

Recorded: 9/8/2023 at 11:58:07.0 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: 2023 PG: 2205

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

If the transaction is exempt from filing a declaration of value pursuant to Iowa Code 428A.1(2), **STOP HERE**. Pursuant to Iowa Code section 558.69(1), when no declaration of value is submitted during a transaction, you are not required to submit a groundwater hazard statement or include the statutory language in Iowa Code section 558.69(8A). Please consult your realtor or legal counsel for further advice, including on whether a declaration of value is required. The Department provides this information for statutory reference only.

Instructions for this document can be found at:

<https://www.iowadnr.gov/Portals/idnr/uploads/forms/5420960%20Instructions.pdf>

Attachment 1, if required, can be found at: <https://www.iowadnr.gov/Portals/idnr/uploads/forms/5420960a.pdf>

TRANSFEROR:

Name: Ron C. Fleming and Sue D. Fleming
Address: 3270 Sunburst Ave, Marion, IA 52302

TRANSFeree:

Name: Michael T. Ries and Jody A. Ries
Address: 1946 320th St, Hopkinton, IA 52237

Address of Property Transferred:
3154 190th Ave, Ryan, Iowa 52330

Legal Description of Property: (Attach if necessary)

Parcel A in the S 1/2 Section 22 - T87N - R5W Delaware County, Iowa, according to plat recorded in Book 8 Plats, Page 142.

1. Wells (check one)

- ☐ No Condition - There are no known wells situated on this property.
- ☒ Condition Present - 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)

- ☒ No Condition - There is no known solid waste disposal site on this property.
- ☐ Condition Present - 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)

- ☒ No Condition - There is no known hazardous waste on this property.
- ☐ Condition Present - 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)

- ☒ No Condition - 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.)
- ☐ Condition Present - 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)

- ☒ No Condition - There are no known private burial sites on this property.
- ☐ Condition Present - 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)

- ☐ No Condition - All buildings on this property are served by a public or semi-public sewage disposal system.
- ☐ No Condition - This transaction does not involve the transfer of any building which has or is required by law to have a sewage disposal system.
- ☒ Condition Present - 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.
- ☐ Condition Present - 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.
- ☐ Condition Present - There is a building served by private sewage disposal system on this property. The system is failing to ensure effective wastewater treatment or is otherwise improperly functioning, and 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.
- ☐ Condition Present - 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 #7]
- ☐ Condition Present - There is a building served by private sewage disposal system on this property. This property is exempt from the private sewage disposal inspection requirements pursuant to the following Exemption [Note: for exemption #7 use prior check box]:

- ☐ Condition Present - There is a building served by private sewage disposal system on this property. The private sewage disposal system has been installed within the past two years pursuant to permit number:

Review the following two directions carefully:

- A. If you selected a box stating "No Condition" for every numbered section above, **STOP HERE**. Do not submit this form. Instead, pursuant to Iowa Code section 558.69(8A), you must include the following language on the first page of the recorded deed, instrument, or other writing:

"There is no known private burial site, well, solid waste disposal site, underground storage tank, hazardous waste, or private sewage disposal system on the property as described in Iowa Code section 558.69, and therefore the transaction is exempt from the requirement to submit a groundwater hazard statement."

Please consult your realtor or legal counsel for further advice on this exemption. By law, the owner of the property is responsible for the accuracy of this statement, and the Department provides this information for statutory reference only.

- B. If you checked any box stating "Condition Present" for any of the numbered sections above, continue below. You must complete this form, including providing all required information, and you must submit this form to the county recorder's office with declaration of value.

Information required by statements checked above should be provided here or on separate sheets attached hereto:

Active Well: 75 ft SE of the house

2 septic systems. Both inspections attached

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

Signature: *Tom O'Brien* (Transferor) Telephone No.: (319) 826-3331

GROUNDWATER HAZARD STATEMENT

ATTACHMENT #1

NOTICE OF WASTE DISPOSAL SITE

a. Solid Waste Disposal (check one)

- ☐ There is a solid waste disposal site on this property, but no notice has been received from the Department of Natural Resources that the site is deemed to be potentially hazardous.
- ☐ There is a solid waste disposal site on this property which has been deemed to be potentially hazardous by the Department of Natural Resources. The location(s) of the site(s) is stated below or on an attached separate sheet, as necessary.

b. Hazardous Wastes (check one)

- ☐ There is hazardous waste on this property and it is being managed in accordance with Department of Natural Resources rules.
- ☐ There is hazardous waste on this property and the appropriate response or remediation actions, or the need therefore, have not yet been determined.

Further descriptive information:

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

Signature: N/A (Transferor) Telephone No.: (319) 826-3331

**TIME OF TRANSFER INSPECTION TOT# 6033 ROGER GROTH CERT # 8813**

Site Information

Parcel Description: **330220000700**Address: **3154 190th Ave., Ryan, IA 52330**County: **Delaware**

Owner Information

Property is owned by a business: **No**

Business Name:

Owner Name: **Ron & Sue Fleming**

Email Address:

Address: **3154 190th Ave., Ryan, IA 52330**Phone No: **563-932-3017**

Site related information

No Of Bedrooms: **3**Inspection Date: **06/20/2023**Facility Type: **Residential**Currently Occupied: **Yes**

Last Occupied:

System Installation Date: **04/14/2017**Permit issued by County: **Yes**Permit Number: **1048**All plumbing fixtures enter septic system: **Yes**County contacted for records: **Yes**

Property Information Comments:

The 3- bedroom home has a newer 1,250 gal. dual compartment concrete septic tank in very good condition. We installed a lift tank and pump 4/14/2017 with a 300' soil absorption system.

