Book 2013 Page 2199
Document 2013 GWH-2199 Type 53 001 Pages 9
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Rec Amt $.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

REAL ESTATE TRANSFER - GROUNDWATER HAZARD STATEMENT

TO BE COMPLETED BY TRANSFEROR

TRANSFEROR:

Name: MICHAEL D. SLOAN

Address: 21518 262ND STREET, DELHI, IOWA 52223

TRANSFEREE:

Name: DAVID K. FRY 0

Address: 3330 NEWCASTLE ROAD, MARION, IOWA 52302

Address of Property Transferred: 21518 262ND STREET, DELHI, IOWA 52223

Legal Description of Property: SEE ATTACHED EXHIBIT "A" FOR THE LEGAL DESCRIPTION.

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. Attached hereto is the time of transfer report.
   - ☐ 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:

Time of Transfer Inspection Report authored by Corey J. Groth of Groth Services, L.L.C. 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: _____ Telephone No.:(319) 360-6578
(Transferor or Agent) MICHAEL D. SLOAN

FILE WITH RECORDER

DNR form 542-0960 (Sept. 1, 2010)

Exhibit A

Lot 1A; Parcel G, Part Of Lot 1 Hartwick Lake Club West Subdivision Sec. 25, T88N, R5W Of The Fifth P.M., Delaware County, Iowa, according to plat recorded in Book 2001, Page 2940.

Subject to an access easement filed in Warranty Deed on July 17, 2001, in Book 2001, Page 2520, and described as follows: An access easement 20 feet in width for ingress and egress over the East 74 feet of Lot One (1), except the South 56 feet thereof and further excepting the North 69 feet of the South 125 feet of the East 54 feet thereof of the Plat of Hartwick Lake Club West Subdivision of Part of the South One-Half (S1/2) of Section Twenty-Four (24) and of Part of the North One-Half (N1/2) of Section Twenty-Five (25), all in Township Eighty-Eight North (T88N), Range Five West (R5W) of the Fifth P.M., Delaware County, Iowa, according to plat recorded in Book 5 Plats, Page 40. In consideration of Grantors granting the non-exclusive access easement, Grantees and their successors and assigns shall be responsible for constructing, maintaining and repairing a driveway within the 20 foot wide access easement. Grantees, their guests, invitees, successors and assigns shall not park or otherwise obstruct the driveway in the access easement. This easement shall run with the land and be binding upon the parties and their executors, administrators, heirs, successors and assigns.

Together with the benefit of a Road Easement Agreement filed September 28, 2001 in Book 2001, Page 3457.

Time of Transfer Inspection Report (DNR Form 542-0191)

Property information

Current owner_ **Mike Sloan** _____
Buyer _**Dave Fry** ___ Realtor _ **Shuttleworth and Ingersoll Attorneys**___
Mailing address __3330 Newcastle Rd. Marion, IA 52302_____

Site Address/County _**21518 262nd st. Delhi County-Delware** _
Legal Description _____
No. of bedrooms _**6**___ Last occupied? _**Now**__ Records available _**Some**_____
Permit/installation date _**#1000 / 8-8-2001**____ Separation distances ok/ no? ____**OK**_____

Septic system information

Septic tank(s): size __**1500**_____ material _**Fiberglass** _ condition __ **good** __
Tank pumped? _**Yes**_____ date _**5/15/13**__ licensed pumper _**Groth Services LLC**_____
Septic/trash/processing tank: size ____ material ___ condition __ ___
Tank pumped? _____ date _____ licensed pumper ____

Maintenance contract? _____ expiration date _____ service provider _____
Pump tanks/vaults: type __ size _____ condition _____

Distribution system: distribution box___**Plastic**_ outlets used _**2**__ condition _**Good**
Header pipe(s) ___YES_____ # of lines _**2**____ Pressure dosed? _**NO**___
Secondary treatment:
length of absorption fields __**180'** __ determined by _**Probe and map** _____
condition of fields __**good**_____ determined by _**Hydraulic load test**___

type of trench material __**Chamber**_____

Size of sand filter___ _____Determined by_____
Vent pipes above grade?_____Discharge pipe located?_____
Effluent sample taken?_____

Media filters: type _**Orenco AX-20**_____
Maintenance contract? _**NONE**____ expiration date _____ service provider __**NONE**_____

NPDES General Permit No. 4: required? __**NO**____ permitted? _____ NOI provided _____

[mikesloan]

Time of Transfer Inspection Report

Other components:
Alarms __**YES**_____ Working? _**YES**_____ disinfection _____ working? _____

Control box ___**YES**_____ Timers_____ inspection ports _____

Other components ___ _____

Overall condition of the private sewage disposal system

Report system status __ **Secondary treatment system is working**

Explain (attach additional pages as needed) ___**See Attached Narrative Report**____

_____

Comments: _____

Signature of Certified inspector: _____ Date: 5-22-13

Name (print): ___**Corey Groth**_____ Certificate #: __**8810**_____
Address: _____**1690 165th Street Manchester, IA 52057**_____
Phone # ___563-927-5823_____

A copy of this report, the narrative report and sketch has been sent to the following by us:
YES- Seller/agent
NO- Buyer /agent, please give them a copy
YES- county sanitarian/environmental health office,
YES – Iowa DNR in Des Moines

