



Document 2019 GW489

Book 2019 Page 489 Type 43 001 Pages 5

Date 2/11/2019 Time 2:01:14PM

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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 Dunn Family Trust dated June 6, 1990

Address 235 Robinson Street, Hudson, NY 12534

Number and Street or RR

City, Town or P.O.

State

Zip

TRANSFeree:

Name Michael Eller

Address 417 East Filmore Street, Winterset, Iowa 50273

Number and Street or RR

City, Town or P.O.

State

Zip

Address of Property Transferred:

2218 230th Lane, Winterset, Iowa 50273

Number and Street or RR

City, Town or P.O.

State

Zip

Legal Description of Property: (Attach if necessary) See 1 in Addendum

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.
- SWD* 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]
- SWD* This property is exempt from the private sewage disposal inspection requirements pursuant to the following exemption [Note: for exemption #9 use prior check box]: 455B.172(3).
- 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: *John P. Don, trustee* Telephone No.: 949-885-6516
(Transferor or Agent)

Addendum 1/2

1. An undivided one-half interest in:

A tract of land located in the Northeast Quarter (¼) of the Northwest Quarter (¼) of Section Seven (7), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, more particularly described as follows, to-wit: Commencing at a point on the North Line of the Northeast Quarter (¼) of the Northwest Quarter (¼) of said Section Seven (7), which is 665 feet West of the Northeast corner thereof, and running thence South 33° 40' West, 603.2 feet, thence South 33° 32' West 294.6 feet, thence North 8° 30' East 627.0 feet, thence North 53° 24' East 209.0 feet to the North line of said Forty (40) acre tract, thence East on said North line 241.0 feet to the point of beginning; AND a tract of land located in the Southeast Quarter (¼) of the Southwest Quarter (¼) of Section Six (6), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, more particularly described as follows, to-wit: Commencing 627.7 feet West of the Southeast corner of the Southwest Quarter (¼) of said Section Six (6), and running thence West on the section line 447.8 feet, thence North 8° 59' East 476.1 feet, thence North 9° 39' West 876.9 feet, thence North 1° 11' East to the intersection of the West line of Public Highway #169, thence South 16° 44' East along the West line of said highway approximately 1685.7 feet to the point of beginning, EXCEPT the following-described tracts, to-wit:

1. A tract condemned for highway purposes described as follows: Commencing at a point on the West line of said highway 207.4 feet Northerly from the Southeast corner of the above-described tract, and running thence South 73° 16' West 9.5 feet, thence Southwesterly along a 253.5 foot radius curve central angle 20° concave Southerly 88.7 feet, thence South 53° 16' West 189.1 feet to the South line of said section, thence West 110.4 feet, thence North 53° 16' East 277.5 feet, thence Northeasterly along a 319.5 foot radius curve central angle 20° concave Southerly 111.8 feet, thence North 73° 16' East 9.5 feet, thence South 16° 44' East 66 feet to point of beginning and containing 1/2 of an acre, more or less;
2. A tract of land situated in the Southeast Quarter (¼) of the Southwest Quarter (¼) and the Southwest Fractional Quarter (¼) of the Southwest Quarter (¼) of said Section Six (6) described as follows: Commencing at the South Quarter (¼) corner of said Section Six (6), thence West 627.7 feet along the South line of said Section Six (6), thence North 16°44' West along the West right of way line of U. S. Highway No. 169 871.7 feet to the point of beginning, thence continuing North 16°44' West along said West right of way line 219.0 feet, thence South 84°55' West 164.8 feet, thence North 07°47' West 44.2 feet, thence South 86°49' West 161.8 feet, thence South 61°04' West 88.0 feet, thence South 00°42' East 99.0 feet, thence South 78°23' West 114.8 feet, thence South 41°52' East 162.1 feet, thence South 33°00' East 392.2 feet, thence North 78°14' East 112.7 feet, thence North 07°52' West 339.0 feet, thence North 82°37' East 198.4 feet to the point of beginning, containing 4.2409 acres exclusive of any public road right of way;
3. A tract located in the East Half (½) of the Southwest Quarter (¼) conveyed to Madison County, Iowa, in Deed Record 109, Page 25 on May 25, 1979, in the Office of the Recorder of Madison County, Iowa, more particularly described as follows: Commencing at the

Addendum 2/2

South Quarter Corner of said Section Six (6), thence West 627.7 feet along the South line of said Section Six (6), thence North 16°44' West along the West right-of-way line of U. S. Highway No. 169 1090.7 feet to the point of beginning, thence South 84°55' West 164.8 feet, thence North 144 feet, thence West 30 feet, thence North 770 feet, thence East to the West right-of-way line of U. S. Highway No. 169, thence Southeasterly along the West right-of-way line of U. S. Highway No. 169 to the point of beginning;

4. Parcel "A" located in the Southeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of said Section Six (6), and in the Northeast Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Seven (7), as shown in Plat of Survey attached to the Warranty Deed filed in Book 106, Page 363 on February 7, 1977 in the Office of the Recorder of Madison County, Iowa.

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

This agreement is entered into this 1st day of February, 2019 by and between Madison County Board of Health and, Michael Eller.
Michael Eller Phone# 515-493-6647


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 2218 230th Lane, Winterset, IA 50273 is subject to the inspection, and the buyer, Michael Eller agrees that the current private sewage disposal system serving this property will not pass inspection.

NOW THEREFORE, it is hereby agreed that the time of transfer inspection will not be required and that the necessary private sewage disposal system to serve the property shall be installed at the earliest possible date, but no later than the 1st day of June 2019.

Dated the 1st day of February, 2019.

PROPERTY BUYER



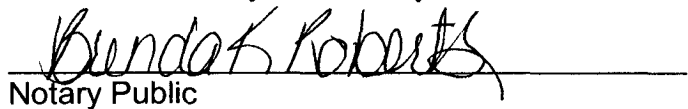
Michael Eller

MADISON COUNTY
BOARD OF HEALTH OR
AUTHORIZED REPRESENTATIVE

 Date 2-1-2019

Michael Fairchild
Environmental Health Officer

This instrument was acknowledged before me on February 1st 2019 by


Notary Public