Primary Treatment

Tank 1 Septic tankTank Name: **Tank 1 Septic tank**Type: **Septic Tank**Tank Size (Gal): **1,250**Tank Material: **Concrete**Tank Corrosion Type: **None**Liquid Level Type: **Normal**No. of Compartments: **2**Pump Tank Chamber: **No**Licensed Pumper Name: **Groth Services LLC**Date Pumped: **6/20/2023**Meets Setback to Well: **Yes**Well Type: **Private**Distance To Well (Ft.): **>50'**Is Accessible: **Yes**Lid Intact: **Yes**

Risers Intact: **Yes** Effluent Filter Present: **Yes** Watertight: **Yes**
Tank/Vault Pumped: **Yes** Inlet Baffle Present: **Yes** Outlet Baffle Present: **Yes** Functioning as Designed: **Yes**
Tank Comments: **This is a newer existing tank installed by others, in good condition.**

Tank 2

Tank Name: **Tank 2** Type: **Pump Tank** Tank Size (Gal): **500 gal.**
Tank Material: **Concrete** Tank Corrosion Type: **None** Liquid Level Type: **Normal**
No. of Compartments: **1** Pump Tank Chamber: **Yes** Licensed Pumper Name: **Groth Services LLC**
Date Pumped: **6/20/2023** Meets Setback to Well: **Yes** Well Type: **Private**
Distance To Well (Ft.): **>50'** Is Accessible: **Yes** Lid Intact: **Yes**
Risers Intact: **Yes** Effluent Filter Present: Watertight: **Yes**
Tank/Vault Pumped: **Yes** Inlet Baffle Present: **Yes** Outlet Baffle Present: **No** Functioning as Designed: **Yes**
Tank Comments: **This is a lift pump tank.**

General Primary Treatment Comments:

Distribution Type

Distribution Box 1

Label: **Distribution Box 1** Material Type: **Plastic and Concrete** Accessible: **No**
Box Opened: **Yes** Baffle Present: **No** Speed Levelers Present: **Yes**
Watertight: **Yes** Functioning As Designed: **Yes**

General Distribution System Comments : **Distribution Box has a surface vent.**

Secondary Treatment

Lateral Field1

Distribution Type: **Distribution Box** Material Type: **Leaching Chamber** Trench Width: **24"**
Lines: **3** Total Length of Absorption Line: **300'** System Hydraulic Loaded: **Yes**
Gallons Loaded: **250** Meets Setback to Well: **Yes** Well Type: **Private**
Distance To Well (Ft.): **>100'** Lateral Lines Probed: **Yes** Saturation or Ponding Present: **No**
Grass Cover Present: **Yes** Lateral Lines Equal Length: **Yes** System Located on Owner Property: **Yes**
Easement Present: **N/A** Functioning as Designed: **Yes**
Comments:

General Secondary Treatment Comments: **Accepted water load test for 3 Bedroom Home.**

Narrative Report

TOT Inspection Report Overall Narrative Comments: **This is a 3- bedroom, 2-story farmhouse with a full basement. The 1250 gal. dual compartment septic tank was installed by others in a previous permit. The tank was in good condition. The risers and dual effluent filters were added in 2017 by us, as well as the lift tank and pump, force main effluent line and soil absorption system. We pumped both tanks, checked pump and float operation, and alarms. We dug up the d-box and performed the prescribed water load test. The soil absorption system accepted the test with no slowness or backups.**



