



Document 2010 GW527

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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

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

**TRANSFEROR:**

Name Federal National Mortgage Association

Address 14221 Dallas Parkway Ste 11202 Dallas TX 75244  
Number and Street or RR City, Town or P.O. State Zip

**TRANSFeree**

Name David Parsons

Address 524 N 2nd Ave Winterset IA 50273  
Number and Street or RR City, Town or P.O. State Zip

Address of Property Transferred:

2018 HOGBACK BRIDGE RD WINTERSET, IA 50273  
Number and Street or RR City, Town, or P.O. State Zip

Legal Description of Property : (Attach if necessary) See Attached

**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) 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 confirm 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 acknowledgement 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 acknowledgement is attached to the 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 acknowledgement with the county board of health to demolish the building within an agreed upon time period. A copy of the binding acknowledgement is provided with this form.
- This property is exempt from the private sewage disposal inspection requirements pursuant to the following exemption: Foreclosed property now being sold by lender.
- 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 has no direct knowledge of physical property condition. Foreclosed property.**

\_\_\_\_\_

\_\_\_\_\_

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

Signature:  Telephone Number: (578) 266-5700  
(Transferor or Agent)

Legal Description Attachment;

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**The North Half (N ½) of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section Twenty-six (26) in Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5<sup>th</sup> P.M., Madison County, Iowa, EXCEPT that part thereof heretofore conveyed for railroad purposes and described as commencing at the southwest corner of said tract and running thence East on the South line thereof 56.53 feet, thence northwesterly 110 feet to the West line of said tract, thence South 94.46 feet to the point of beginning and containing 6/100 of an acre more or less; AND EXCEPT Parcel "C" located in the North Half (N ½) of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section Twenty-six (26), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5<sup>th</sup> P.M., Madison County, Iowa, containing 14.508 acres, as shown in Amended Plat of Survey filed in Book 2004, Page 5772 on December 12, 2004, in the Office of the Recorder of Madison County, Iowa.**



# SEPTIC SYSTEM INSPECTION AND REPAIR ADDENDUM



This agreement is an addendum to the Offer for Real Estate dated Feb 22 2009

between Seller(s) Federal National and Buyer(s) David Parsons

Property Address:

**Purpose of Addendum:** Iowa Code 455B.172 mandates the inspection of septic systems, unless exempt, prior to the transfer of property. The Code applies to transfer of property which includes at least one but not more than four dwelling units. This property has a septic system and is not connected to a sanitary sewer system.

**Exempt Properties:** Properties exempted from the Septic System Inspection Requirements include (IA Code 455B.172): Bare ground; property containing 5 or more dwellings units; court ordered transfers; foreclosures; lenders selling foreclosed properties; fiduciaries in the course of an administration of an decedent's estate, guardianship, conservatorship, or trust; between joint tenants or tenants in common; intra family transfers; between divorcing spouses; transfers, for which consideration is \$500 or less; certain intra-family or intra-company business organization transfers; properties which have been inspected within the last two years.

Also, the inspection requirement does not apply to a transfer in which the transferee intends to demolish or raze the building. An Iowa Department of Natural Resources (DNR) form must be used to certify the intent to raze or destroy.

Seller(s) certifies that the property is exempt from the requirement(s) of Iowa Code 455B because one of the above exemptions apply. If so, Seller(s) may stop here.

Seller	Date	Seller	Date
<i>X</i> <u>David Parsons</u>	<u>3-15-10</u>		
Buyer	Date	Buyer	Date

**Section I:**

**Seller's Disclosure Statement:** Sellers warrant, to the best of their knowledge, that the septic system is entirely located on the above property is in good working order at the time of this offer. Brokerage makes no statements or warranty as to the septic system. Seller authorizes Agent to provide a copy of this statement to any person or entity in connection with actual or anticipated sale of the property or as otherwise provided by law. This statement shall not be a warranty of any kind by Seller or Seller's Agent and shall not be intended as a substitute for any other inspection the purchaser may wish to obtain.

Has the system been inspected by a DNR certified inspector within 2 years, or pumped/cleaned within 3 years?

Yes [ ] No [ ] Unknown [ ]

Date of inspection \_\_\_\_\_ Unknown [ ]

Date system last cleaned/pumped \_\_\_\_\_ Unknown [ ]

(Note: If inspected within 2 years of closing date, system may not need inspection and if pumped within 3 years may not need pumping/cleaning.)

Any known problems?

Yes [ ] If Yes, Explain \_\_\_\_\_

No [ ] Unknown [ ]

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 P.P. 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.

_____	_____	<u>Pat Parsons</u>	<u>3-15-10</u>	X
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 Dan Parsons 3-15-10 X  
Buyer Date

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

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