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Book 2011 Page 2357 Type 43 001 Pages 3

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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 Ted Benshoof and Sharon Benshoof

Address 1931 Quail Ridge Ave., Winterset, IA 50273

Number and Street or RR

City, Town or P.O.

State

Zip

**TRANSFeree:**

Name B & K Subdivision

Address 1931 Quail Ridge Ave., Winterset, IA 50273

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) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

Signature:

*(Handwritten Signature)*  
(Transferor or Agent)

Telephone No.: ( 515 ) 468-1021

LEGAL DESCRIPTION

Lot 3 of Ryan's West Subdivision recorded in Book 2001, Page 1844A, Madison County Recorder's office, Madison County, Iowa, located in the Northwest Quarter of the Northeast Quarter and the Northeast Quarter of the Northeast Quarter of Section 25, Township 76 North, Range 27 West of the Fifth Principal Meridian, Madison County, Iowa, described as follows:

Commencing at the northeast corner of the Northwest Quarter of the Northeast Quarter of said Section 25;  
thence on an assumed bearing of South 89 degrees 53 minutes 20 seconds West along the northerly line of said Ryan's West Subdivision and the northerly line of the Northwest Quarter of the Northeast Quarter of said Section 25 a distance of 491.61 feet to the northeast corner of said Lot 3 and the point of beginning;  
thence South 44 degrees 53 minutes 04 seconds East along the northeasterly line of said Lot 3 a distance of 754.45 feet to easterly line of said Lot 3;  
thence South 00 degrees 11 minutes 43 seconds East along said easterly line 279.52 feet to the southeast corner of said Lot 3 and the northerly line of Iowa Highway Number 92, recorded in Book 133, Page 764, Madison County Recorder's office, Madison County, Iowa;  
thence South 87 degrees 30 minutes 34 seconds West along said northerly line and the southerly line of said Lot 3 a distance of 779.90 feet;  
thence North 63 degrees 13 minutes 00 seconds West along said northerly line and said southerly line of Lot 3 a distance of 224.69 feet;  
thence South 87 degrees 11 minutes 10 seconds West along said northerly line and said southerly line of Lot 3 a distance of 290.62 feet to the southwest corner of said Lot 3;  
thence North 01 degrees 32 minutes 45 seconds West along the westerly line of said Lot 3 a distance of 759.77 feet to the northwest corner of said Lot 3 and the northerly line of said Ryan's West Subdivision and the northerly line of the Northwest Quarter of the Northeast Quarter of said Section 25;  
thence North 89 degrees 53 minutes 20 seconds East along said northerly lines 757.19 feet to the northeast corner of said Lot 3 and the point of beginning.

Said tract contains 20.44 acres.