



Document 2023 GW3097

Book 2023 Page 3097 Type 43 001 Pages 7

Date 12/19/2023 Time 12:36:40PM

Rec Amt \$.00

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BRANDY MACUMBER, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

**REAL ESTATE TRANSFER - GROUNDWATER HAZARD STATEMENT
TO BE COMPLETED 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: David Plank and Lydia Plank

Address: 2435 Pheasant Rd, Hopkinton, IA 52237

Number and Street or RR, City, Town or P.O., State Zip

TRANSFeree:

Name: Jacob Herschberger

Address: 3340 US Hwy 169, Lorimor, IA 50149

Address of Property Transferred:

3340 US Hwy 169, Lorimor, Iowa 50149

Legal Description of Property: (Attach if necessary)

The North Half (1/2) of the Southeast Quarter (1/4) of the Northwest Quarter (1/4) and the Southwest Quarter (1/4) of the Southeast Quarter (1/4) of the Northwest Quarter (1/4) of Section Thirty-five (35), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, EXCEPT that part thereof conveyed to the State of Iowa as shown in Warranty Deed filed in Book 104, Page 55, on July 1, 1974, in the Office of the Recorder of 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]:
_____.
- 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:

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

Signature: David P. Clark Telephone No.: 563-929-1183
(Transferor)



TIME OF TRANSFER INSPECTION TOT# 8229 SETH BROWN CERT # 13190

Site Information

Parcel Description: **670143548020000**

Address: **3340 US HWY 169, Lorimor, IA 50149**

County: **Madison**

Owner Information

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

Business Name:

Owner Name: **DAVID PLANK**

Email Address:

Address: **3340 US HWY 169, Lorimor, IA 50149**

Phone No:

Additional Contact Information

Name

Email Address

Affiliate Type

David Plank

kyle@jowlaw.com

Realtor

Site related information

No Of Bedrooms: **2**

Inspection Date: **11/29/2023**

Facility Type: **Residential**

Currently Occupied: **Yes**

Last Occupied:

System Installation Date:

Permit issued by County: **No**

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**

Tank Material: **Concrete**

Tank Corrosion Type: **Slight**

Liquid Level Type: **Normal**

No. of Compartments: **2**

Pump Tank Chamber: **No**

Licensed Pumper Name: **Rogers Septic**

Date Pumped: **11/29/2023** Meets Setback to Well: **N/A** Well Type:
 Distance To Well (Ft.): Is Accessible: **Yes** Lid Intact: **Yes**
 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

Distribution Box 1

Label: **Distribution Box 1** Material Type: **Plastic** Accessible: **Yes**
 Box Opened: **Yes** Baffle Present: **Yes** Speed Levelers Present: **Yes**
 Watertight: **Yes** Functioning As Designed: **Yes**

General Distribution System Comments :

Secondary Treatment

Sand Filter1

Filter Type: **Subsurface** Distribution Type: **Distribution Box** Material Type: **Rock and PVC Pipe**
 Absorption Area: **720** System Hydraulic Loaded: **Yes** Gallons Loaded: **150**
 Discharge At Time of Inspection: **No** CBOD Results: TSS Results:
 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: **No** 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 none to very slight deterioration. Accessible by risers and lids to ground surface. Inlet and outlet baffles present, outlet filter present. Plastic watertight distribution box in working condition. Baffle and speed levelers present. 6 headers go out over subsurface sand filter. Hydraulic load tested 18x40 equaling 720 sq ft sand filter with 150 gallons. Each header took water and sand filter probed dry and clean. Discharge pipe located in ditch, dry discharge at the time of tot.**



TIME OF TRANSFER INSPECTION TOT# 8229 SETH BROWN CERT # 13190

Owner Name: **DAVID PLANK**

Address: **3340 US HWY 169 , Lorimor , IA 50149**

County: **Madison**

Inspection Date: **11/29/2023**

Submitted Date: **11/29/2023**

This page certifies a Time of Transfer inspection was conducted and submitted for the property listed above in accordance with Subrule 567 IAC 69.2(8).