

Recorded: 4/14/2022 at 11:08:23.0 AM  
County Recording Fee: \$0.00  
Iowa E-Filing Fee: \$0.00  
Combined Fee: \$0.00  
Revenue Tax:  
Delaware County, Iowa  
Daneen Schindler RECORDER  
BK: 2022 PG: 1194

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

**TRANSFEROR:**

Name	Robert M. Kirkwood and Linda M. Kirkwood		
Address	2976 302nd Street	Hopkinton	IA 52237
	Number and Street or RR	City, Town or PO	State Zip

**TRANSFeree:**

Name	Jamil Hucker and Brittany Hucker		
Address	P.O. Box 6, 209 First Street SW, Unit #2	Hopkinton	IA 52237
	Number and Street or RR	City, Town or PO	State Zip

**Address of Property Transferred:**

2952 302nd Street	Hopkinton	IA	52237
Number and Street or RR	City, Town or PO	State	Zip

Legal Description of Property: (Attach if necessary)

See attached Exhibit A for Legal Description

**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:

Robert S. McInerney  
(Transferor or Agent)

Telephone No.:

319-430-1621

## **Exhibit A**

Legal Description to 2952 302<sup>nd</sup> Street, Hopkinton, Delaware County, Iowa

**THE WEST 375 FEET OF THE NORTH 190 FEET OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION SEVENTEEN (17), TOWNSHIP EIGHTY SEVEN (87) NORTH, RANGE THREE (3), WEST OF THE FIFTH P.M., SUBJECT TO ALL EASEMENTS OF RECORD, CONTAINING 1.63 ACRES.**

### **SUBJECT TO:**

**Grantors reserve a permanent 30-foot-wide easement along the West boundary line of the above-described property in order to provide Grantors access from the County Road to their field South of the above-described property.**

**Grantors shall pay to disconnect the existing waterline to the house located on the above-described property. Grantors reserve a permanent easement to retain and maintain that portion of Grantors' waterline remaining on Grantees' property and runs under the County Road to the Grantors' property North of the County Road. Grantors shall give Grantees a 24-hour notice prior to entering on the above-described property in order to repair the waterline. Grantors shall be required to restore the property to its original condition following said repair.**

**These reserved easements shall run with the land and be binding on all successors in interest.**



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

410170001400

This agreement, in accordance with Iowa Code 455B.172 (11), is entered into this 5<sup>th</sup> day of April, 20 22 by and between Delaware County Board of Health and James Hacker and Brittany Hacker, husband and wife, Buyers. 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 2952 302<sup>nd</sup> ST from being conducted, that the required inspection shall be completed no later than November 1<sup>st</sup>, 20 22. 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 5<sup>th</sup> day of April, 20 22.

Brittany Hacker  
PROPERTY BUYER

Alex Linderwell  
COUNTY BOARD OF HEALTH or AUTHORIZED REPRESENTATIVE

This instrument was acknowledged before me on April 5, 20 22 by Alex Linderwell

Acknowledged before me by  
James Hacker and Brittany Hacker  
on April 13<sup>th</sup>, 2022

Judith O. Eckman  
Notary Public

Cory A. Ranney  
Notary Public

