



Document 2017 GW378

Book 2017 Page 378 Type 43 001 Pages 4

Date 1/31/2017 Time 10:17:17AM

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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 Raber Estate  
Address 515 Oak Street NE, Earlham, IA 50072  
Number and Street or RR City, Town or P.O. State Zip

**TRANSFeree:**

Name Justin Ray Tindle  
Address 512 W. Jefferson, Winterset, IA 50273  
Number and Street or RR City, Town or P.O. State Zip

Address of Property Transferred:  
2133 195<sup>th</sup> St. Winterset, IA 50273  
Number and Street or RR City, Town or P.O. State Zip

Legal Description of Property: (Attach if necessary) See description 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:**

1 Well 10' West of house. 2 Wells 40' North of House.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

Signature: *Eric G. Baker exec.* Telephone No.: (515) 480-5535

(Transferor or Agent)

Parcel "B" in the Southeast Quarter of the Northwest Quarter (SE¼ NW¼) of Section Twenty-four (24), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

Beginning at the Southwest corner of the Southeast Quarter of the Northwest Quarter (SE¼ NW¼) of Section 24, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa; thence North 00°16'39" East 306.70 feet along the West line of said Southeast Quarter of the Northwest Quarter (SE¼ NW¼); thence South 89°48'59" East 426.12 feet; thence South 00°05'48" West 306.70 feet to a point on the South line of said Southeast Quarter of the Northwest Quarter (SE¼ NW¼); thence North 89°49'00" West 427.09 feet to the Point of Beginning. (Containing 3.00 acres including 0.54 acres of County Road right-of-way.)

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

This agreement is entered into this 5th day of January, 2017 by and between Madison County Board of Health and Justin Ray Tindle.

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.

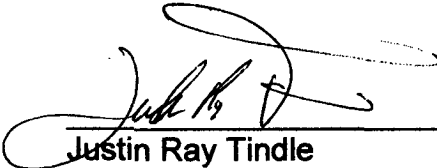
WHEREAS, the property located at 2133 195<sup>th</sup> Street is subject to the inspection, and the buyer Justin Ray Tindle understands there is not a private sewage disposal system serving this property.

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 1<sup>st</sup> day of July, 2017.

Dated the 5<sup>th</sup> Day of January, 2017.

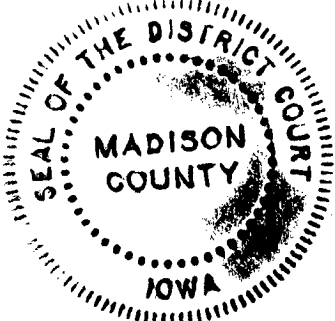
PROPERTY BUYER

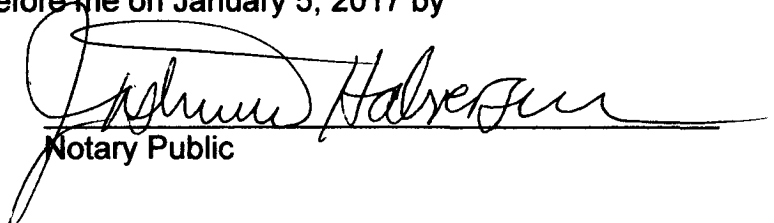
MADISON COUNTY  
BOARD OF HEALTH OR  
AUTHORIZED REPRESENTATIVE

  
Justin Ray Tindle

  
Elton A. Root, Environmental Health

This instrument was acknowledged before me on January 5, 2017 by



  
Notary Public