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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 Howard E. Jones and Delores M. Jones
Address 805 N.E. 4th Street, Earlham, Iowa 50072
Number and Street or RR City, Town or P.O. State Zip

TRANSFeree:

Name Ory Brothers, Inc.
Address 36073 Knox Avenue, Earlham, Iowa 50072
Number and Street or RR City, Town or P.O. State Zip

Address of Property Transferred:
1922 - 105th Street, Earlham, Iowa 50072
Number and Street or RR City, Town or P.O. State Zip

Legal Description of Property: (Attach if necessary) The N¹/₂ of the SW¹/₄ of Section 3, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa, EXCEPT the Railroad right-of-way located therein; AND all that part of the SW¹/₄ of the SW¹/₄ of Section 3, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa, lying North of the Railroad right-of-way

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 which has or is required by law to have a sewage disposal system.
- 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:

One active well is located 1200 feet south of the dwelling house.

One inactive well is located 1200 feet south of the dwelling house.

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

Signature: Howard E. Jones Telephone No.: (515) 758-3070
(Transferor or Agent)
Howard E. Jones

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

This agreement is entered into this 3rd day of November 2013 by and between Madison County Board of Health and Daniel D. Ory.

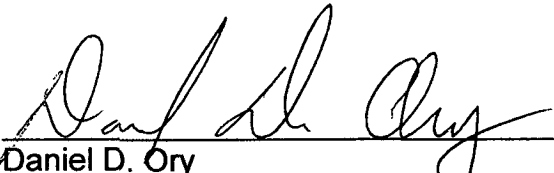
WHEREAS, it is understood the Iowa Administrative Code 567-69 requires an inspection of the private sewage disposal system on all property located in Iowa at the time of transfer.

WHEREAS, the property located at 1922 105th Street, Earlham, IA is subject to the inspection, and the buyer Daniel D. Ory 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 2015.

Dated the 3rd day of November 2014.

PROPERTY BUYER



Daniel D. Ory

MADISON COUNTY
BOARD OF HEALTH OR
AUTHORIZED REPRESENTATIVE



Elton A. Root, Environmental Health

This instrument was acknowledged before me on November 3, 2014 by



Notary Public



HEATHER THOMPSON
MADISON COUNTY, IOWA
DISTRICT COURT