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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

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

TRANSFEROR:

Name Patricia Barry, Trustee of the Survivor's Trust under the Phillip and Patricia Barry Family Trust dated May 6, 1998

Address P. O. Box 49895, Los Angeles, CA 90049

Number and Street or RR

City, Town or P.O.

State

Zip

TRANSFeree:

Name Roger E. McNeley and Johnna McNeley

Address 410 Nebraska Avenue, Lorimor, IA 50149

Number and Street or RR

City, Town or P.O.

State

Zip

Address of Property Transferred:

2283 Clark Tower Road, 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) 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)

- All buildings on this property are served by a public or semi-public sewage disposal system.
- This transaction does not involve the transfer of any building.
- 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.
- 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.
- There is a building served by private sewage disposal system on this property. 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.
- 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 #9]
- This property is exempt from the private sewage disposal inspection requirements pursuant to the following exemption [Note: for exemption #9 use prior check box]: _____.
- 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:

Well is located approximately 30 yards west northwest of the house

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

Signature: *Patricia Barry*
(Transferor or Agent)
Trustee

Telephone No.: *(310) 385-1150*

Seller: Patricia Barry, Trustee of the Survivor's Trust under the Phillip and Patricia Barry Family Trust dated May 6, 1998

A parcel of land in the Southeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) and the Southwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Six (6), in Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa containing 4.2409 acres, described as commencing at the South Quarter ($\frac{1}{4}$) corner of said Section Six (6), thence West 627.7 feet along the South line of said Section Six (6), thence North $16^{\circ}44'$ West along the West right-of-way line of U.S. Highway No. 169 871.7 feet to the point of beginning, thence continuing North $16^{\circ}44'$ West along said West Right-of-way line 219.0 feet, thence South $84^{\circ}55'$ West 164.8 feet, thence North $07^{\circ}47'$ West 44.2 feet, thence South $86^{\circ}49'$ West 161.8 feet, thence South $61^{\circ}04'$ West 88.0 feet, thence South $00^{\circ}42'$ East 99.0 feet, thence South $78^{\circ}23'$ West 114.8 feet, thence South $41^{\circ}52'$ East 162.1 feet, thence South $33^{\circ}00'$ East 392.2 feet, thence North $78^{\circ}14'$ East 112.7 feet, thence North $07^{\circ}52'$ West 339.0 feet, thence North $82^{\circ}37'$ East 198.4 feet to the point of beginning, exclusive of any public road right-of-way

**TIME OF TRANSFER INSPECTION WAIVER
BINDING ACKNOWLEDGEMENT for FUTURE INSTALLATION**

This agreement is entered into this 29th day of December 2010 by and between Madison County Board of Health and Johnna McNeley.

WHEREAS, it is understood the Iowa Administrative Code 567-69 requires an inspection of the private sewage disposal system on all property located in Iowa at the time of transfer.

WHEREAS, the property located at 2283 Clark Tower Rd, Madison County, Iowa is subject to the inspection, and the buyer Johnna McNeley understands there is not a private sewage disposal system serving this property.

NOW THEREFORE, it is hereby agreed that the time of transfer inspection will not be required and agrees that the necessary private sewage disposal system to serve the property shall be installed and completed no later than the 1st day of June, 2011.

Dated the 29th day of December 2010.

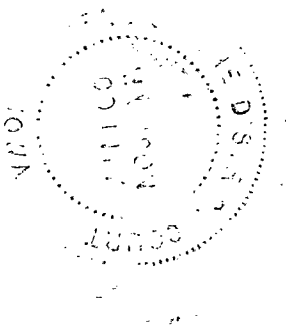
PROPERTY OWNER (S) OR BUYER

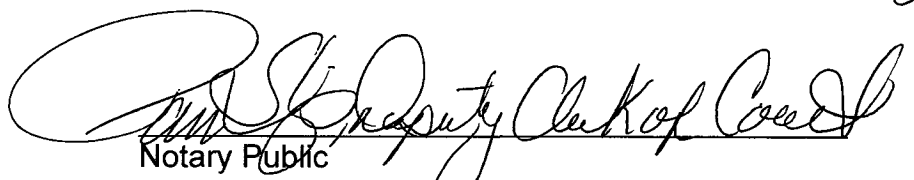
MADISON COUNTY
BOARD OF HEALTH OR
AUTHORIZED REPRESENTATIVE


Johnna McNeley Buyer


Elton A. Root, Environmental Health

This instrument was acknowledged before me on December 29, 2010 by 




Notary Public