[mikesloan]

GROTH
SERVICES LLC

NARRATIVE INSPECTION REPORT
Mike Sloan Property

HOME DESCRIPTION:

This is a newer executive home with six bedrooms and 5 bathrooms. It has a garbage disposal and a water softner. There is a full finished walk out basement that includes a bathroom and second kitchen/bar. The sewer line exits out the basement floor towards the north and goes to a 1500 gallon dual compartment fiberglass Xerxes tank. The septic tank does have two surface access risers to each compartment. The primary secondary treatment is an Orenco AX-20-A Mode. The outlet gravity flows from the RSV cage in 1st compartment to a small tuf-tite distribution box. The distribution box is buried deep at 4' to the lid. There is a total of 190 feet of chamber leech system that can be felt with a probe.

Distance from septic tank to well is >50'.
Distance from leech bed to well is >100'.

CONDITION:

The fiberglass septic tank when pumped had a 14" scum layer and 95% solids. The current owner has never had the tank cleaned out since installation of the septic system. All septic tanks require periodic cleaning to ensure that the accumulated solids do not overflow into other system components; this system should be checked to be pumped at least every 3 years. The fiberglass septic tank lids had cracks in them that would compromise the strength and were replaced by current owner on 5-8-13.

A hydraulic load test on the chamber system was calculated, 10.1 GPM from outside hydrant for 45 minutes for a total of 450 gallons. The purpose of this test is to simulate water usage in the home, indicating the secondary treatment system is working correctly.

The water flowed into the secondary treatment system and absorbed it entirely without backing up. The secondary system is not saturated with water when probed. It is noted however that the distribution box and half of the chamber system was installed to deep, Iowa law requires no more than a maximum of 36" from top of grass to bottom of trench.

[mikesloan]

There was four main concerns I have with this septic system after inspection.

1) The recirculating splitter valve is broken on the top of the cage and is suggested to be replaced. This is a vital system component for the correct flow to be able to discharge. Mike was going to attempt to repair this with an epoxy sealant.
2) The control panel is a class nema4x, which means it is watertight. The control wires leaving the box are not in conduit and are not sealed, the box needs to be sealed up with silicone. Again Mike was going to repair this after the inspection.
3) The AX-20 pod is not level. According to the manufactures installation guide, this can affect how well the textile sheets can clean wastewater. Most pods have a ½ inch of grade to assure that all waste water drains out of pod. This pod has settled to more than 6" of grade in both directions. This to needs to be corrected to ensure that your septic system will continue to treat wastewater effective.
4) The state of Iowa and Delaware County require a maintenance agreement for this textile system with a manufacturer certified technician. At the time of inspection, the manifold on the pod was 95% plugged. Also the timer settings were not correct, resulting in over 650,000 pump cycles; this is more than twice what it should be. Delaware county sanitation department will do a follow up to ensure that you have a maintenance agreement to ensure proper system operation for the new owner.
Iowa Law Chapter 69.13(d,e)

This septic system inspection was conducted at **21518 262nd st. Delhi, IA on May 8th 2013.** The septic was pumped out on **May 6th 2013** by us.

YES - this septic system does meet the Iowa Time of Transfer inspection criteria in it having secondary treatment.

Tank capacity was verified by interior liquid measurements
(L x W x H = in.3 x 0.00433 = US Gals)

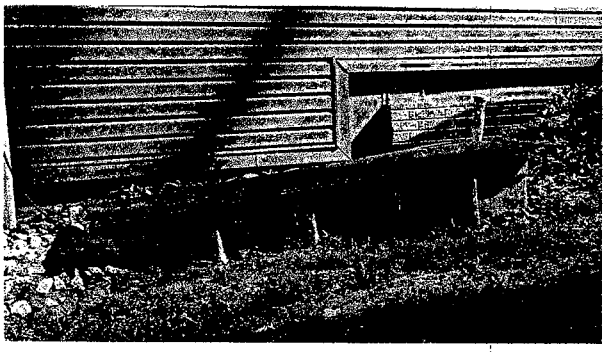
Company Disclaimer
Based on what we were able to observe and our experience with on-site wastewater technology, we submit this sanitary sewage disposal system inspection report based on the present condition of the on-site sewage disposal system. Groth Services LLC has not been retained to warrant, guarantee, or certify the proper functioning of the system for any period of time in the future. Because of the numerous factors (usage, soil characteristics, previous failures, etc.) which effect the proper operation of a septic system as well as the inability of our Company to supervise or monitor the use or maintenance of the system, this report shall not be construed as a warranty by our Company that the system will function properly for any particular buyer. Groth Services LLC DISCLAIMS ANY WARRANTY, either expressed or implied, arising from the inspection of the septic system or this report. We are also not ascertaining the impact the system is having on the ground water.

[mikesloan]

I have studied the information contained herein and that my assessment is honest, thorough, and to the best of my ability correct. This Narrative report may not be copied without written approval from Groth Services LLC.

Certified by Corey J Groth # 8810

DATE 5-22-13





GROTH SERVICES

TIME OF TRANSFER INSPECTION MAP

DATE 5-8-13 **SELLER** MIKE SLOAN **BUYER** DAVE FRY

ADDRESS 21518 262nd St. **CITY** DELHI, IA

