

Recorded: 12/16/2024 at 10:27:18.0 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: 3122

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: Peter C. Buschmann and Jill L. Buschmann

Address: 3288 Voyager Rd., Colesburg, IA 52035

TRANSFeree:

Name: Nautic Estates, LLC

Address: 20637 Kyak Crt, Manchester, IA 52057

Address of Property Transferred:

3288 Voyager Rd., Colesburg, Iowa 52035

Legal Description of Property: (Attach if necessary)

See Addendum

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:

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

Signature: _____

(Transferor)

Telephone No.: _____

(563) 608-0593

Well location

DIRECTLY EAST OF THE GARAGE ABOUT 50 FEET

ADDENDUM

All that part of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Two (2), Township Ninety (90) North, Range Three (3), West of the Fifth P.M. lying Northerly of Little Turkey Creek and lying Westerly of the centerline of the county road running diagonally across said Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$); also all that part of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Two (2) that lies West of the highway running North and South through said Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) and South of the highway running East and West through said Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$), from the 7th day of September, 2021, at 8:00 o'clock A.M. to the 20th day of November, 2024, at 8:00 o'clock A.M.



IOWA DEPARTMENT OF NATURAL RESOURCES

GOVERNOR KIM REYNOLDS

DIRECTOR KAYLA LYON

TIME OF TRANSFER INSPECTION TOT# 13382 ROBB HARTER CERT # 9343

Site Information

Parcel Description: **020020001200**

Address: **3288 Voyager Road, Colesburg, IA 52035**

County: **Delaware**

Owner Information

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

Business Name:

Owner Name: **Peter & Jill Buschman**

Email Address:

Address: **PO Box 234, Colesburg, IA 52035**

Phone No:

Site related information

No Of Bedrooms: **1**

Inspection Date: **11/26/2024**

Facility Type: **Residential**

Currently Occupied: **Yes**

Last Occupied:

System Installation Date:

Permit issued by County: **Yes**

Permit Number: **868**

All plumbing fixtures enter septic system: **Yes**

County contacted for records: **Yes**

Property Information Comments:

Primary Treatment

Tank 1

Tank Name: **Tank 1**

Type: **Septic Tank**

Tank Size (Gal): **1500**

Tank Material: **Concrete**

Tank Corrosion Type: **Slight**

Liquid Level Type: **Normal**

No. of Compartments: **2**

Pump Tank Chamber: **Yes**

Licensed Pumper Name: **Harter Custom Pumping**

Date Pumped: **11/26/2024**

Meets Setback to Well: **Yes**

Well Type: **Private**

Distance To Well (Ft.): **134**

Is Accessible: **Yes**

Lid Intact: **Yes**

Risers Intact: **Yes** Effluent Filter Present: **No** 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

Distribution Box 1

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

General Distribution System Comments :

Secondary Treatment

Sand Filter1

Filter Type: **Subsurface** Distribution Type: **Distribution Box** Material Type: **Rock and PVC Pipe**
Absorption Area: **640** System Hydraulic Loaded: **Yes** Gallons Loaded: **300**
Discharge At Time of Inspection: **No** CBOD5 Results: TSS Results:
Disinfection Present: **No** Disinfection Type: Tertiary Treatment Present: **No**
Tertiary Treatment Type: Meets Setback to Well: **Yes** Well Type: **Private**
Distance To Well (Ft): **135** Sand Filter Probed: **Yes** Vent(s) Located: **Yes**
Saturation or Ponding Present: **No** Grass Cover Over System: **Yes** Outlet Found: **Yes**
Sample Taken: **No** GP4 Permitted: **No** GP4 Required: **No**
System Located on Owner Property: **Yes** Easement Present: **N/A** Functioning as Designed: **Yes**
Comments: **Dry**

General Secondary Treatment Comments:

Narrative Report

TOT Inspection Report Overall Narrative Comments: **1500 gallon tank. everything in working condition at time of inspection. Recommend pumping every 3 to 4 years. Sand filter is in somewhat of timber area. Recommend not letting trees grow over filter.**