TIME OF TRANSFER INSPECTION TOT# 6033 ROGER GROTH CERT # 8813

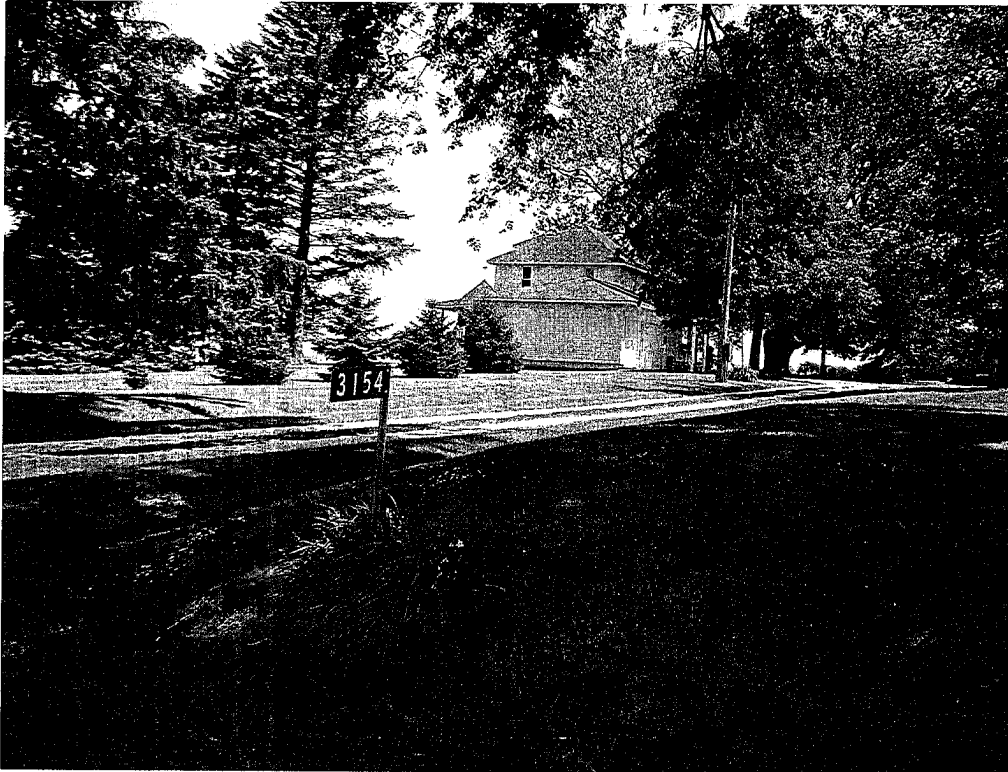
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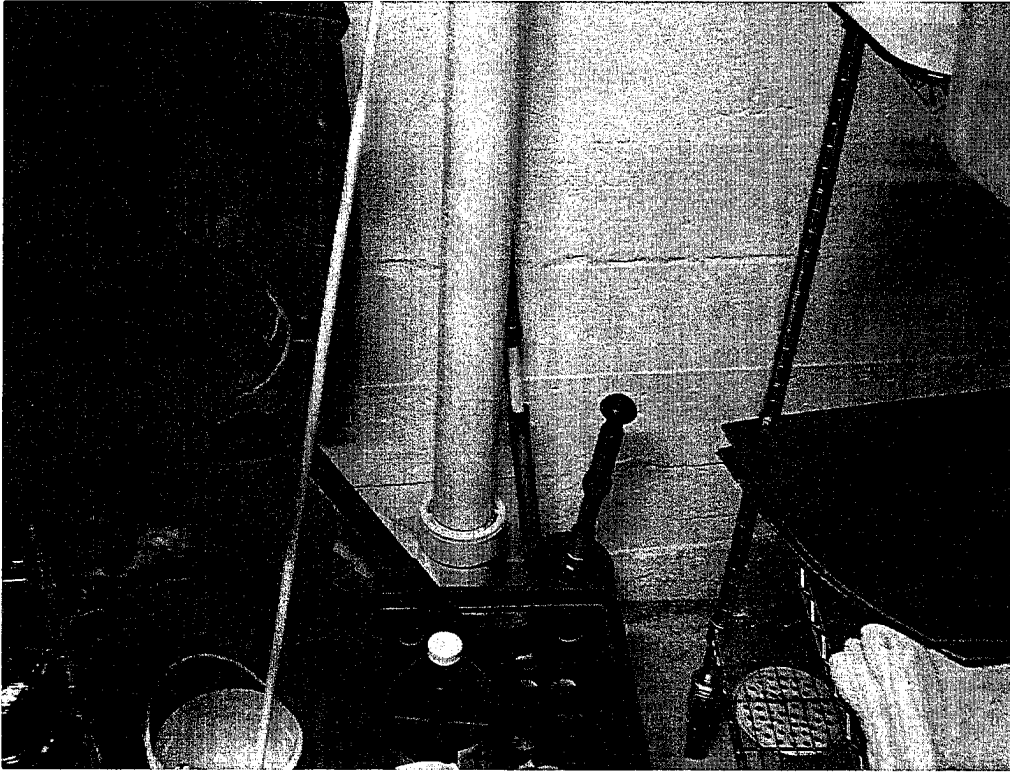
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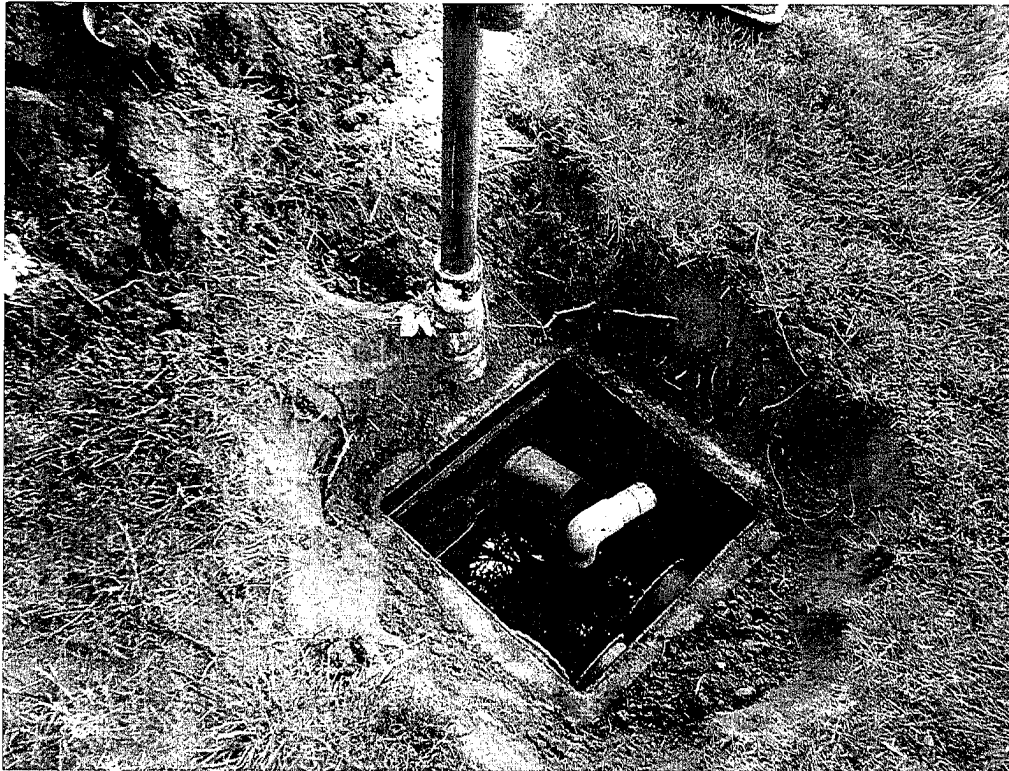
