



Document 2010 GW378  
 Book 2010 Page 378 Type 43 001 Pages 6  
 Date 2/23/2010 Time 12:15 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 Farmers & Merchants State Bank

Address 101 W Jefferson, Winterset, IA 50273

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

**TRANSFeree:**

Name Lucas Gray and Mariah Gray

Address 1917 N John Wayne Dr., Winterset, IA 50273

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

Address of Property Transferred:

1917 N John Wayne Dr., Winterset, IA 50273

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

Legal Description of Property: (Attach if necessary) The North Half (1/2) of Lot Six (6) of C & C Allen's Addition to Winterset, Madison County, Iowa

**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: property is bank owned foreclosure.
- 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:

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I HEREBY DECLARE THAT I HAVE REVIEWED THE INSTRUCTIONS FOR THIS FORM

AND THAT THE INFORMATION STATED ABOVE IS TRUE AND CORRECT.

*Farmers & Merchants State Bank*

Signature: by: *David Beckman, JP* Telephone No.: (515) 462-3120  
(Transferor or Agent)

**GROUNDWATER HAZARD STATEMENT**

ATTACHMENT #1

**NOTICE OF WASTE DISPOSAL SITE**

**a. Solid Waste Disposal (check one)**

- There is a solid waste disposal site on this property, but no notice has been received from the Department of Natural Resources that the site is deemed to be potentially hazardous.
- There is a solid waste disposal site on this property which has been deemed to be potentially hazardous by the Department of Natural Resources. The location(s) of the site(s) is stated below or on an attached separate sheet, as necessary.

**b.. Hazardous Wastes (check one)**

- There is hazardous waste on this property and it is being managed in accordance with Department of Natural Resources rules.
- There is hazardous waste on this property and the appropriate response or remediation actions, or the need therefore, have not yet been determined.

Further descriptive information:

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**I HEREBY DECLARE THAT I HAVE REVIEWED THE INSTRUCTIONS FOR THIS FORM**

**AND THAT THE INFORMATION STATED ABOVE IS TRUE AND CORRECT.**

Signature: by: *Farmers & Merchants State Bank*  
*[Signature]*, V.P. Telephone No.: (515) 462-3120  
(Transferor or Agent)



General location of system \_\_\_\_\_  
Location Unknown [ ] Age \_\_\_\_\_ Unknown [ ]  
Attached additional pages if necessary.

Buyers and Sellers agree to have the septic system inspected by a person certified by the DNR.

Such inspection will be paid for by:

Buyer

Seller

Mutually Agreed: Amount \_\_\_\_\_ by Seller, and amount \_\_\_\_\_ by Buyer.  
Exact \$ or % Exact \$ or %

and completed within \_\_\_\_\_ days of the execution of this Addendum or no later than \_\_\_\_\_ 20\_\_\_\_.

Buyer Initials \_\_\_\_\_ Seller Initials \_\_\_\_\_

The County Recorder shall not record a deed or any other property transfer or conveyance document until either a certified inspector's report is provided or attached to the Groundwater Hazard Statement, which documents the condition of the private sewage disposal system and whether any modifications are required to conform to standards adopted by the DNR or, in the event that weather or other temporary physical conditions prevent the certified inspection from being conducted, the buyer has executed and submitted 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.

At the time of inspection, any septic system existing as part of the sewage disposal system shall be opened and have the contents pumped out and disposed of as provided for by rule. In the alternative, the owner may provide evidence of the septic system being properly pumped out within three years prior to the inspection by a commercial septic system cleaner licensed by the DNR which shall include documentation of the size and condition of the tank and its components at the time of such occurrence.

If a private sewage disposal system is failing to ensure effective wastewater treatment or is otherwise improperly functioning, the private sewage disposal system shall be renovated to meet current construction standards, as adopted by the DNR, either by the seller or, by agreement, within a reasonable time period as determined by the county or the DNR, by the buyer. If the private sewage disposal system is properly treating the wastewater and not creating an unsanitary condition in the environment at the time of inspection, the system is not required to meet current construction standards.

We, the undersigned understand this form and agree to its terms.

\_\_\_\_\_  
Seller Date Buyer Date

\_\_\_\_\_  
Seller Date Buyer Date

**THIS IS A LEGALLY BINDING DOCUMENT.**

**If not understood, consult with the lawyer of your choice.**

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**You May STOP here if the inspection does not mandate a renovation, repair, or replacement of the septic system.**

**If a renovation, repair or replacement of the septic system is mandated, complete Section II on page 3.**

**Section II:  
Septic Inspection Mandates Renovation, Repair, or Replacement**

Buyers and Sellers agree to such renovation, repair, or replacement of the septic system.

Name of Septic Contractor/Service Provider \_\_\_\_\_

Such renovation, repair, or replacement shall be the responsibility and paid for by:

- Buyer
- Seller
- Mutually Agreed: Amount \_\_\_\_\_ by Seller, and amount \_\_\_\_\_ by Buyer.  

Exact \$ or %
Exact \$ or %

and completed within \_\_\_\_\_ days of the execution of this Addendum or no later than \_\_\_\_\_ 20\_\_\_\_

Buyer and Seller may agree to escrow money for the renovation, repair and replacement of the septic system and may complete an Escrow Agreement and Release. Following an inspection, the inspection form and any related reports shall be provided to the county for enforcement of any follow-up mandatory system improvement and to the DNR for their records. Title abstracts to property with private sewage disposal systems shall include documentation of septic system inspections.

We, the undersigned understand this form and agree to its terms.

Seller	Date	Buyer	Date
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Seller	Date	Buyer	Date
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**THIS IS A LEGALLY BINDING DOCUMENT.**

**If not understood, consult with the lawyer of your choice.**

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