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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 Benshoof Family Farms, L.L.C.
Address 1931 Quail Ridge Avenue, Winterset, IA 50273
Number and Street or RR City, Town or P.O. State Zip

TRANSFeree:

Name Madison County, Iowa
Address c/o Madison County Courthouse, PO Box 152, Winterset, IA 50273
Number and Street or RR City, Town or P.O. State Zip

Address of Property Transferred:
bare land

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 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:

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

Signature:  Telephone No.: (515) 468-1021
(Transferor or Agent)

LEGAL DESCRIPTION:

All that part of the Northwest Quarter of the Southeast Quarter of Section 26, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, lying South of a County Road through the Northwest Quarter of the Southeast Quarter of said Section 26 except a tract lying South of said road more particularly described as follows:

Beginning at the Southwest Corner of the Northwest Quarter of the Southeast Quarter of Section 26, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa thence North 00°06'35" West 641.66 feet to a point at the centerline of a County Road along the North line of the South Half of the Northwest Quarter of the Southeast Quarter of said Section 26; thence North 89°37'23" East 296.00 feet along the centerline of said County Road; thence South 00°06'36" East 205.00 feet; thence South 89°33'34" East 267.00 feet; thence North 02°05'10" East 209.00 feet to a point on the centerline of said County Road; thence North 89°37'23" East 740.29 feet along said centerline to a point on the East line of the Northwest Quarter of the Southeast Quarter of said Section 26; thence South 00°46'33" East 647.06 feet to the Southeast Corner of the Northwest Quarter of the Southeast Quarter of said Section 26; thence North 89°51'26" West 1318.66 feet to the Point of Beginning containing 18.16 acres including 1.34 acres of County Road right-of-way.

Said parcel to be titled Benshoof Acres and divided into two Lots. Lot 1 to contain 3.01 acres including 0.31 acres of County Road right-of-way and Lot 2 to contain 15.15 acres including 1.03 acres of County Road right-of-way.