Book 2010 Page 3327

Document 2010 GWH-3327 Type 53 001 Pages 3
Date 10/26/2010 Time 11:25:59AM
Rec Amt $.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

REAL ESTATE TRANSFER - GROUNDWATER HAZARD STATEMENT

TO BE COMPLETED BY TRANSFEROR

TRANSFEROR:

Name Leslie A. Keith and Cathleen L. Bedner-Keith

Address 3606 150th Ave., Ottumwa, IA 52501

Number and Street or RR | City, Town or P.O. | State | Zip

TRANSFEREE:

Name Kenneth Miles Keith

Address 376 E. Rochester, Ottumwa, IA 52501

Number and Street or RR | City, Town or P.O. | State | Zip

Address of Property Transferred:

2662 220th AVENUE | DELHI | IA | 52223

Number and Street or RR | City, Town, or P.O. | State | Zip

Legal Description of Property: (Attach if necessary) 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 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)

☐ All buildings on this property are served by a public or semi-public sewage disposal system.

☒ This transaction does not involve the transfer of any building.

☐ There is a building served by private sewage disposal system on this property or a building without any lawful sewage disposal system. 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 building served by 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.

☐ There is a building served by private sewage disposal system on this property. The buyer has executed a binding acknowledgment with the county board of health to install a new private sewage disposal system on this property within an agreed upon time period. A copy of the binding acknowledgment is provided with this form.

☐ There is a building served by 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. [Exemption #9]

☐ This property is exempt from the private sewage disposal inspection requirements pursuant to the following exemption [Note: for exemption #9 use prior check box]: _____.

☐ 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: Kathleen L. Rochus Keith Kathleen L. Rochus Keith Telephone No.: (641) 680-3661
(Transferor or Agent)

FILE WITH RECORDER **DNR form 542-0960 (Sept. 1, 2010)**

DESCRIPTION TO ACCOMPANY WARRANTY DEED FROM LESLIE A. KEITH AND CATHLEEN L. BEDNER-KEITH TO KENNETH MILES KEITH

An undivided one-seventh interest in a tract of land known as Keith's First Subdivision of Part of the South 1/2 of the Northeast 1/4 and Part of the North 1/2 of the Southeast 1/4 of Section 30, Township 88 North, Range 4 West of the 5th P.M., Delaware County, Iowa, which plat was filed for record in the office of the Recorder of Delaware County, Iowa in Book 4 of Plats at page 20 thereof; also an undivided one-seventh interest in an adjoining tract of real estate described in a deed dated December 19, 2001 and filed of record at Book 2001, Page 4687, in the office of the Recorder of Delaware County, Iowa, as described in the following description.

That part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty (30), Township Eighty-Eight North (T88N), Range Four West (R4W) of the Fifth P.M., Delaware County, Iowa, described as commencing at the Southwest corner of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of said Section Thirty (30), said point being the point of beginning, thence South 89°-06'-00" East 381.8 feet along the South line of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of said Section Thirty (30), thence North 48°-55'-35" West 248.9 feet, thence South 50°-56'-25" West 250.0 feet to the point of beginning, said parcel containing approximately 0.70 acres. Also, that portion of the Maquoketa River lying adjacent to the Northeasterly boundary of said described parcel and extending to the centerline of said river, and

All lake frontage, running to the water front and then at right angles to the middle of Delhi Lake, in respect to and adjoining premises now owned by grantee which are of record in the office of Recorder of Delaware County, Iowa, in Book 4, of Plats on Page 20 thereof, and designated as Keith's First Subdivision of part of the South Half (S½) of the Northeast Quarter (NE¼) and part of the North Half (N½) of the Southeast Quarter (SE¼) of Section Thirty (30), Township 88 North, Range 4, West of the Fifth P.M.; and the following tracts or portions thereof described in the Quit Claim Deed of Interstate Power Company to L.J. Schiltz and Connie A. Schiltz, as executrix and sole beneficiary of the Estate of John C. Schiltz, which Quit Claim Deed was dated the 1st day of July, 1974, and filed of record on the 25th day of July, 1974, in the office of the Recorder of Delaware County, Iowa, in Book 96, on Page 59 et seq thereof, to-wit: All of Tract 8 thereof, all that portion of Tract 6 lying West of a line that is parallel with and 325.7 feet West of the East line of said Section Thirty (30) thereof, and all that portion of Tracts 5 and 7 thereof from the edge of grantee's property to the center of Lake Delhi, subject to the reservations retained by Interstate Power Company as set forth therein, and also subject to the following covenants: 1. Same is subject to the existing flood plain rights and the grantees shall hold grantors harmless with regard to flooding of the property conveyed. 2. The grantees and their successors are restricted from changing or altering lake frontage without the written permission of the Lake Delhi Recreation Association, Inc.