

Recorded: 6/27/2024 at 8:55:00.0 AM
County Recording Fee: \$0.00
Iowa E-Filing Fee: \$0.00
Combined Fee: \$0.00
Revenue Tax: \$0.00
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2024 PG: 1450

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: Jenifer L. Ronnebaum f/k/a Jenifer L. Simon and Mitchell J. Ronnebaum
Address: 2779 190th St, Earlville, IA 52041

TRANSFeree:

Name: The South Side Sip LLC
Address: 7 W 3rd St, Earlville, IA 52041

Address of Property Transferred:

1 E Margaret St, Earlville, Iowa 52041

Legal Description of Property: (Attach if necessary)

The South eighty eight (88) feet of the West one hundred one and five-tenths (101.5) feet of Lot Seven (7) of the Subdivision of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section Twenty Five (25), Township Eighty Nine (89) North, Range Four (4), West of the Fifth P.M., according to plat recorded in Book A Plats, Page 72.

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:

#1. There are monitoring wells located on the property that were properly abandoned in accordance with Iowa law.

#3. Contamination from leaking underground storage tanks from a former gas station was present on the property. The

Contamination has been cleaned up to the extent that no further corrective action is required by the Iowa Department of

Natural Resources. See the Certificate of No Further Action 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) 920-4356

(Transferor)

CERTIFICATE OF NO FURTHER ACTION

Prepared By: Dawn Santa Maria, 515.805.6664
IOWA DEPARTMENT OF NATURAL RESOURCES, 502 E 9TH ST, DES MOINES, IA 50319-0034

Return To:
JENNIFER RONNEBAUM, 1 E MARGARET ST, EARLVILLE IA 52041

This document certifies that the referenced underground storage tank (UST) site has been classified by the Iowa Department of Natural Resources (Department) as "no further action" as provided in Iowa Code § 455B.474(1)a(8)(a). This certificate must be recorded in the referenced site's County Recorder Office. See Iowa Code § 455B.474(1)a(8)(c).

Date of Issuance:	MAY 24, 2023
Owner/Operator of the Tank(s):	FORMER STANDARD GAS STATION
Department File Reference:	UST No. 197910428 LUST No. 9LT189
UST Facility Address:	FORMER STANDARD GAS STATION 1 E MARGARET ST EARLVILLE IA 52041
Owner/Operator Mailing Address:	ATTN JENNIFER RONNEBAUM 1 E MARGARET ST EARLVILLE IA 52041

Legal Description of the UST Site: (as found in Delaware County records)

Legal Description, Including parcel identification number, if available:

The South eighty eight (88.0) feet of the West one hundred one and five-tenths (101.5) feet of Lot Seven (7) of the subdivision of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section Twenty Five (25), Township Eight Nine (89) North, Range Four (4), West of the Fifth P.M., according to plat recorded in Book A Plats, Page 72.

Parcel: 550000108100

The No Action Required site classification is based on the following limitations:

Environmental Covenant – Confined Space An environmental covenant has been recorded with the Delaware County Recorder on November 29, 2022, at Book 2022, Page 3505, the terms of which prohibit the construction of buildings with basements on the affected portions of property (illustrated and described in the environmental covenant). If this environmental covenant is not maintained or is otherwise established to be ineffective, the "no action required" classification may be rescinded.

If any monitoring wells are subsequently found they should be properly abandoned in accordance with Chapter 567-39 of the Iowa Administrative Code.

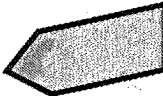
This certificate prohibits the Department from requiring a property owner or a responsible party to conduct further corrective action if the only reason is a change in action levels. See Iowa Code § 455B.474(1)(a)(8)(c). An owner or operator shall not be responsible for additional assessment, monitoring, or corrective action activities at a site for the release (LUST) that is issued a no further action certificate unless it is determined that the certificate was issued based upon false material statements that were knowingly or intentionally made by a groundwater professional and the false material statement resulted in the incorrect classification of the site. See Iowa Code § 455B.474(1)(a)(8)(a). However, this certificate does not prevent the Department from requiring corrective action at the site if a new petroleum release occurs. See Iowa Code § 455B.474(1)(a)(8)(c). If a previously unknown or unforeseen risk condition should arise related to the release covered by this certificate, the Department, in conjunction with the Iowa comprehensive petroleum underground storage tank fund board, may fund investigation and corrective action to address the risk. See Iowa Code § 455G.9(1)(k).