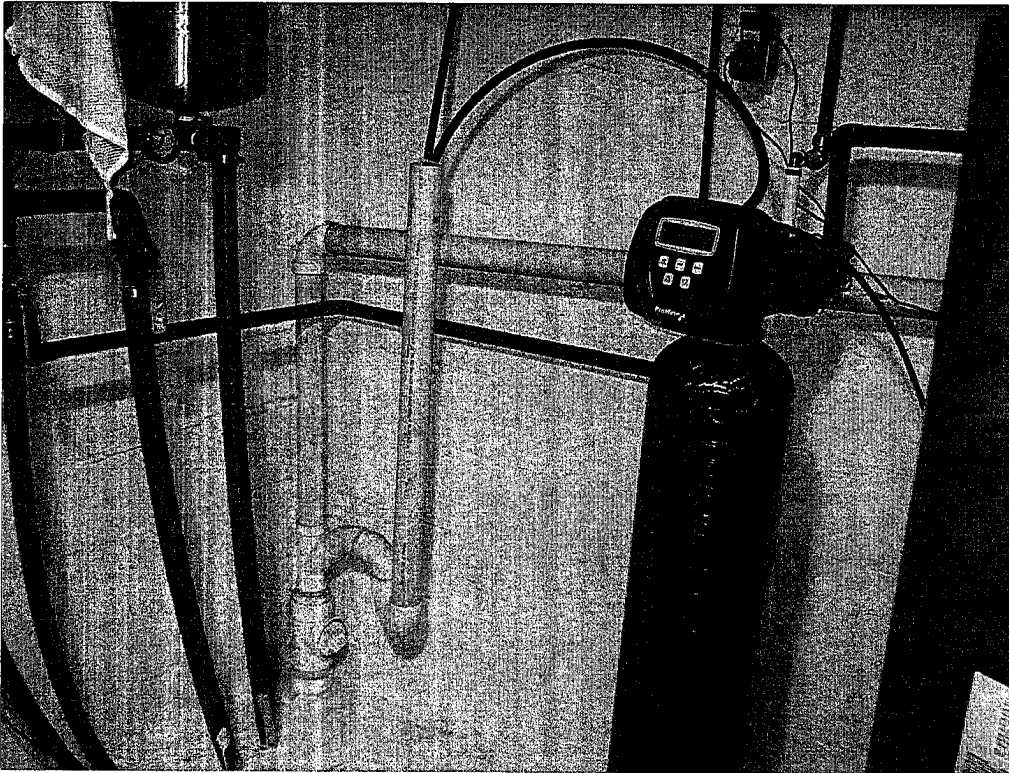
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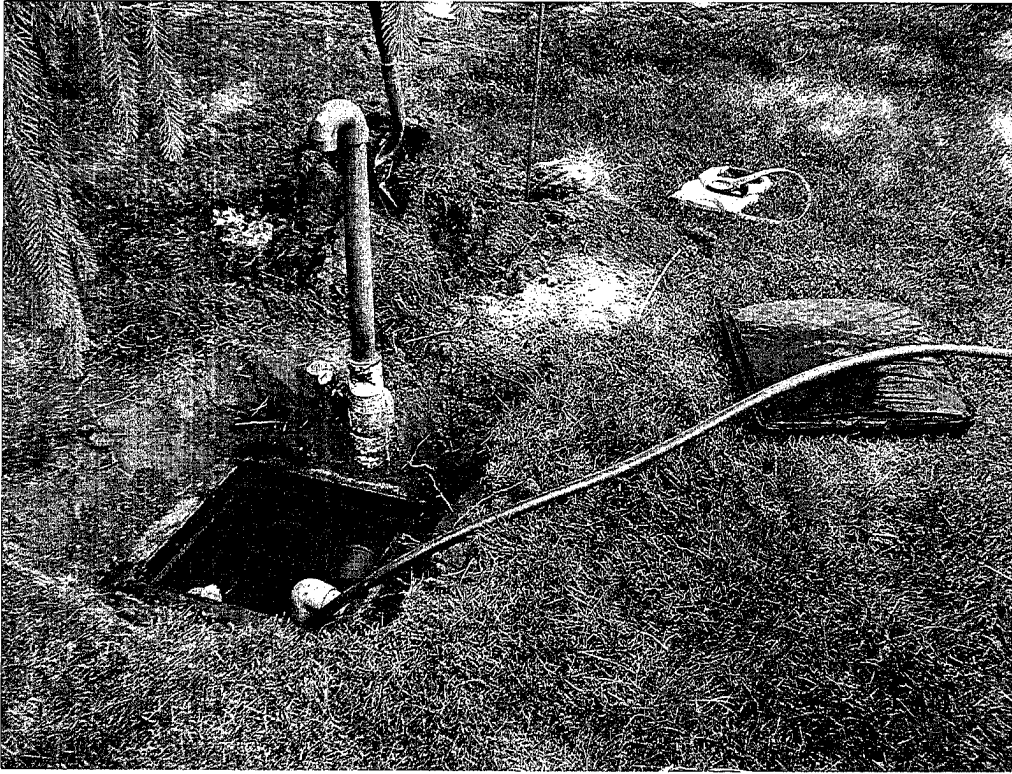
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Submitted Date: 7/12/2023





