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Book 2020 Page 4652 Type 43 001 Pages 3

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INDX
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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

REAL ESTATE TRANSFER - GROUNDWATER HAZARD STATEMENT

TO BE COMPLETED BY TRANSFEROR

TRANSFEROR:

Name Marvin G. Phillips Estate

Address 1208 15th Street, West Des Moines, IA 50265

Number and Street or RR

City, Town or P.O.

State

Zip

TRANSFeree:

Name Benjamin W. Johnson and Terri J. Johnson

Address 2647 235th Street, Winterset, IA 50273

Number and Street or RR

City, Town or P.O.

State

Zip

Address of Property Transferred:

IA

Number and Street or RR

City, Town or P.O.

State

Zip

Legal Description of Property: (Attach if necessary) See description attached.

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 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: Stephen J. Phelan Telephone No.: 515-669-9712
(Transferor or Agent)

All that part of the Northwest Quarter (¼) of Section Fifteen (15), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, lying East of the centerline of the former right-of-way of the Chicago, Burlington and Quincy Railroad, EXCEPT the following-described tracts, to-wit:

1. The East 26.6 acres of said Northwest Quarter (¼);
2. Commencing at a point 218 feet North of the Intersection of the East line of the right-of-way of the Chicago, Burlington and Quincy Railroad Company with the North line of the public highway running east and west along the South side of the said Northwest Quarter (¼), running thence West 37.5 feet, thence North 412.5 feet, thence East 412.5 feet, thence South 412.5 feet, thence West 375 feet to the place of beginning;
3. A tract of land located in the Southeast Quarter (¼) of the Northwest Quarter (¼) of said Section Fifteen (15), containing 11.250 acres, more or less, as shown in Plat of Survey filed in Deed Record 118, Page 85 on July 9, 1984, in the Office of the Recorder of Madison County, Iowa;
4. A parcel of land described as commencing at the Southwest Corner of the Northwest Quarter (¼) of said Section Fifteen (15), thence North 0°00' 25.2 feet to the centerline of Primary Road No. 251; thence North 89°40' East 292.3 feet; thence easterly 155.9 feet along a 8595.0 feet radius curve concave northerly; thence North 1°02' West 45.1 feet to the Point of Beginning; thence North 1°02' West along the centerline of the right-of-way of the Chicago, Burlington and Quincy Railroad 215.8 feet; thence North 85°59' East 412.5 feet; thence North 1°02' West 412.5 feet; thence North 85°59' East 555.8 feet; thence South 1°02' East 606.7 feet to the north right-of-way line of Primary Road No. 251; thence South 85°35' West 73.8 feet; thence South 74°26' West 102.0 feet; thence South 85°45' West 700.0 feet; thence South 87°15' West 95.6 feet to point of beginning.
5. Parcel "L" located in the South Half (½) of the Northwest Quarter (¼) of said Section Fifteen (15), containing 20.03 acres, as shown in Plat of Survey filed in Book 2008, Page 1778 on June 3, 2008, in the Office of the Recorder of Madison County, Iowa.
6. All that part thereof used or conveyed for highway purposes. 