Book 2020 Page 1043
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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

REAL ESTATE TRANSFER - GROUNDWATER HAZARD STATEMENT
TO BE COMPLETED BY TRANSFEROR

TRANSFEROR:
Name Michael T. Millenkamp

Address 2605 137th Street, Earlville, IA 52041
Number and Street or RR | City, Town or P.O. | State | Zip

TRANSFEREE:
Name Benjamin David Mullis

Address 1803 State Hwy 38, Manchester, IA 52057
Number and Street or RR | City, Town or P.O. | State | Zip

Address of Property Transferred:
2467 155th Street, Greeley, IA 52050
Number and Street or RR | City, Town or P.O. | State | Zip

Legal Description of Property: (Attach if necessary)
The North one-half (N½) of the Northeast Quarter (NE¼) of Section Thirty Three (33), Township Ninety (90) North, Range Four (4), West of the Fifth P.M., except commencing at a point forty (40.0) feet East of the Southwest corner of said North one-half (N½) of the Northeast Quarter (NE¼) and running thence North 25° East two hundred forty five (245.0) feet, thence South 59° East four hundred thirty seven (437.0) feet, thence West along the South line of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) four hundred eighty (480.0) feet to the point of beginning; also that part of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of said Section Thirty Three (33) described as commencing at the North Quarter corner of said Section Thirty Three (33) and running thence South along the Quarter Section line forty three and two-tenths (43.2) feet to the point of beginning, thence South along the Quarter Section line seven hundred twenty-two and two-tenths (722.2) feet, thence North 22° 18' West six hundred sixty eight and two-tenths (668.2) feet, thence North 67° 42' East two hundred seventy

four (274) feet to the point of beginning.

Also including Parcel B part of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼), Section Thirty-three (33), Township Ninety North (T90N), Range Four West (R4W) of the Fifty Principal Meridian, Delaware County, Iowa, according to Plat recorded in Book 2008, Page 181.

1. Wells (check one)

__ There are no known wells situated on this property.

X 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. One well 15 feet East of house.

2. Solid Waste Disposal (check one)

x 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)

x 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)

x 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)

x 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.

x 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.: (563) 590-3385
(Transferor or Agent)

AGREEMENT REGARDING SEPTIC INSPECTION

Michael T. Millenkamp and Donna A. Millenkamp, husband and wife, as Sellers, and Benjamin David Mullis, a single person, as Buyer, hereby enter into the following agreement concerning septic inspection and/or repair and replacement, the terms of which are as follows:

1. On or about March 13, 2020, Sellers entered into an Offer to Buy Real Estate and Acceptance ("Offer") with Buyer.

2. The Septic Addendum of the Offer required Sellers to have the septic system inspected at Sellers' cost.

3. Due to the weather conditions, Sellers were unable to obtain before the closing date. Pursuant to County regulations, the Buyer must sign an agreement with the Delaware County Sanitarian which states that the Buyer will obtain a time of transfer inspection which shows the septic system is in compliance with code on or before July 1, 2020. If the septic system fails to pass inspection, the waiver agreement binds the Buyer to repair or replace the system or face possible imposition of fines and penalties.

4. The Buyer has signed the agreement, a copy of which is attached hereto.

5. The Sellers agree that it is the Sellers' responsibility to obtain the time of transfer inspection and to make any necessary repairs or replacement of the septic system if the system is not in compliance with State and County regulations by July 1, 2020. Further, the Sellers agree to defend, indemnify and hold the Buyer harmless for any liability that the Buyer may incur as a result of the attached agreement for any sums Buyer must expend to bring the septic system into compliance, including Buyer's attorney fees if any action must brought to enforce this agreement.

Dated this 13th day of April, 2020.

SELLERS:

Michael T. Millenkamp

Donna A. Millenkamp

BUYER:

Benjamin David Mullis

Print Form

IOWA DEPARTMENT of NATURAL RESOURCES
TIME of TRANSFER INSPECTION AGREEMENT
BINDING AGREEMENT for FUTURE INSPECTION
542-0062

This agreement, in accordance with Iowa Code 455B.172 (11), is entered into this 9th day of April 20 20 by and between Delaware County Board of Health and _____. It is agreed that due to weather or other temporary physical conditions that prevent the certified inspection of the private sewage disposal system at the property located at 2467 - 155th St Greeley from being conducted, that the required inspection shall be completed no later than 1st July, 20 20 The buyer further agrees to be responsible for any required modifications to the private sewage disposal system as identified by the certified inspection.

Dated the April 1 day of _____ 20 20 .

Benjamin David Mullis
PROPERTY BUYER

Dennis Lyons
COUNTY BOARD OF HEALTH or AUTHORIZED REPRESENTATIVE

This instrument was acknowledged before me on April 13, 20 20

by, Benjamin David Mullis

TODD J. LOCHER
MY COMMISSION EXP.
Oct. 12, 2021
IOWA NOTARIAL SEAL
COMMISSION NO. 176419

Notary Public