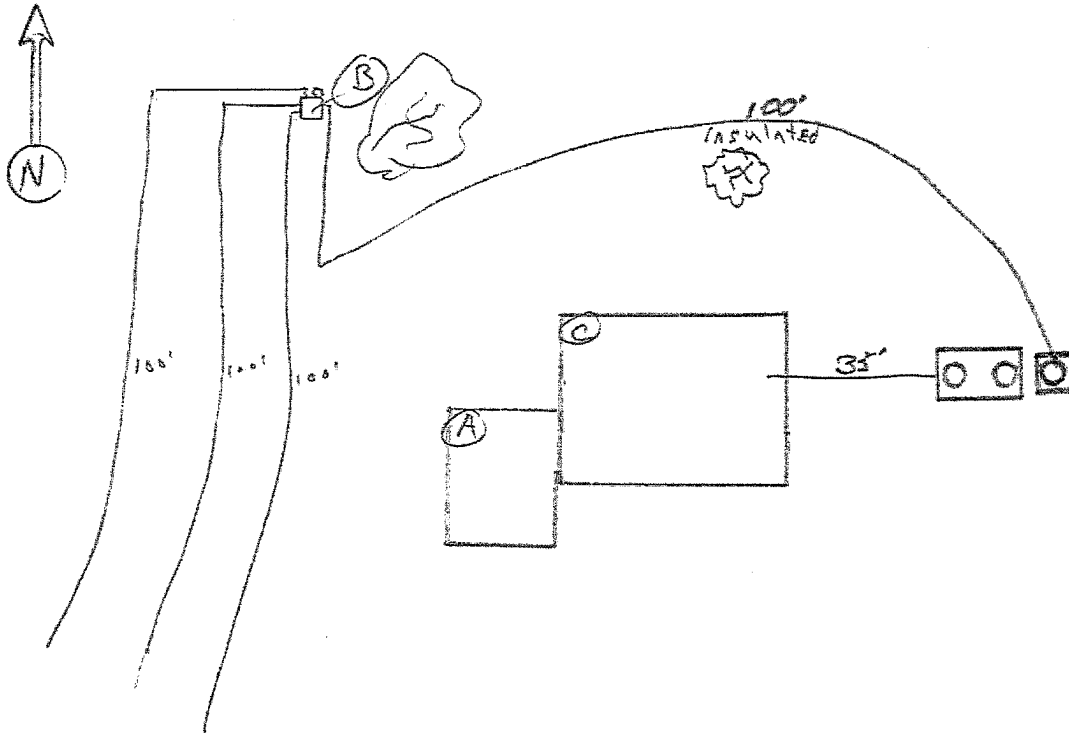




GROTH SERVICES

TOT MAP 6/20/23

NAME Ron Fleming
ADDRESS 3154-190th Ave.
Ryan, IA 52330



A-B = 47'
C-B = 57'6"

Septic tank = 1250 gal. dual comp
Sewage lift tank = 500 gals
High water alarm in lift tank
Surface vent on D-box

**TIME OF TRANSFER INSPECTION TOT# 6688 ROGER GROTH CERT # 8813**

Site Information

Parcel Description: **330220000700**Address: **3154 190th Ave., Manchester, IA 52330**County: **Delaware**

Owner Information

Property is owned by a business: **No**

Business Name:

Owner Name: **Ron & Sue Fleming**Email Address: **sdrcfleming@gmail.com**Address: **3154 190th Ave., Manchester, IA 52330**Phone No: **319-826-3331**

Site related information

No Of Bedrooms: **0**Inspection Date: **07/25/2023**Facility Type: **Other**Currently Occupied: **No**

Last Occupied:

System Installation Date: **09/23/2013**Permit issued by County: **Yes**Permit Number: **2207**All plumbing fixtures enter septic system: **Yes**County contacted for records: **Yes**

Property Information Comments:

This is an auxiliary septic system for a barn/shop on the same property as the residence.

Primary Treatment

Tank 1 Septic tankTank Name: **Tank 1 Septic tank**Type: **Septic Tank**Tank Size (Gal): **1,500**Tank Material: **Concrete**Tank Corrosion Type: **None**Liquid Level Type: **Normal**No. of Compartments: **2**Pump Tank Chamber: **No**Licensed Pumper Name: **Groth Services LLC**Date Pumped: **7/25/2023**Meets Setback to Well: **Yes**Well Type: **Private**Distance To Well (Ft.): **>50'**Is Accessible: **Yes**Lid Intact: **Yes**

Risers Intact: **Yes**

Effluent Filter Present: **Yes**

Watertight: **Yes**

Tank/Vault Pumped: **Yes**

Inlet Baffle Present: **Yes**

Outlet Baffle Present: **Yes**

Functioning as Designed: **Yes**

Tank Comments:

General Primary Treatment Comments:

Distribution Type

Header Pipe 1

Label: **Header Pipe 1**

Material Type: **Plastic**

Accessible: **No**

Functioning As Designed: **Yes**

General Distribution System Comments :

Secondary Treatment

Lateral Field1

Distribution Type: **Header Pipe**

Material Type: **Leaching Chamber**

Trench Width: **24"**

Lines: **2**

Total Length of Absorption Line: **60'**

System Hydraulic Loaded: **Yes**

Gallons Loaded: **250**

Meets Setback to Well: **Yes**

Well Type: **Private**

Distance To Well (Ft): **>100'**

Lateral Lines Probed: **Yes**

Saturation or Ponding Present: **No**

Grass Cover Present: **Yes**

Lateral Lines Equal Length: **Yes**

System Located on Owner Property: **Yes**

Easement Present: **N/A**

Functioning as Designed: **Yes**

Comments: **Very small soil absorption system. Toilet facility only.**

General Secondary Treatment Comments:

Narrative Report

TOT Inspection Report Overall Narrative Comments: **This is a remodeled barn/shop on the same property as the residence at 3154 190th Ave. There is a separate septic system for the residence with a separate TOT #6033, filed earlier. The barn/shop has a walkout basement with a garage and work area, as well as the toilet and hand wash sink. The upper floor is all open area. The concrete 1500 gal. septic tank is on the west end of barn and has risers to the surface. the soil absorption system has no D-box, only a header line to the two 30'x 2' undersized soil absorption system.**