TIME OF TRANSFER INSPECTION TOT# 13382 ROBB HARTER CERT # 9343

Owner Name: **Peter & Jill Buschman**

Address: **3288 Voyager Road , Colesburg , IA 52035**

County: **Delaware**

Inspection Date: **11/26/2024**

Submitted Date: **12/2/2024**

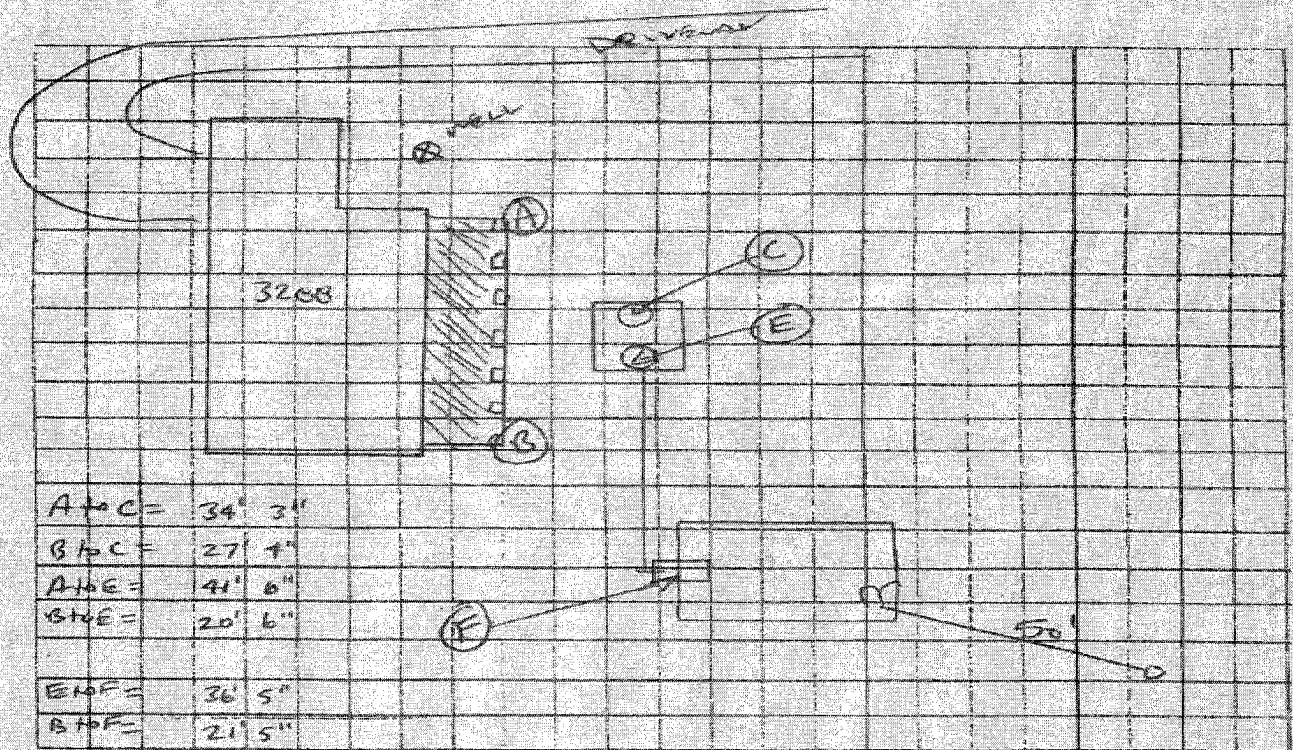
This page certifies a Time of Transfer inspection was conducted and submitted for the property listed above in accordance with Subrule 567 IAC 69.2(8).

