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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 David E.G. Miller and Mary Patricia Miller

Address 7310 Heritage Palm Estate Drive, Fort Myers, Florida 33966

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

**TRANSFEREE:**

Name Christoper J. Ries

Address 26132 225th Avenue, Delhi, Iowa 52223

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

Address of Property Transferred:

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 attached legal description

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 which has or is required by law to have a sewage disposal system.
   - ___ 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: X David E Miller Telephone No.: 239-418-0031
(Transferor or Agent)

## Legal Description

Lots Seven (7), Eight (8) and Nine (9) of H.L.C. Second Subdivision of Part of the North one-half (N½) of Section Thirty (30), Township Eighty Eight (88) North, Range Four (4), West of the Fifth Principal Meridian , Delaware County, Iowa, according to plat recorded in Book 4 Plats, Page 76-77 and Plat recorded in Book 2005, Page 1927.

In addition, all of Sellers' right, title and interest in and to the following described real estate:

All lake frontage, running to the waterfront and then at right angles to the middle of Delhi Lake, in respect to and adjoining premises now owned by grantees which are of record in the office of the Recorder of Delaware County, Iowa, and legally described as follows:

Lots No. 7, No. 8, and No. 9 on a plat of H.L.C. Second Subdivision of part of the North One-half (N½) of Section Thirty (30), Township Eighty-Eight (88) North, Range Four (4), West of the 5th P.M., Delaware County, Iowa, according to plat recorded in Plat Book 4, pages 76 & 77, Office of Delaware County, Iowa, Recorder, together with all easements and servient estates appurtenant thereto, and subject to Protective Covenants and Restrictions recorded in Book R of Misc., page 48 in said office, and subject to any later modifications of said covenants and restrictions and said plat.

1. Same is subject to the existing flood plain rights and the grantees shall hold grantors harmless with respect 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 grantors.