TIME OF TRANSFER INSPECTION TOT# 6688 ROGER GROTH CERT # 8813

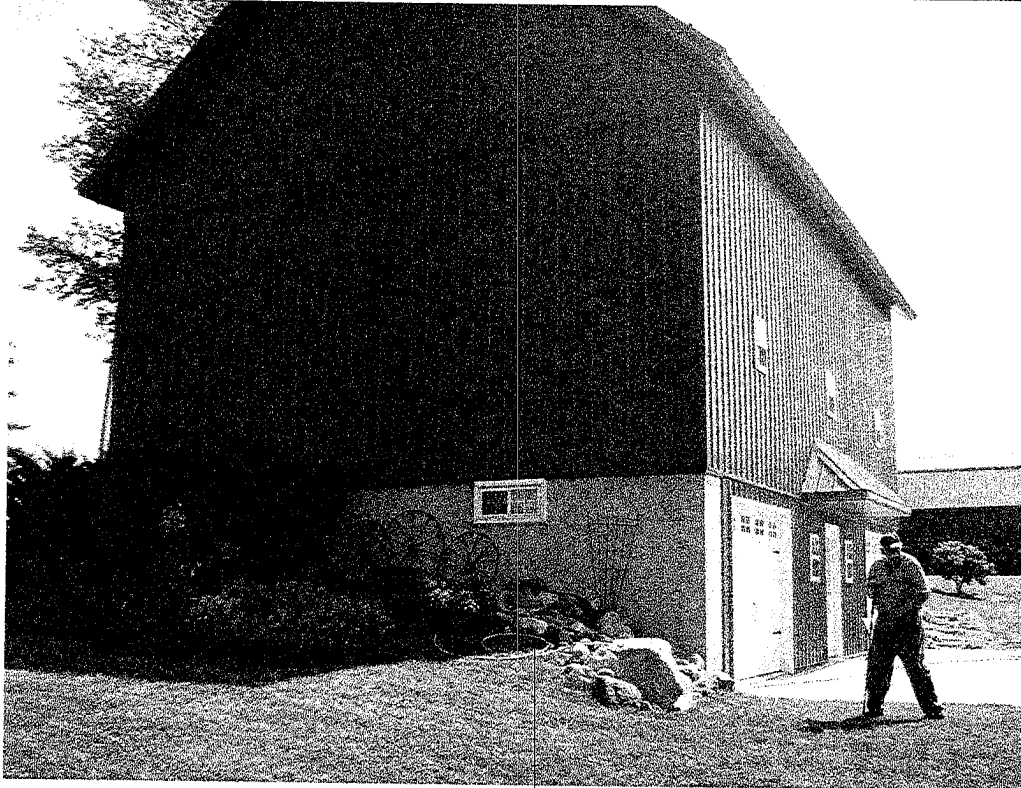
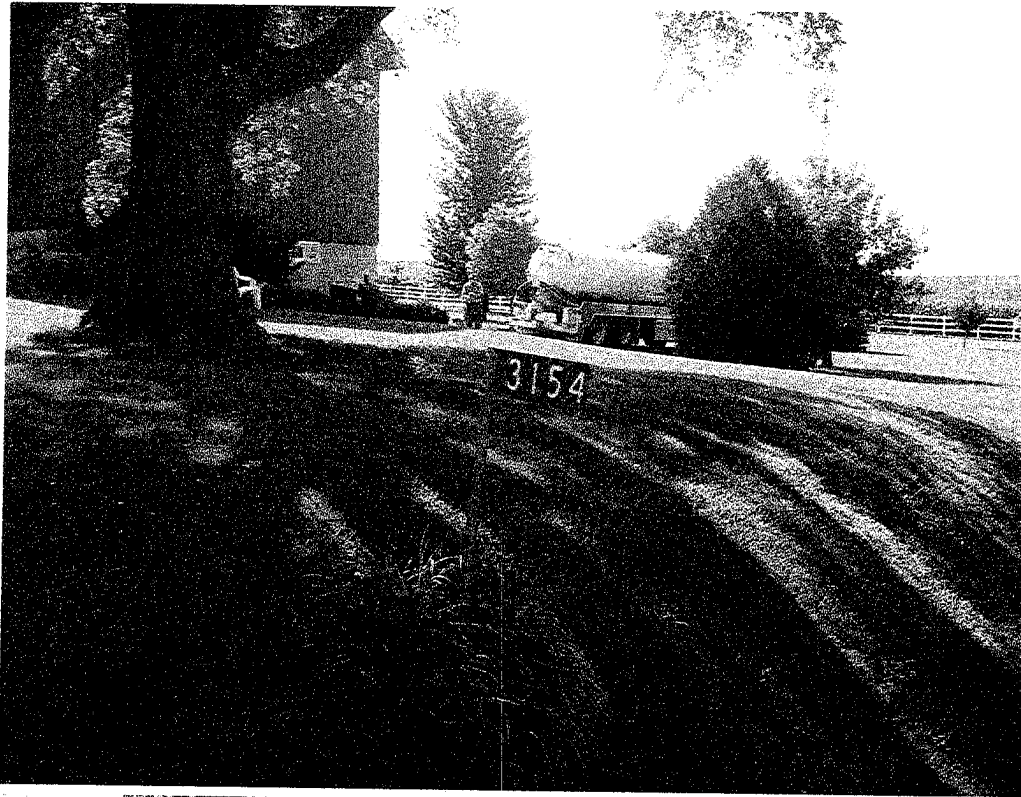
Owner Name: **Ron & Sue Fleming**

