

BK: 2023 PG: 2557
Recorded: 10/18/2023 at 3:07:20.0 PM
Pages 12
County Recording Fee: \$0.00
Iowa E-Filing Fee: \$0.00
Combined Fee: \$0.00
Revenue Tax:
BRANDY L. MACUMBER, RECORDER
Madison County, Iowa

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/Portals/idnr/uploads/forms/5420960%20Instructions.pdf>

Attachment 1, if required, can be found at: <https://www.iowadnr.gov/Portals/idnr/uploads/forms/5420960a.pdf>

TRANSFEROR:

Name Hurd Woodland, LLC

| | | | | |
|---------|---|------------------------|-----------|--------------|
| Address | <u>5959 Village View Drive, Suite 200</u> | <u>West Des Moines</u> | <u>IA</u> | <u>50266</u> |
| | Number and Street or RR | City, Town or PO | State | Zip |

TRANSFeree:

Name James J. Nahas Revocable Trust and Debra A. Nahas Revocable Trust

| | | | | |
|---------|-----------------------------|------------------|-----------|--------------|
| Address | <u>1089 Woodland Avenue</u> | <u>Cumming</u> | <u>IA</u> | <u>50061</u> |
| | Number and Street or RR | City, Town or PO | State | Zip |

Address of Property Transferred:

| | | | |
|-----------------------------|------------------|-----------|--------------|
| <u>1089 Woodland Avenue</u> | <u>Cumming</u> | <u>IA</u> | <u>50061</u> |
| Number and Street or RR | City, Town or PO | State | Zip |

Legal Description of Property: (Attach if necessary)

See attached

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]: _____
- 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 any box stating "Condition Present" for any 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 - 600g propane tank; #6 - private septic system - see attached report

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

Signature: _____



(Transferor or Agent) Richard Hurd, Manager of Seller

Telephone No.: _____

515-225-1102

Exhibit A
Legal Description

The Southeast Quarter (1/4) of the Southeast Quarter (1/4) of Section Two (2), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, (INCLUDING Parcel "C" located therein, containing 0.25 acres, as shown in Plat of Survey filed in Book 2016, Page 724 on March 28, 2016 in the office of the Recorder of Madison County, Iowa); **EXCEPT** a parcel of land in the Southeast Quarter (1/4) of the Southeast Quarter (1/4) of said Section Two (2), more particularly described as follows: Beginning at the Southeast corner of said Section Two (2), thence South 85°02'00" West along the south line of Section Two (2), 542.54 feet, thence North 0°00' 426.77 feet, thence North 90°00' East, 540.50 feet to the east line of Section Two (2), thence South 0°00' 379.80 feet to the point of beginning, said excepted parcel containing 5.00 acres including roadway; **EXCEPT** Parcel "B", located in the Southeast Quarter (1/4) of the Southeast Quarter (1/4) of said Section Two (2), as shown in Plat of Survey filed in Book 3, Page 387 on February 16, 1999 in the Office of the Recorder of Madison County, Iowa; and **EXCEPT** that part thereof condemned for highway purposes.



TIME OF TRANSFER INSPECTION TOT# 7436 SETH BROWN CERT # 13190

Site Information

Parcel Description: **011010288003000**

Address: **1089 woodland ave, Cumming, IA 50061**

County: **Madison**

Owner Information

Property is owned by a business: **No**

Business Name:

Owner Name: **Hurd Woodland LLC**

Email Address: **richard@hurcrealty.com**

Address: **1089 woodland ave, Cumming, IA 50061**

Phone No:

Additional Contact Information

| Name | Email Address | Affiliate Type |
|--------------------|------------------------------|----------------|
| AJ Anderson | aj.anderson@cbdsm.com | Realtor |
| James Nahas | | Buyer |

Site related information

No Of Bedrooms: **4**

Inspection Date: **10/04/2023**

Facility Type: **Residential**

Currently Occupied: **No**

Last Occupied:

System Installation Date:

