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Document 2012 GWH-573 Type 53 001 Pages 3
Date 2/20/2012 Time 9:00:15AM
Rec Amt $.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

REAL ESTATE TRANSFER - GROUNDWATER HAZARD STATEMENT

TO BE COMPLETED BY TRANSFEROR

TRANSFEROR: Name Darlene A. Hess

Address 3269 Stone Court, Marion, IA 52302
Number and Street or RR | City, Town or P.O. | State | Zip

TRANSFEREE: Name John F. Hess and Darlene A. Hess, husband and wife,

Address 3269 Stone Court, Marion, IA 52302
Number and Street or RR | City, Town or P.O. | State | Zip

Address of Property Transferred:
22578 262nd st. Delhi IA 52223
Number and Street or RR | City, Town, or P.O. | State | Zip

Legal Description of Property: (Attach if necessary) See Exhibit A attached hereto and incorporated herein

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]: No. 5.
- ☐ 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: John J Kess POA (Transferor or Agent) Telephone No.: (319) 447-5817

EXHIBIT A

1. Lot One (1) of A.J. Schmidt First Subdivision, Delaware County, Iowa, according to Plat Recorded in Book 2 Plats, Page 110; same being part of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section Thirty (30), Township Eighty-eight (88) North, Range Four (4), West of the 5th Principal.

and

2. The North Seventy-five (N 75') feet of Lot Sixteen (16), of the recorded Plat of Connolly's Riverview Addition, same being a part of Section Thirty (30), Twp. 88 North, Range 4 West, Delaware County, Iowa, and the perpetual use to the waters edge as described in that portion of North Seventy-five (N 75') feet of Lot Sixteen (16) of the recorded plat of Connolly's Riverview Addition.

and

3. The following described real estate situated in Delaware County, Iowa: to-wit:

   All lake frontage forming a tract of land lying between the North boundary line extending linearly to the water's edge and the South boundary line extending linearly to the water's edge, said boundary lines being then extended to the middle of Lake Delhi such that the intersection of the North boundary line with the middle of Lake Delhi forms a right angle, and such that the South boundary line extends to the middle of Lake Delhi from the water's edge along the same boundary line as the Northern boundary line running from water's edge to the middle of Lake Delhi described in the Quit Claim Deed recorded in the office of the Delaware County Recorder on the 9th day of April, 1976 in Book 99, at Page 124; subject, nevertheless, to the following restrictions and covenants:

   1. This Deed is given subject to the existing flood plain rights, and Grantees shall hold Lake Delhi Recreation Association, Inc. 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 Lake Delhi Recreation Association, Inc.

   3. It is the intent of the conveyance by Lake Delhi Recreation Association, Inc. to extend any existing easements that run to Interstate Power Company's Lake Delhi property line across adjacent property to the water's edge.