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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: Dean Emory and Waunita Emory  
Address: 2441 Bittersweet, Winterset, IA 50273

**TRANSFeree:**

Name: L & D Schwartz Farms, L.L.C.  
Address: PO Box 237, Greenfield, IA 50849

**Address of Property Transferred:**

2441 Bittersweet, Winterset, Iowa 50273

**Legal Description of Property: (Attach if necessary)**

The South 42 Acres of the Northeast Quarter (NE1/4) of Section Eighteen (18), Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, EXCEPT the following described tract of land, to-wit: Commencing at the Southwest Corner of the Northeast Quarter (NE1/4) of said Section Eighteen (18), thence North 28 feet, thence Southeast to a point 28 feet East of the place of beginning, thence West 28 feet to the place of beginning.

**AND**

The Southwest Quarter of the Northwest Quarter (SW¼ NW ¼) of Section Seventeen (17), in Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5<sup>th</sup> P.M., Madison County, Iowa, except a strip of land Thirty-three (33) feet in width off of the South side thereof.

**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)**

**FILE WITH RECORDER**

**DNR form 542-0960 (July 18, 2012)**

- 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: There are 2 wells: #1 SE corner of the house and #2 is between the barn and the road.**

**I HEREBY DECLARE THAT I HAVE REVIEWED THE INSTRUCTIONS  
FOR THIS FORM AND THAT THE INFORMATION STATED  
ABOVE IS TRUE AND CORRECT.**

Signature: *Maunata Emory* Telephone No.: 515-462-4757  
(Transferor)



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

This agreement is entered into this 13th day of September, 20 21 by and

between the Madison County Board of Health and Renee Schwartz  
641-745-5470

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 2441 Bittersweet Ave., Winterset, Iowa is subject to the inspection, and the buyer Renee Schwartz-L & D Schwartz Farms LLC understands there is not an adequate private sewage disposal system serving this property.

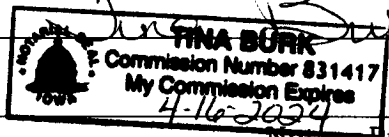
It is hereby agreed that the time of transfer inspection will not be required and the buyer agrees that a code compliant private sewage disposal system or connection to a public sewer shall be installed to serve the property and shall be completed no later than 13th day of January, 20 22

Dated the 13th day of September, 20 21

Renee Schwartz  
 BUYER

Brother Kerner  
 COUNTY BOARD OF HEALTH or  
 AUTHORIZED REPRESENTATIVE

This instrument was acknowledged before me on September 13th, 20 21

by Tina Burk  
  
 Notary Public