GROTH SERVICES

TIME OF TRANSFER INSPECTION MAP

DATE 7-14-21SELLER TOM GELSON

BUYER _____

ADDRESS 3208 VOYAGE RD CITY COLLEGE

561-227-1821 (OFFICE)

800-760-6800 (TOLL FREE)

DEFINITIONS: NORTH, EAST, SOUTH, WEST, NE, SE, SW, NW

DELAWARE COUNTY
BOARD OF SUPERVISORS

(Print or Type)

Permit No. 868

APPLICATION FOR PERMIT TO INSTALL PRIVATE SEWAGE DISPOSAL SYSTEM

ADDRESS: 3288 Wagon Rd. Caledonia Section 2 Township Caledonia

LOCATION: SP 1/4 SE 1/4 T-9 S R 3 W

Owner: Tom Benson Tenant: _____ Plumber: Dempster

Lot Size: 18 Acres Type Commercial: _____ Residential: (No. Bedrooms) 4

Fixtures: Sinks 3 Lavatories 4 Bath Tubs 2 Showers 1 Sinks 1 Automatic Laundry 1 Sump Pump _____

Septic Tank made by Sinko Garbage Grinder _____ Construction Material Concrete Gallons Cap 1250

Percolation Test: 1. _____ 2. _____ 3. _____ 4. _____ Made by: _____

Absorption Field: Total length of laterals _____ No. of lateral lines _____

This system is new ✓ Existing _____ filter bed 2400' long w/ manure

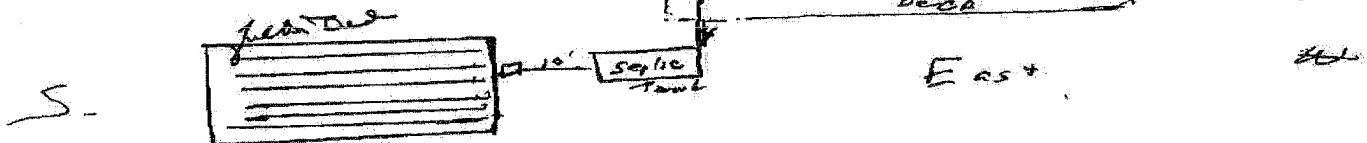
I certify that the above information is correct and that all proposed work will be completed in accordance with the Delaware County Regulations.

Date Approved 2-10-20

By Deanne Oshier
INSPECTOR

SEAL

APPLICANT'S SIGNATURE



Being reworked on June 6
going to pump it south of house

DELAWARE COUNTY
BOARD OF SUPERVISORS

(Print or Type)

Permit No. 868

APPLICATION FOR PERMIT TO INSTALL PRIVATE SEWAGE DISPOSAL SYSTEM

ADDRESS: 3288 Wagner Rd. Colebrook Section 2 Township Colebrook

LOCATION: SP 14 SE 1/4 T-4 S W R 3 W

Owner: Tam Benson Tenant: _____ Plumber: Demetere

Lot Size: 18 Acres Type Commercial: _____ Residential: (No. Bedrooms) 4

Fixtures: Sinks 3 Lavatories 4 Bath Tubs 2 Showers 1 Sinks 1 Automatic Laundry 1 Sump Pump _____

Septic Tank made by Sa 463 Garbage Grinder _____ Construction Material Concrete Gallons Cap 250

Percolation Test: 1. _____ 2. _____ 3. _____ 4. _____ Made by: _____

Absorption Field: Total length of laterals _____ No. of lateral lines _____

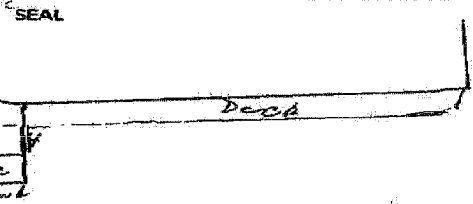
This system is new ☒ Existing _____ 2400' run w/ main line

I certify that the above information is correct and that all proposed work will be completed in accordance with the Delaware County Regulations.

