



Document 2009 GW3837

Book 2009 Page 3837 Type 43 001 Pages 3
Date 12/22/2009 Time 2:17 PM
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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

**REAL ESTATE TRANSFER - GROUNDWATER HAZARD STATEMENT
TO BE COMPLETED BY TRANSFEROR**

TRANSFEROR:

Name Bank of New York, as Trustee

Address 2505 W. Chandler Blvd., Chandler, Az 85224

Number and Street or RR

City, Town or P.O.

State

Zip

TRANSFereeE:

Name James C. Eller

Address 321 N. 9th Street, Winterset, IA 50273

Number and Street or RR

City, Town or P.O.

State

Zip

Address of Property Transferred:

2108 Earlham Road, Winterset, Iowa

Number and Street or RR

City, Town, or P.O.

State

Zip

Legal Description of Property: (Attach if necessary) See 1 in Addendum

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)

- There are no known private sewage disposal systems on this property.
- There is a private sewage disposal system on this property. 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 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. When the inspection is completed, an amended Groundwater Hazard Statement shall be recorded with the certified inspection and shall include the document numbers of both the real estate transfer document and the original Groundwater Hazard Statement.
- There is a 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.
- This property is exempt from the private sewage disposal inspection requirements pursuant to the following exemption: _____.
- 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:

SELLER ACQUIRED REAL ESTATE BY VIRTUE OF MORTGAGE FORECLOSURE PROCEEDINGS, AS SUCH, THE SELLER HAS NO ACTUAL KNOWLEDGE OF THE CONDITION OF THIS PROPERTY.

#1 - The Well is located 100 ft North of the South property line.

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

Signature: Patty Goldsberry as agent Telephone No.: 319-236-9002
(Transferor or Agent)

Addendum

1. A parcel of land in the Northwest Fractional Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Thirty-one (31), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, containing 3.83 acres, as shown in Plat of Survey filed in Book 2, Page 37 on June 17, 1986, in the Office of the Recorder of Madison County, Iowa, more particularly described as follows: Beginning at the Northwest Corner of Section Thirty-one (31), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence North 90 degrees 00'00" East 197.45 feet along the section line, thence South 00 degrees 43' 00" West 211.75 feet; thence South 86 degrees 55' 09" East 23.81 feet; thence South 01degrees 17'15" West 72.09 feet; thence South 89 degrees 14'27" East 255.98 feet; thence South 00 degrees 25' 00" East 170.49 feet; thence North 89 degrees 48' 18" West 94.01 feet; thence North 80 degrees 26' 45" West 100.37 feet; thence South 08 degrees 41' 24" West 120.92 feet; thence North 89 degrees 53' 00" West 265.30 feet to the West line of Section Thirty-one (31), thence North 00 degrees 14' 42" East 560.98 feet to the point of beginning.