Permit issued by County: **N/A**

Permit Number:

All plumbing fixtures enter septic system: **Yes**

County contacted for records: **Yes**

Property Information Comments:

Primary Treatment

Tank 1

Tank Name: **Tank 1**

Type: **Septic Tank**

Tank Size (Gal): **1500+500**

Tank Material: **Concrete**

Tank Corrosion Type: **Slight**

Liquid Level Type: **Normal**

| | | | |
|-------------------------------|-------------------------------------|--|-------------------------------------|
| No. of Compartments: 3 | Pump Tank Chamber: No | Licensed Pumper Name: Rogers Septic | |
| Date Pumped: 10/4/2023 | Meets Setback to Well: N/A | Well Type: | |
| Distance To Well (Ft.): | Is Accessible: Yes | Lid Intact: No | |
| Risers Intact: Yes | Effluent Filter Present: Yes | Watertight: Yes | |
| Tank/Vault Pumped: Yes | Inlet Baffle Present: Yes | Outlet Baffle Present: Yes | Functioning as Designed: Yes |
| Tank Comments: | | | |

General Primary Treatment Comments:

Distribution Type

Pump System 1

| | | |
|--|-------------------------------------|-------------------------------------|
| Label: Pump System 1 | Accessible: Yes | Control Box Functioning: Yes |
| Alarm(s) Present and Functioning: Yes | Functioning As Designed: Yes | |

General Distribution System Comments :

Secondary Treatment

Sand Filter1

| | | |
|--|---------------------------------------|---|
| Filter Type: Subsurface | Distribution Type: Pump System | Material Type: Rock and PVC Pipe |
| Absorption Area: 630 | System Hydraulic Loaded: Yes | Gallons Loaded: 150 |
| Discharge At Time of Inspection: Yes | CBOD Results: <8 | TSS Results: <1 |
| Disinfection Present: No | Disinfection Type: | Tertiary Treatment Present: No |
| Tertiary Treatment Type: | Meets Setback to Well: N/A | Well Type: |
| Distance To Well (Ft.): | Sand Filter Probed: Yes | Vent(s) Located: Yes |
| Saturation or Ponding Present: No | Grass Cover Over System: Yes | Outlet Found: Yes |
| Sample Taken: Yes | GP4 Permitted: | GP4 Required: |
| System Located on Owner Property: Yes | Easement Present: N/A | Functioning as Designed: Yes |

Comments:

General Secondary Treatment Comments:

Narrative Report

TOT Inspection Report Overall Narrative Comments: **All wastewater goes to septic. 1500 gallon watertight concrete septic tank in working condition with slight deterioration. Accessible by inlet and outlet risers and lids to ground surface. Inlet lid is cracked and broken allowing potential rain water into system. Would recommend lid to be replaced. 500 gallon watertight concrete pump tank in working condition. Accessible by riser and lid to ground surface. Pump and float present and in working condition. Alarm panel(located at tank) and float present and in working condition. Hydraulic load tested 15x42 equaling 630sq ft sand filter with 150 gallons. Vent and inspection ports present. Probed dry and clean. Discharge**

pipe located, WATER SAMPLE COLLECTED.