Date Approved: 2-10-20

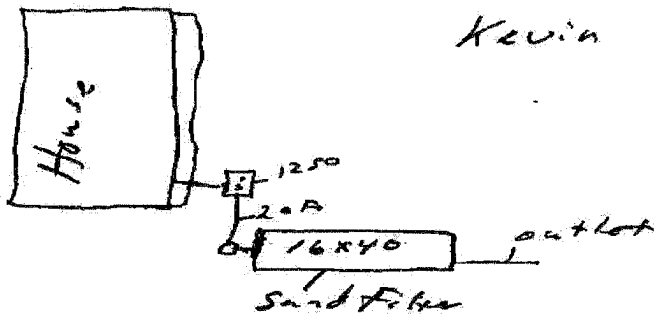
By [Signature]
INSPECTOR

[Signature]
APPLICANT'S SIGNATURE



Pat in Sand Filter
June 2005

Kevin Dempster



0200 80001200



Time of Transfer Inspection Report (DNR Form 542-0191)

Property information

Current owner: Tom Benson
 Buyer: Raulter Simon Waterman Agent
 Mailing address: _____

Site Address/County: 3285 Village Rd Columbia, IA / Delaware County
 Legal Description: _____

No. of bedrooms: 4 Last occupied: yes Records available: yes

Permit installation date: 6/27/2019 Separation distances: 662 ft / 66

Septic system information: Mark the following information on the map by the appropriate circle. RAB = Absorption or Infiltration, NPDH = Not Pumping to Disposal

Septic tank(s): 1200 material: concrete condition: FAB

Tank pumped? yes date: 5/16/2021 licensed pump: North Services

Septic tank process tank: size material: concrete condition: good

Tank pumped? date licensed pump: _____

Aerobic treatment unit (ATU): size licensed pump: _____

Tank pumped? date licensed pump: _____

Maintenance contract? expiration date service provider: _____

Condition: _____

Pump tank/wall: type: size condition: _____

Distribution system: distribution box: concrete material: 5 condition: FAB

Header pipe(s): size material: 5 condition: FAB

Secondary treatment: _____

Length of absorption field: _____ determined by: _____

Condition of field: _____ determined by: _____

Type of transfer material: _____

Size of sand filter: 10' x 40' determined by: map photo

Vent pipes above grade? yes discharge pipe located? yes

Effluent sample taken? no Results: _____

Media filter(s): type: _____

Maintenance contract? expiration date service provider: _____

Condition: _____

NPDES General Permit No. 4 - required? permitted? NOI provided: _____

1-2019

Page 1 of 2

5-2019



Time of Transfer Inspection Report

Other components: _____

Alarm: NO Working? _____ distribution: NO Working? _____

Control box: NO Tank(s): NO inspection points: _____

Other components: _____

Overall condition of the private sewage disposal system: _____

Report system status: _____

Explain (attach additional pages if needed): _____

SEE REMARKS

Comments: _____

Site status at conclusion of Time of Transfer inspection:

- Verify that components are on the appropriate nodes.
- Probe is in to all components.
- Replace all components to verify they are secure.
- Gather all tools for removal from the site.
- Verify that no sewage is on the ground surface.

Using this worksheet, make a narrative report of the inspection results and attach a site sketch.

This report indicates the condition of the private sewage disposal system at the time of the inspection. It does not guarantee that it will continue to function satisfactorily.

Signature of Certified Inspector: Corey Groth Date: 02.14.2023

Name (Print): Corey Groth Certificate #: 1018

Address: PO Box 100 Spokane, WA 99201

Phone #: 509.466.1000

Provide a copy of this report, the estimate report and sketch to the owner/agent, buyer/agent or the person ordering the inspection, the county environmental health office, and to:

