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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

**CERTIFICATE OF NO FURTHER ACTION**

**Prepared By:** Dawn Santa Maria, 515.281.8865  
IOWA DEPARTMENT OF NATURAL RESOURCES, 502 E 9<sup>th</sup> St, Des Moines, IA 50319-0034

*Mark Mitchals*

*E* ✓ **Return To:** ~~MAYOR JERRY SCHWERTFEGER~~, CITY OF WINTERSET, 124 W COURT AVE,  
WINTERSET IA 50273

This document certifies that the referenced underground storage tank (UST) site has been classified by the Iowa Department of Natural Resources (Department) as "no further action" as provided in Iowa Code § 455B.474(1)a(8)(a). This certificate must be recorded in the referenced site's County Recorder Office. See Iowa Code § 455B.474(1)(a)(8)(c).

**Date of Issuance:** FEBRUARY 04, 2014  
**Owner/Operator of the Tank(s):** CITY OF WINTERSET  
**Department File Reference:** UST No. 198606620  
LUST No. 7LTW81  
**UST Facility Address:** FORMER MEYER SERVICE  
204 E COURT AVE  
WINTERSET IA 50273  
**Owner/Operator Mailing Address:** ATTN MAYOR JERRY SCHWERTFEGER  
CITY OF WINTERSET  
124 W COURT AVE  
WINTERSET IA 50273

**Legal Description of the UST Site:**

North 52 feet of Lot Four (4) in Block Twenty-six (26) in the Original Town of Winterset, Madison County, Iowa.

If any monitoring wells are subsequently found they should be properly abandoned in accordance with Chapter 567-39 of the Iowa Administrative Code.

This certificate prohibits the Department from requiring a property owner or a responsible party to conduct further corrective action if the only reason is a change in action levels See Iowa Code § 455B.474(1)(a)(8)(c). An owner or operator shall not be responsible for additional assessment, monitoring, or corrective action activities at a site for the release (LUST) that is issued a no further action certificate unless it is determined that the certificate was issued based upon false material statements that were knowingly or intentionally made by a groundwater professional and the false material statement resulted in the incorrect classification of the site. See Iowa Code § 455B.474(1)(a)(8)(a). However, this certificate does not prevent the Department from requiring corrective action at the site if a new petroleum release occurs. See Iowa Code § 455B.474(1)(a)(8)(c). If a previously unknown or unforeseen risk condition should arise related to the release covered by this certificate, the Department, in conjunction with the Iowa comprehensive petroleum underground storage tank fund board, may fund investigation and corrective action to address the risk. See Iowa Code § 455G.9(1)(k).

This certificate does not constitute a warranty or representation of any kind to any person as to the environmental condition, marketability, or value of the above-referenced property other than that NFA-qualifying status was achieved upon the date of certificate issuance. See 567 Iowa Administrative Code 135.12(10)(b)(6).

FOR THE DIRECTOR:

Elaine R. Douskey  
ELAINE DOUSKEY, Supervisor  
UST Section  
Environmental Services Division

State of Iowa )  
County of Polk ) ss.

This instrument was acknowledged before me on this 4<sup>th</sup> day of February, 2014, by Elaine Douskey, who executed the foregoing instrument, and acknowledges that this person executed the same as his/her/their voluntary act and deed.

Bonnie S. Garrison  
Notary Public for State of Iowa  
My Commission Expires: 3-25-2016