TIME OF TRANSFER INSPECTION TOT# 7436 SETH BROWN CERT # 13190

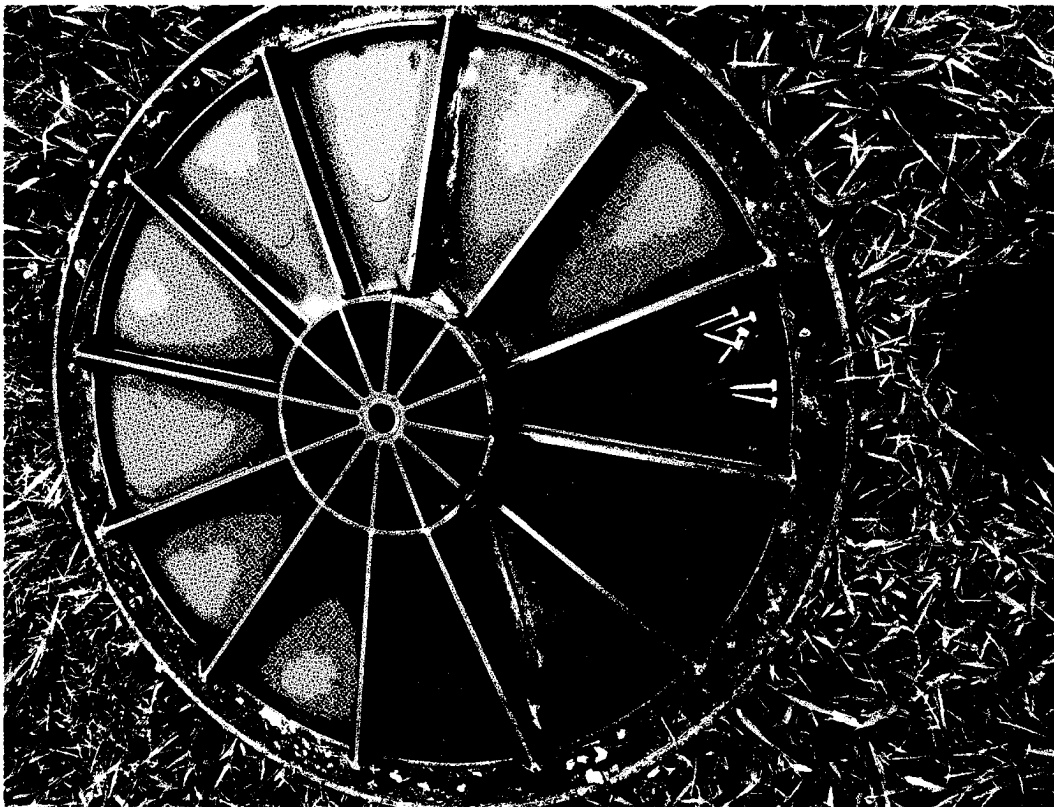
Owner Name: Hurd Woodland LLC

Address: 1089 woodland ave , Cumming , IA 50061

County: Madison

Inspection Date: 10/04/2023

Submitted Date: 10/13/2023



Rogers Septic Maintenance and Repair

Project Name: Septic Sampling

Amanda Kouski
6288 NE 14th St.
Des Moines, IA 50313

Project / PO Number: / Septic Sampling
Received: 10/05/2023
Reported: 10/12/2023

Analytical Testing Parameters

| | | | |
|--------------------------|-------------------|-------------------------|------------------|
| Client Sample ID: | 1089 Woodland Ave | Collected By: | SB |
| Sample Matrix: | Water | Collection Date: | 10/04/2023 12:01 |
| Lab Sample ID: | 1GJ0444-01 | | |

| Determination of Conventional Chemistry Parameters | Result | RL | Units | DF | Note | Prepared | Analyzed | Analyst |
|--|--------|----|-------|----|------|---------------|---------------|---------|
| SM 5210 B | | | | | | | | |
| CBOD (5 day) | <8 | 8 | mg/L | 1 | | 10/05/23 1310 | 10/05/23 1710 | CAS |
| USGS I-3765-85 | | | | | | | | |
| Solids, total suspended | <1 | 1 | mg/L | 1 | | 10/05/23 1635 | 10/06/23 1045 | MEA |

Definitions

RL: Reporting Limit

Report Comments

The data and information on this, and other accompanying documents, represents only the sample(s) analyzed. This report is incomplete unless all pages indicated in the footnote are present and an authorized signature is included. The services were provided under and subject to Microbac's standard terms and conditions which can be located and reviewed at <https://www.microbac.com/standard-terms-conditions>.

Reviewed and Approved By:



Sue Thompson
Client Services Manager
10/12/23 19:36

Permit # 053-15
Inspection 12/18/15
1089 Woodland Ave