Iowa DNR

Private Sewage Disposal Program

502 E. 9th St.

Des Moines, IA 50319

1-2019

Page 2 of 2

5-2019

NARRATIVE SEPTIC INSPECTION REPORT **Tom Benson Property**

On July 14th, 2021 I completed a Time of Transfer inspection for a septic system with a total of four bedrooms in Delaware county. This property is currently occupied by the seller. Delaware County Health Department had two septic installation permit record for this site in 2009 and then a replacement sand filter system in 2015. The well is about 51' feet from the septic tank. There is no backflow preventer that is finished. All the waste water exits by gravity to the east side of home draining to a dual compartment concrete septic tank. This is the primary treatment according to Iowa Code 167.169, but the liquid level on the day of inspection was higher than it should be. The septic tank has two access pipes, but you have to remove about 4" of dirt to gain access. There is no effluent filter on the outlet of the septic tank. The outlet of the septic tank goes to a concrete distribution box with 640' square foot sand filter system by gravity, which completes the secondary treatment.

The septic tank was pumped by Grady Services on the same day of inspection. It contained a 12" scum layer and 95% solids. Normal septic tank cleanings are recommended in order to keep these solids from flowing out into the absorption system every three years. The inlet and outlet baffles are plastic and are functioning as designed. The distribution box was found with a camera locator and mini excavator. The septic tank outlet line to the distribution box was plugged with solids and was not functioning correctly on the day of inspection. The line was flushed with a garden hose and the solids were vacuumed up with the pump truck. Damage that is not visible may have occurred to the sand filter system due to lack of maintenance to the septic tank. However, a hydraulic load test was calculated and completed, 12 GPM for 30 minutes from the outside hose faucet. The distribution box accepted the water without distress about 300 gallons of the required 900 gallon test. There was no indication of the sand filter from this test. I accept effluent water on this day of inspection after I flushed the outlet line and distribution box.

This inspection was completed at 3288 Voyager Rd, Colesburg, Iowa on 07-14-2021 and is valid for two years from this date for the transfer of real estate. There are three additional pages of pictures included in this report of the system components. Also the map has been verified as part of this inspection (Tank capacity was verified by Digital Tank Gauge).

I warrant that the information contained herein is true and correct to the best of my knowledge and belief. I am not responsible for any damage or injury to the property or the person inspecting the property. I am not responsible for any damage or injury to the property or the person inspecting the property. I am not responsible for any damage or injury to the property or the person inspecting the property.

I have studied the information contained herein and that my assessment is honest, thorough, and to the best of my ability correct. This narrative report may not be copied without written approval from Corey Grotsch #5810 2021 Corey Grotsch all rights reserved.

Signature

Date

7-14-21

Septic Inspection Photos





Tim Borden
2284 Voyager Rd - Colchester, IA 52015
WMA: 2284-15-15-15
6/1/2015 10:15



Tim Borden
2284 Voyager Rd - Colchester, IA 52015
WMA: 2284-15-15-15
6/1/2015 10:15



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6/1/2015 10:15



Tim Borden
2284 Voyager Rd - Colchester, IA 52015
WMA: 2284-15-15-15
6/1/2015 10:15

DELAWARE COUNTY
BOARD OF SUPERVISORS

(Print or Type)

Permit No.

868

APPLICATION FOR PERMIT TO INSTALL PRIVATE SEWAGE DISPOSAL SYSTEM

ADDRESS: 3288 Uaffner Rd Colesburg Section 2 Township Colony

LOCATION: SE 1/4, SW 1/4, NE 1/4 T-9S R-3W

Owner: Tam Benson Tenant: Plumber: Dempster

Lot Size: 18 Acres Type Commercial: Residential: (No. Bedrooms) 4

Fixtures: Stools 3 Lavatories 4 Bath Tubs 2 Showers 1 Sinks 1 Automatic Laundry 1 Sump Pump

Septic Tank made by Saks Garbage Grinder Construction Material Concrete Gallons Cap 250

Percolation Test: 1 2 3 4 Made by:

Absorption Field: Total length of laterals 2400 ft No. of lateral lines

This system is new Existing 2400 ft less w/ main line

I certify that the above information is correct and that all proposed work will be completed in accordance with the Delaware County Regulations.

Date Approved 2-10-00

By [Signature] INSPECTOR

[Signature] APPLICANT'S SIGNATURE
SEAL

