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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 Lake Delhi Recreation Association, Inc.

Address P.O. Box 67, Delhi IA 52233
Number and Street or RR | City, Town or P.O. | State | Zip

TRANSFEREE:
Name James A. Kouba & Leslie J. Kouba, H&W, JTWROS

Address 421 N. Madison Street, Bloomfield IA 52537-1245
Number and Street or RR | City, Town or P.O. | State | Zip

Address of Property Transferred:
22598 262nd Street, Delhi IA 52223
Number and Street or RR | City, Town, or P.O. | State | Zip

Legal Description of Property: (Attach if necessary) SEE ADDENDUM, Page 3

1. **Wells (check one)**
   - X 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)**
   - X 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)**
   - X 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)**
   - X 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)**
   - X 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.
   - X 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: Larry P. Burger (Transferor or Agent) Telephone No.: (563) 920-1145

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

ADDENDUM

The lake frontage, measuring 58 feet, adjacent to:

THE SOUTH 58' OF LOT 3 OF A.J. SCHMIDT FIRST SUBDIVISION IN THE SW ¼ - NE ¼ SEC. 30, T88N, R4W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA.

within the linear extensions of the existing boundary lines of the above-described property that extend to the lake frontage to the water's edge, then from the water's edge to the middle of the Maquoketa River in directions forming right angles upon intersection with the middle thread of the Maquoketa River.

This Deed is subject to the following restrictions and covenants:

1. This Deed is given subject to the existing flood plain rights, and Grantees shall hold Grantor harmless with respect to flooding of the property conveyed.

2. The Grantees and their Successors are restricted from changing or altering this lake frontage without the prior written permission of the Grantor.

3. It is the intent of this Deed to extend any existing easements that run to Interstate Power Company's Lake Delhi property line across adjacent property to the water's edge.