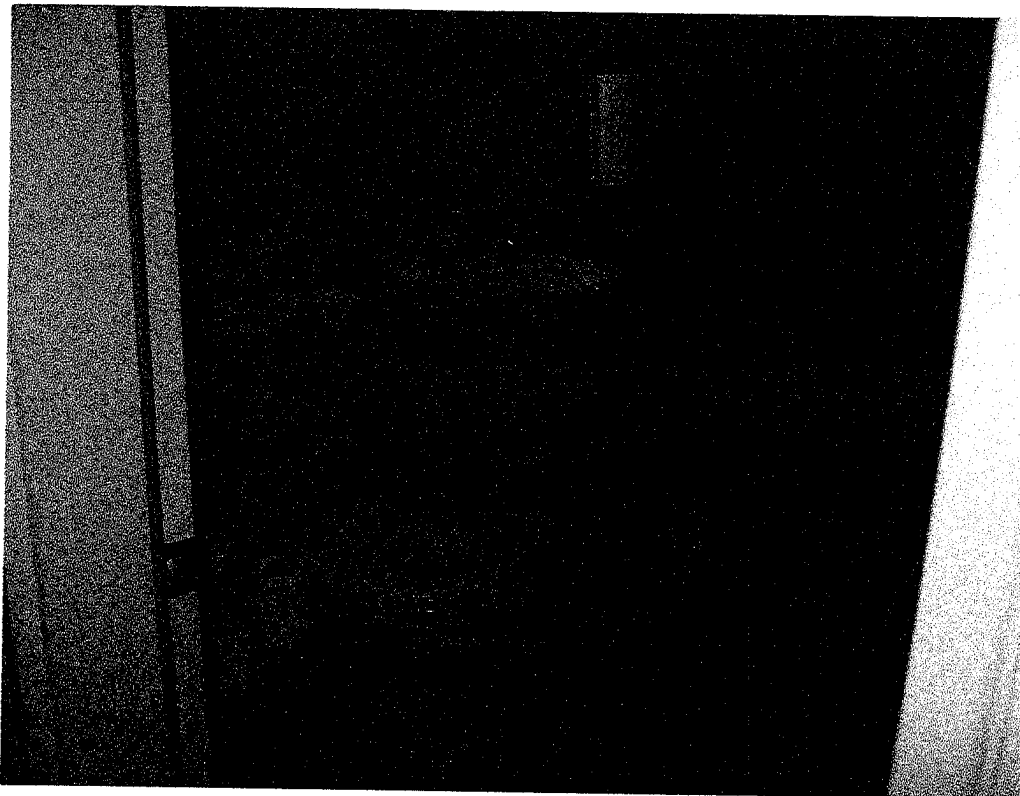
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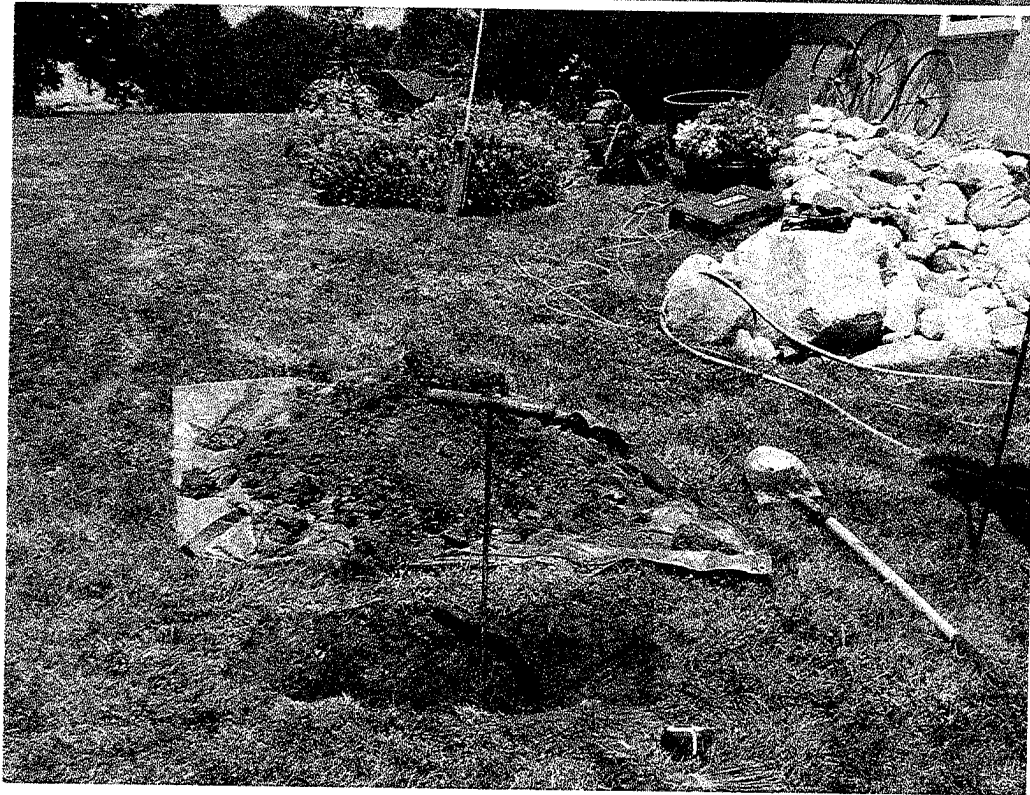
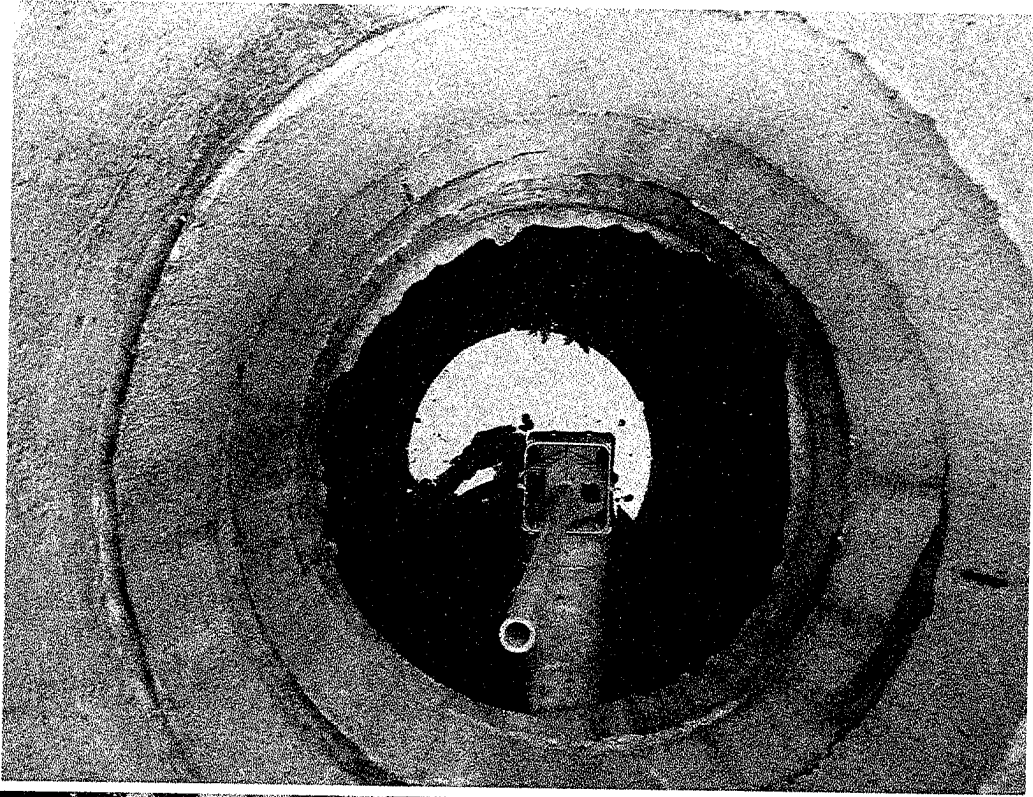
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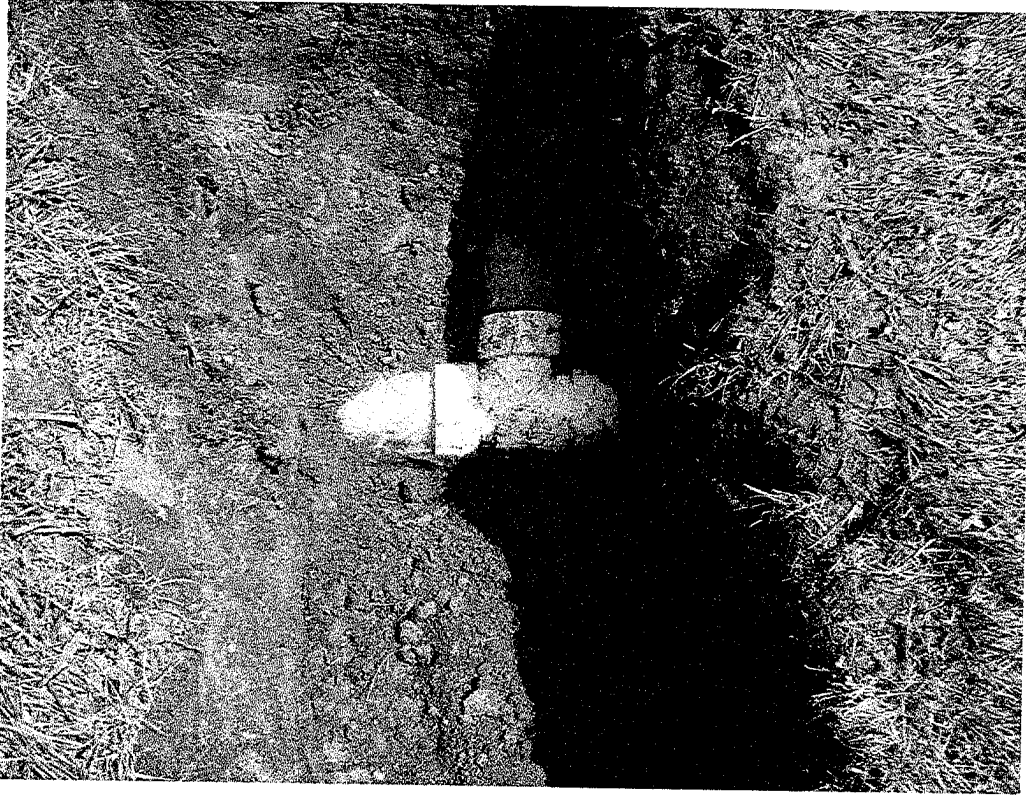
Inspection Date: **07/25/2023**

