Recorded: 12/8/2020 at 1:30:41.0 PM
County Recording Fee: $0.00
Iowa E-Filing Fee: $0.00
Combined Fee: $0.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2020 PG: 4532

REAL ESTATE TRANSFER - GROUNDWATER HAZARD STATEMENT

TO BE COMPLETED BY TRANSFEROR

TRANSFEROR:

Name BRAD D. KIMMERLE and DARLA S. KIMMERLE

Address 1575 130th Ave, Dundee, IA 52038

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

TRANSFEREE:

Name KIMMERLE FAMILY FARMS, LLC, an Iowa limited liability company

Address 1575 130th Ave, Dundee, IA 52038

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

Address of Property Transferred:

AG Property along 130th Ave, Dundee, IA 52038

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

Legal Description of Property: (Attach if necessary) See 1 in Addendum

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.
   - ___ 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]
   - X This property is exempt from the private sewage disposal inspection requirements pursuant to the following exemption [Note: for exemption #9 use prior check box]: #8 transfer to family llc .
   - ___ 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: Bud D. Kuhn (Transferor or Agent) Telephone No.: 563-920-4910

Addendum

1.

The SW ¼ of Section 4, Township 89 North, Range 6 West of the 5th P.M., Delaware County, Iowa, EXCEPT Parcel 2015-15 being a part of the SE ¼ of the SW ¼ of said Section 4 according to plat recorded in Book 2015 at Page 637 of the records of the Delaware County, Iowa, Recorder;

AND

The West ½ of the NE ¼ of Section 33, Township 90 North, Range 6 West of the 5th P.M., Delaware County, Iowa, EXCEPT that part of the NW ¼ of the NE ¼ described as commencing at the NW corner of said Section 33; thence South 90°00'00' East (assumed bearing) on the North line of said Section 33, also the center of a public roadway, 3303.70 feet to the point of beginning of the hereinafter described tract of land; thence South 90°00'00" East on the North line of said Section 33, along the centerline, 355.97 feet; thence South 01°26'25" West 284.62 feet; thence North 87°04'55" West 343.30 feet; thence North 01°16'44" West 267.12 feet to the point of beginning;

AND

The West ½ of the SW ¼ of Section 2; the North 79 acres of the East ½ of the SE ¼ of Section 9; and the East ½ of the SE ¼ of Section 3, all in Township 89 Range 6 West of the 5th P.M., Delaware County, Iowa, EXCEPT Parcel 2020-53 in the SW ¼ of the SW ¼ of said Section 2 according to plat recorded in Book 2020, Page 1960 of the records of the Delaware County, Iowa, Recorder; AND EXCEPT Parcel 2020-30 in the NE ¼ of the SE ¼ of said Section 3 according to plat recorded in Book 2020, page 721 of the records of the Delaware County, Iowa, Recorder;

AND

The SE 1/4 of the SE ¼; and that part of the East ½ of the NE ¼ lying West of the Public Highway, all in Section 33, Township 90 North, Range 6 West of the 5th P.M., Delaware County, Iowa, EXCEPT Parcel 2016-44 in part of the NE ¼ of said Section 33 according to the plat recorded in Book 2016, Page 1286 of the records of the Delaware County, Iowa, and the North 60 acres of the West ½ of the SW ¼ and a part of the SW ¼ of the NW ¼ lying South of the public highway, all in Section 34, Township 90 North, Range 6 West of the 5th P.M., Delaware County, Iowa, subject to highways of record