



Document 2023 GW3038

Book 2023 Page 3038 Type 43 001 Pages 4

Date 12/13/2023 Time 1:35:14PM

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BRANDY MACUMBER, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

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 Matthew I. Thompson, as Trustee for the Raymond E. Thompson, Jr. and Joanne M. Thompson Revocable
Living Trust dated July 3, 2013
Address 1140 Earlham Ln. Earlham, IA 50072
Number and Street or RR City, Town or PO State Zip

TRANSFeree:

Name Michael J. Frank and Terri L. Zimmerman-Frank
Address 1106 Elmwood Ave. Earlham, IA 50072
Number and Street or RR City, Town or PO State Zip

Address of Property Transferred:

1106 Elmwood Ave. Earlham, IA 50072

Number and Street or RR City, Town or PO State Zip

Legal Description of Property: (Attach if necessary)

Parcel "G" being part of the Northwest Quarter of the Northwest Quarter and the Northeast Quarter of the Northwest Quarter of Section 11, Township 77 North, Range 29 West of the 5th P.M. according to survey filed October 5, 2023 in Book 2023 Page 2460, Madison County, Iowa.

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]: 3 - Trust
 - 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:

Well is Located west of the house 150' from Shed
North

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

Signature: Matthew I. Doyne Trustee Telephone No.: 515-577-6353
(Transferor or Agent)



Time of Transfer Septic Inspection Exemptions

Iowa Code 455B.172(11)

- (1) A transfer made pursuant to a court order, including but not limited to a transfer under Iowa Code chapter 633 or 633A, the execution of a judgment, the foreclosure of a real estate mortgage pursuant to Iowa Code chapter 654, the forfeiture of a real estate contract under Iowa Code chapter 656, a transfer by a trustee in bankruptcy, a transfer by eminent domain, or a transfer resulting from a decree for specific performance.
- (2) A transfer to a mortgagee by a mortgagor or successor in interest who is in default, a transfer by a mortgagee who has acquired real property as a result of a deed in lieu of foreclosure or has acquired real property under Iowa Code chapter 654 or 655A, or a transfer back to a mortgagor exercising a right of first refusal pursuant to Iowa Code section 654.16A.
- (3) A transfer by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust.
- (4) A transfer between joint tenants or tenants in common.
- (5) A transfer made to a spouse or to a person in the lineal line of consanguinity of a person making the transfer.
- (6) A transfer between spouses resulting from a decree of dissolution of marriage, a decree of legal separation, or a property settlement agreement which is incidental to the decree, including a decree ordered pursuant to Iowa Code chapter 598.
- (7) A transfer in which the transferee intends to demolish or raze the building.
- (8) A transfer of property with a system that was installed not more than two years prior to the date of the transfer.
- (9) A deed arising from a partition proceeding.
- (10) A tax sale deed issued by the county treasurer.
- (11) A transfer for which consideration is \$500 or less.
- (12) A deed between a family corporation, partnership, limited partnership, limited liability partnership, or limited liability company as defined in Iowa Code section 428A.2, subsection 15, and its stockholders, partners, or members for the purpose of transferring real property in an incorporation or a corporate dissolution or in the organization or dissolution of a partnership, limited partnership, limited liability partnership, or limited liability company under the laws of this state, where the deed is given for no actual consideration other than for shares or for debt securities of the family corporation, partnership, limited partnership, limited liability partnership, or limited liability company.