Submitted Date: **8/17/2023**





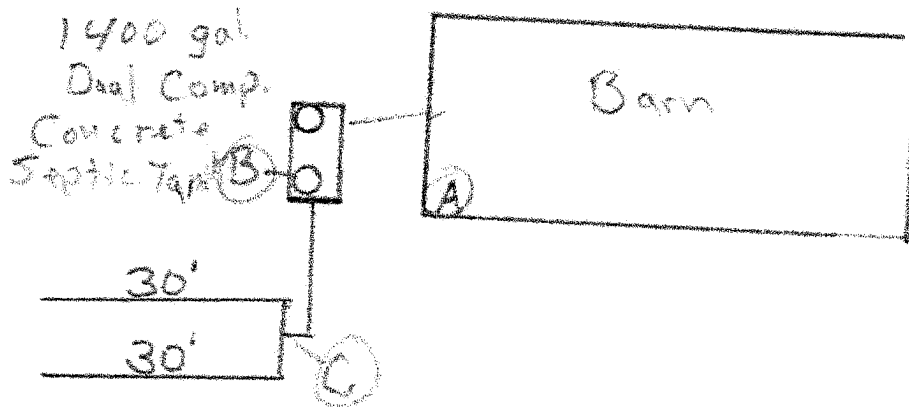
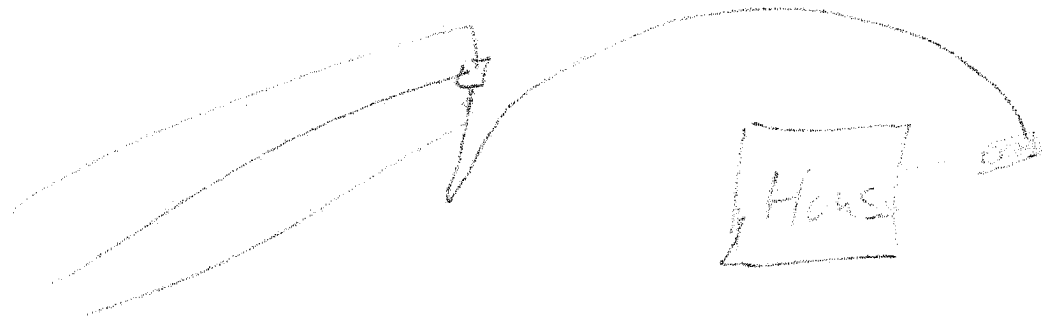




GROTH SERVICES

TOT MAP 7/25/2023
NAME Ron Fleming
ADDRESS 3154 - 190th Ave.
Ryan, IA. 52330

Barn/Slope System



$$A-C = 17'8"$$

$$B-C = 18'7"$$

Manifold = 16" deep

Effluent Filter on Septic Tank outlet