 24, 2011