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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 Paul R. Atherton, Susan K. Atherton, Timothy P. Atherton and Michael P. Atherton

Address 11041 Sandtrap Dr Port Richey FL 34668
Number and Street or RR | City, Town or PO | State | Zip

**TRANSFEREE:**

Name Terrance A. Whalen and Kristin K. Meany-Whalen

Address PO Box 691 Gilbertville IA 50634
Number and Street or RR | City, Town or PO | State | Zip

Address of Property Transferred:

26316 - 211th Ave Manchester IA 52057
Number and Street or RR | City, Town or PO | State | Zip

Legal Description of Property: (Attach if necessary)

See Exhibit A

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.

**FILE WITH RECORDER**

DNR Form 542-0960 July 18th 2012 cmz

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.
   - [ ] This transaction does not involve the transfer of any building which has or is required by law to have a sewage disposal system.
   - [x] 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:**

There is a community well, but it is not situated on the property.

**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.: 319.775.0136
(Transferor or Agent)

Anne K. Wilson, Attorney

**FILE WITH RECORDER**

Exhibit A

Lot Forty (40) of Turtle Creek Replat being part of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼), part of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼), and part of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE 1/4) all in Section Twenty-six (26), Township Eighty-eight North (88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa; also being a part of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) and part of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) Section Twenty-five (25), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 1999, Page 4340, except Parcel FF Part of Lot 40 of the Turtle Creek Camp Replat of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4), Section Twenty-five (25), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 2004, Page 3970; also all lake frontage running to the middle of the Maquoketa River Red with regard to said Lot Forty (40), subject to easements, restrictions and covenants of record

# IOWA DEPARTMENT of NATURAL RESOURCES
# TIME OF TRANSFER INSPECTION WAIVER
# BINDING AGREEMENT for FUTURE INSTALLATION
## 542-0064

This agreement is entered into this 15th day of Jan. ,20 15 by and between the Delaware County Board of Health and Terry Walen

It is understood that Iowa Code 455B.172(11) requires an inspection of the private sewage disposal system on all properties not specifically exempted in Iowa at the time of transfer.

The property located at 26316 211th Ave. Manchester, Iowa is subject to the inspection, and the buyer Terry Walen understands there is not an adequate private sewage disposal system serving this property.

It is hereby agreed that the time of transfer inspection will not be required and the buyer agrees that a code compliant private sewage disposal system or connection to a public sewer shall be installed to serve the property and shall be completed no later than 1st day of July ,20 15

Dated the 15th day of January ,20 15 .

Terry A Walen
BUYER

Dennis Lyons
COUNTY BOARD OF HEALTH or
AUTHORIZED REPRESENTATIVE

This instrument was acknowledged before me on January 15 ,20 15

by Julia L. Hackbarth

Notary Public

JULIA L. HACKBARTH
Commission Number 169608
MY COMMISSION EXPIRES
MAY 24, 2017