This certificate does not constitute a warranty or representation of any kind to any person as to the environmental condition, marketability, or value of the above-referenced property other than that NFA-qualifying status was achieved upon the date of certificate issuance. See 567 Iowa Administrative Code 135.12(10)(b)(6).

FOR THE DIRECTOR:

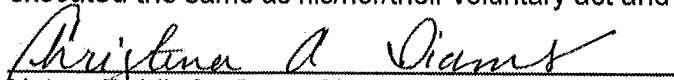


Keith Wilken
Underground Storage Tank Section Supervisor
Land Quality Bureau
Environmental Services Division



State of Iowa)
County of Polk) ss.

This instrument was acknowledged before me on this 25 day of May, 2023, by Keith Wilken, who executed the foregoing instrument, and acknowledges that this person executed the same as his/her/their voluntary act and deed.


Notary Public for State of Iowa
My Commission Expires: Sept 7, 2024



MAY 24, 2023

JENNIFER RONNEBAUM
1 E MARGARET ST
EARLVILLE IA 52041

SUBJECT: Certificate of No Further Action to be filed with the County Recorder's Office
Site: FORMER STANDARD GAS STATION, 1 E MARGARET ST, EARLVILLE IA 52041

Registration No. 197910428

LUST No. 9LTI89

Dear Ms. Ronnebaum,

Attached to this letter is the original No Further Action (NFA) certificate for the above-referenced underground storage tank (UST) site.

This certificate is valid only for the site referenced on its face, and only for the referenced leaking underground storage tank (LUST) number. **You are responsible for filing this certificate** with the UST site location's County Recorder pursuant to Iowa Code § 455B.474(1)a(8)(c). Within 30 days, please **submit a file-stamped copy of the recorded certificate to: LUST Coordinator, Department of Natural Resources, 502 East Ninth Street, Des Moines, IA 50319-0034 OR by email to: Dawn.SantaMaria@dnr.iowa.gov**

Upon the issuance of an NFA certificate, an owner or operator shall not be responsible for additional assessment, monitoring, or corrective action activities at a site for the release (LUST) that is issued a no further action certificate unless it is determined that the certificate was issued based upon false material statements that were knowingly or intentionally made by a groundwater professional and the false material statement resulted in the incorrect classification of the site. However, this certificate does not prevent the Department from requiring further corrective action at the site if a new petroleum release occurs, or if a previously unknown or unforeseen risk condition should arise. In the event of the latter, the Department will seek to work with resources other than the owner to investigate the new condition. See Iowa Code § 455G.9(1)(k).

Be advised that property owners who were not the owner of the USTs at the site, and who were not responsible for a new release or the aggravation of the historical contamination, would not generally be considered responsible parties for taking corrective action if regulation of the site is reopened in the future. Additionally, state funds have been allocated which may provide discretionary funding and resources to the Department to use if further corrective action is required at the site.

This certificate should not be relied upon as a warranty or representation that the site is, for all purposes and under all circumstances, environmentally clean. Residual concentrations of soil and/or groundwater contamination may remain at the site. Public files are available which better describe the contamination conditions documented at the site. These files may be obtained by contacting the Iowa Department of Natural Resources Records Center at 515-725-8480.

If you have any additional questions concerning this certificate, please contact the UST Section of the Iowa Department of Natural Resources at 515-805-6664.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Wilken', written in a cursive style.

Keith Wilken
Underground Storage Tank Section Supervisor
Land Quality Bureau
Environmental Services Division

Enclosure

cc: Field Office 1