



Document 2011 GW544

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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

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

**TRANSFEROR:**

Name Kent Kiburz and Melissa Kiburz

Address 2303 W Summit, Winterset, IA 50273

Number and Street or RR

City, Town or P.O.

State

Zip

**TRANSFeree:**

Name Raymond John Agan, Trustee of the Raymond John Agan Living Trust

Address 2309 Ave. S, Huntsville, TX 77340-5516

Number and Street or RR

City, Town or P.O.

State

Zip

Address of Property Transferred:

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)**

- ☐ 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 in S.W. part of 56RM

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

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

Signature: \_\_\_\_\_

(Transferor or Agent)

Telephone No.: ( 515 ) 468-0135

EXHIBIT "A"

**LEGAL DESCRIPTION:**

Parcel "D" in the North Half of the Southwest Quarter and in the Southwest Quarter of the Southwest Quarter of Section 5, Township 74 North, Range 27 West of the 5<sup>th</sup> P.M., Madison County, Iowa, more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of the Southwest Quarter of Section 5, Township 74 North, Range 27 West of the 5<sup>th</sup> P.M., Madison County, Iowa; thence along the Section Line, North 00°04'18" East, 333.00 feet to the point of beginning. Thence South 89°55'42" East, 40.00 feet; thence North 00°04'18" East, 144.79 feet; thence South 77°16'09" East, 477.84 feet; thence South 00°43'03" West, 116.37 feet; thence South 17°56'14" West, 271.93 feet; thence along the South Line of said Northwest Quarter of the Southwest Quarter, South 89°38'28" East, 457.76 feet; thence South 00°24'06" West, 661.90 feet; thence South 89°35'08" East, 440.02 feet; thence along the East Line of the Southwest Quarter of the Southwest Quarter of said Section 5, North 00°12'54" East, 662.33 feet to the Southwest corner of the Northeast Quarter of the Southwest Quarter of said Section 5, thence North 89°44'10" East, 1,316.45 feet to the Southeast corner of said Northeast Quarter of the Southwest Quarter; thence North 00°06'27" East, 1,315.87 feet to the Northeast Corner of said Northeast Quarter of the Southwest Quarter; thence North 89°52'35" West, 2,634.36 feet to the West Quarter Corner of said Section 5, Township 74 North, Range 27 West; thence along the Section Line, South 00°04'18" West, 986.36 feet to the point of beginning and containing 81.943 Acres.