Recorded: 10/29/2026 at 12:53:49.0 PM
County Recording Fee: $0.00
Iowa E-Filing Fee: $0.00
Combined Fee: $0.00
Revenue Tax: $0.00
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2026 PG: 3195

REAL ESTATE TRANSFER - GROUNDWATER HAZARD STATEMENT

TO BE COMPLETED IN FULL BY TRANSFEROR

If the transaction is exempt from filing a declaration of value pursuant to Iowa Code 428A.1(2), **STOP HERE**. Pursuant to Iowa Code section 558.69(1), when no declaration of value is submitted during a transaction, you are not required to submit a groundwater hazard statement or include the statutory language in Iowa Code section 558.69(8A). Please consult your realtor or legal counsel for further advice, including on whether a declaration of value is required. The Department provides this information for statutory reference only.

Instructions for this document can be found at: https://www.iowadnr.gov/media/5465.

Attachment 1, if required, can be found at: https://www.iowadnr.gov/media/5466.

TRANSFEROR:

Name	Theresa A. Schmitz Revocable Trust; Louis W. Schmitz Residuary Trust			
Address	108 Bailey Drive Unit N14	Manchester	IA	52057
	Number and Street or RR	City, Town or PO	State	Zip

TRANSFEREE:

Name	Patrick W. Schmitz			
Address	PO Box 245	Delhi	IA	52223
	Number and Street or RR	City, Town or PO	State	Zip

Address of Property Transferred:

20698 247th Street	Delhi	Iowa	52223
Number and Street or RR	City, Town or PO	State	Zip

Legal Description of Property: (Attach if necessary)
See Attached Exhibit "A" - Legal Description

1. Wells (check one)

- ☑ No Condition - There are no known wells situated on this property.
- ☐ Condition Present - 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)

- ☑ No Condition - There is no known solid waste disposal site on this property.
- ☐ Condition Present - 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)

- ☑ No Condition - There is no known hazardous waste on this property.
- ☐ Condition Present - 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)

- ☐ No Condition - 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.)
- ☑ Condition Present - 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)

- ☑ No Condition - There are no known private burial sites on this property.
- ☐ Condition Present - 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)

- ☐ No Condition - All buildings on this property are served by a public or semi-public sewage disposal system.
- ☐ No Condition - This transaction does not involve the transfer of any building which has or is required by law to have a sewage disposal system.
- ☐ Condition Present - 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.
- ☐ Condition Present - 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.
- ☐ Condition Present - There is a building served by private sewage disposal system on this property. The system is failing to ensure effective wastewater treatment or is otherwise improperly functioning, and 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.
- ☐ Condition Present - 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 #7]
- ☑ Condition Present - There is a building served by private sewage disposal system on this property. This property is exempt from the private sewage disposal inspection requirements pursuant to the following Exemption [Note: for exemption #7 use prior check box]: Iowa Code §455B.172(11)(5); transfer to person in the lineal line of consanguinity
- ☐ Condition Present - There is a building served by private sewage disposal system on this property. The private sewage disposal system has been installed within the past two years pursuant to permit number:

  _____

Review the following two directions carefully:

A. If you selected a box stating "No Condition" for every numbered section above, STOP HERE. Do not submit this form. Instead, pursuant to Iowa Code section 558.69(8A), you must include the following language on the first page of the recorded deed, instrument, or other writing:

"There is no known private burial site, well, solid waste disposal site, underground storage tank, hazardous waste, or

private sewage disposal system on the property as described in Iowa Code section 558.69, and therefore the transaction is exempt from the requirement to submit a groundwater hazard statement."

Please consult your realtor or legal counsel for further advice on this exemption. By law, the owner of the property is responsible for the accuracy of this statement, and the Department provides this information for statutory reference only.

B. **If you checked <u>any</u> box stating "Condition Present" for <u>any</u> of the numbered sections above, continue below.** You must complete this form, including providing all required information, and you must submit this form to the county recorder's office with declaration of value.

Information required by statements checked above should be provided here or on separate sheets attached hereto:
#4 Private Sewage Disposal System is located 10'SW of the SW corner of the residence

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) 240-8174
(Transferor or Agent) Theresa A. Schmitz, Trustee

EXHIBIT "A"

ALL THE TRUST'S INTEREST IN:

LOT FOURTEEN (14) OF THE CEDARS SUBDIVISION OF THAT PART OF THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION FOURTEEN (14), TOWNSHIP EIGHTY EIGHT (88) NORTH, RANGE FIVE (5), WEST OF THE FIFTH PRINCIPAL MERIDIAN LYING EAST OF THE MAQUOKETA RIVER, ACCORDING TO PLAT RECORDED IN BOOK 2 PLATS, PAGES 91-92, SUBJECT TO ALL COVENANTS, RESTRICTIONS AND EASEMENTS OF RECORD, AND PARCEL B, PART OF LOT 34 OF THE CEDARS SUB-DIVISION IN THE W ½ OF THE SE ¼ OF SECTION 14, TOWNSHIP 88 NORTH, RANGE 5 OF THE FIFTH P.M., DELAWARE COUNTY, IOWA, PER PLAT RECORDED IN BK 8 PLATS PAGE 103.

AND

All lake frontage running to the middle of the Maquoketa River bed with regard to the following described real estate: Lot 14 of the Cedars Subdivision of that part of the Northwest Quarter of the Southeast Quarter of Section 14, Township 88 North, Range 5 West of the 5th P.M., lying East of the Maquoketa River according to plat recorded in Book 2 Plats, Page 91-92 of the Delaware County Recorder, Delaware County, Iowa, subject to the following covenants:

1. Same is subject to the existing flood plain rights and the grantees shall hold the grantors harmless with regard to flooding of the property conveyed.
2. Grantees and their successors are restricted from changing or altering lake frontage without the written permission of the grantors.

AND

PARCEL A; part of Lot Thirty-seven (37) and Part of Lot Thirty-four (34) of the Cedars Sub-Division in the West One-half (W ½) of the Southeast Quarter (SE ¼) of Section Fourteen (14), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, containing a total of 0.03 acres, as shown by Plat of Survey filed in the office of the Delaware County Recorder in Book 8, Page 103 on January 20, 1998, subject to easements of record and more specifically described by metes and bounds as follows:

COMMENCING at the Northerly Most Corner of Lot Fourteen (14) of the Cedars Sub-Division in the West One-half (W ½) of the Southeast Quarter (SE 1/4) of Section Fourteen (14), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, as recorded in Book 2 of Plats, Page 92 in the office of the Delaware County Recorder.

THENCE along the Northeasterly Line of said Lot Fourteen (14) South 34° 20'00" East, 78.50 feet to the POINT OF BEGINNING;

THENCE North 54° 55'25" East to the Southwesterly Line of a 20 foot roadway 50.81 feet;

THENCE along the Southwesterly Line of said railroad South 37°10'55" East, to the Northerly Most Corner of Lot Thirty-seven (37), 25.17 feet;

THENCE along the Northeasterly extension of the Southeasterly Line of said Lot Fourteen (14), South 55°45'20" West, to the Easterly Most Corner of Lot Fourteen (14), 52.06 feet;

THENCE along the Northeasterly line of said Lot Fourteen (14), North 34°20'00" West, 24.37 feet to the POINT OF BEGINNING; containing a total of 0.03 acres and subject to easements of record.

The Northeasterly Line of Lot Fourteen (14) of the Cedars Sub-Division in the West One-half (W ½) Southeast Quarter (SE ¼) of Section Fourteen (14), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian is assumed to bear north 34°20'00" West.