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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

CERTIFICATE OF NO FURTHER ACTION

Prepared By: Dawn Santa Maria, 515.281.8865
IOWA DEPARTMENT OF NATURAL RESOURCES, 502 E 9th St, Des Moines, IA 50319-0034

Return To: ALVERA MORMANN, C/O DEBBIE ANSTOETTER, 8878 HARTBECKE RD, EPWORTH, IA 52045

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 Recorder Office. *See id.*

Date of Issuance: September 09, 2011

Owner/Operator of the Tank(s): ALVERA MORMANN

Department File Reference: UST No. 198811178
LUST No. 9LTJ13

UST Facility Address: **MORMANN SERVICE (PETERSBURG)**
1636 300TH AVE
DYERSVILLE, IA 52040

Owner/Operator Mailing Address: **ALVERA MORMANN**
C/O DEBBIE ANSTOETTER
8878 HARTBECKE RD
EPWORTH, IA 52045

Legal desc. on page 2

9ltj13
September 09, 2011

Legal Description of the UST Site:

Parcel A: Lot Four (4) of the Subdivision of the Fractional Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼), same being a part of Lot One (1) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼), all in Section Five (5), Township Eighty Nine (89) North, Range Three (3), West of the 5th P.M. according to plat recorded in Book 2 Plats, Page 3.

Parcel B: The North one hundred eighty nine and one-half (189 ½) feet of Lot Five (5) of the Subdivision of the East one-half (E ½) of the Northeast Quarter (NE ¼) of Section Five (5), Township Eighty Nine (89) North, Range Three (3), West of the 5th P.M., according to plat recorded in Book A Plats, Page 2; same being a part of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section Five, Township Eighty Nine (89) North, Range Three (3), West of the Fifth P.M.

Parcel C: Commencing at a point three hundred seventy six (376) feet South and thirty (30) feet East of the Northwest corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section Four (4), Township Eighty Nine (89) North, Range Three (3), West of the Fifth P.M., thence South forty five (45) feet, thence East eighty seven and one-half (87 ½) feet, thence North forty five (45) feet, thence West eighty seven and one-half (87 ½) feet to the place of beginning.

Commencing four hundred twenty one (421) feet South and thirty (30) feet East of the Northwest corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section Four (4), Township Eighty Nine (89) North, Range Three (3), West of the Fifth P.M., thence South thirty two (32) feet, thence East eighty seven and one-half (87 ½) feet, thence North thirty two (32) feet, thence West eighty seven and one-half (87 ½) feet to place of beginning in Delaware County, Iowa.

If monitoring wells are subsequently found they should be properly abandoned in accordance with Chapter 567-39 of the Iowa Administrative Code.

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 9th day of September, 20 11, by Elaine Douskey, who executed the foregoing instrument, and acknowledges that this person executed the same as his/her/their voluntary act and deed.

Bonnie S. Harrison,
Notary Public for State of Iowa
My Commission Expires: 3-25-2013

BONNIE S. GARRISON
COMMISSION NO. 762328
MY COMMISSION EXPIRES
3-25-2013

9ltj13
September 09, 2011