

BK: 2026 PG: 1590
 Recorded: 6/3/2026 at 2:27:12.0 PM
 Pages 10
 County Recording Fee: \$0.00
 Iowa E-Filing Fee: \$0.00
 Combined Fee: \$0.00
 Revenue Tax: \$0.00
 BRANDY L. MACUMBER, RECORDER
 Madison County, Iowa

REAL ESTATE TRANSFER - GROUNDWATER HAZARD STATEMENT
 TO BE COMPLETED IN FULL 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/media/5465>.

Attachment 1, if required, can be found at: <https://www.iowadnr.gov/media/5466>.

TRANSFEROR:

Name	Biermann Farm Limited Partnership		
Address	695 SE Madrone	Waukee	IA 50263
	Number and Street or RR	City, Town or PO	State Zip

TRANSFeree:

Name	Fire Creek Farms, LLC		
Address	2720 Old Portland Rd	Adel	IA 50003
	Number and Street or RR	City, Town or PO	State Zip

Address of Property Transferred:

2977 Clark Tower Rd	Winterset	Iowa	50149
Number and Street or RR	City, Town or PO	State	Zip

Legal Description of Property: (Attach if necessary)

Parcel "E", located in the Northeast Quarter (¼) of the Southwest Quarter (¼), in the Southeast Quarter (¼) of the Northwest Quarter (¼), and in the Northwest Quarter (¼) of the Southeast Quarter (¼) of Section Twelve (12), in Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, containing 62.00 acres, AND Parcel "F", located in the Northwest Quarter (¼) of the Southeast Quarter (¼), in the Northeast Quarter (¼) of the Southwest Quarter (¼) and in the Southeast Quarter (¼) of the Northwest Quarter (¼) said Section Twelve (12), containing 11.47 acres, both as shown in Plat of Survey filed in Book 2026, Page 1226, on May 1, 2026 in the Office of the Recorder of Madison County, Iowa, and both corrected by Affidavit Confirming Error on Plat filed in Book 2026, Page 1339, on May 12, 2026 in the Office of the Recorder of Madison County, Iowa

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.

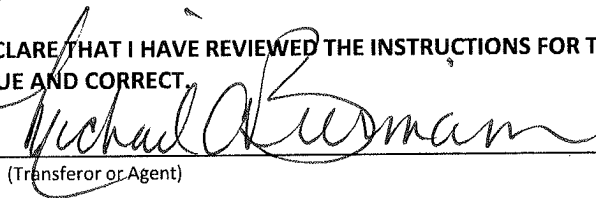
- B. If you checked any box stating "Condition Present" for any of the numbered sections above, continue below.** You must complete this form, including providing all required information, and you must submit this form to the county recorder's office with declaration of value.

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 or Agent)



Telephone No.: (712) 249-5517

----- Forwarded message -----

From: <noreply@schneidergis.com>

Date: Tue, May 19, 2026 at 4:17 PM

Subject: The Septic Permit or Repairs for your Time of Transfer have been completed

To: <seanstewart@midwestlandgroup.com>, <rhobart@madisoncounty.iowa.gov>, <tburk@madisoncounty.iowa.gov>, <ahornback@madisoncounty.iowa.gov>

The required Septic Permit or Repairs for your Time of Transfer, submitted on 03/31/2026 has been completed. Your Time of Transfer is now complete.

Please contact us if you have any questions.

Madison County Environmental Health

201 W. Court Avenue

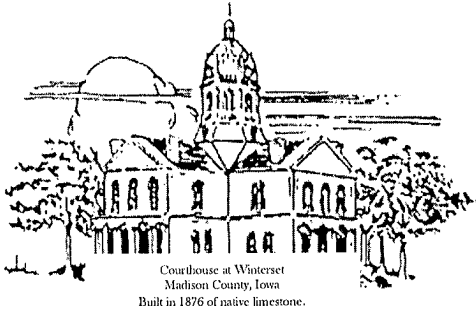
Winterset, IA 50273

Hours: Monday - Friday | 8:00 am - 4:30 pm

Phone: 515-462-9051

Number: TOT-2026-017
Workflow: Time Of Transfer Inspections
Description: 2977 CLARK TOWER RD | Tina Burk
Created On: 3/30/2026

[View Application](#)



Madison County
Office of Zoning and Environmental Health

Ryan Hobart, Zoning Administrator
Andrew Hornback, Environmental Health Officer
Phone: 515-462-2636, Fax: 515-462-5002

March 31, 2026

Biermann Farms
2977 Clark Tower RD
Winterset, IA 50273

To Whom it May Concern,

According to the Time of Transfer inspection TOT# 20009 the private onsite wastewater treatment system serving 2977 Clark Tower RD, Winterset IA fails to meet the requirements of Iowa Administrative Code 567 chapter 69 and Madison County General Environmental Health Regulations. The report indicates the following deficiency in the system:

The Distribution box is no longer functioning as designed and **shall** be replaced.

Please contact my office within 10 days of the date of this letter with a **plan** for remediation. Remediation will include a **plan** for replacement, repair, or a binding agreement signed by the buyer for future replacement or repairs. Failure to contact my office within 10 days of the date of this letter will result in further action that may include any violations being prosecuted as a civil infraction under the provisions of Iowa Code Section 331.307 (2004) and may include a \$750 fine for each day the violation is in place.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Hornback".

Andrew Hornback, Environmental Health Officer
Madison County Environmental Health & Zoning

TIME OF TRANSFER INSPECTION TOT# 20009 AJ KILLEN CERT # 12978

Site Information

Parcel Description: **2977 Clark Tower Rd Winterset, IA 50149 United States**
Address: **2977 Clark Tower Rd Winterset, IA 50149 United, Winterset, IA 50149** County: **Madison**

Owner Information

Property is owned by a business: **Yes**
Business Name: **Biermann farms ltd**
Owner Name:
Email Address: **Seanstewart@midwestlandgroup.com**
Address: **2977 Clark Tower Rd Winterset, IA 50149 United, Winterset, IA 50149**
Phone No: **515-401-2281**

Site related information

No Of Bedrooms: 2	Inspection Date: 03/27/2026
Facility Type: Residential	Currently Occupied: Yes
Last Occupied:	System Installation Date:
Permit issued by County: Yes	Permit Number:
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): 1000
Tank Material: Plastic	Tank Corrosion Type: None	Liquid Level Type: Normal
No. of Compartments: 2	Pump Tank Chamber: No	Licensed Pumper Name: Mike killen
Date Pumped: 3/27/2026	Meets Setback to Well: N/A	Well Type:
Distance To Well (Ft.):	Is Accessible: Yes	Lid Intact: Yes

Risers Intact: **No**

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: **Plastic**

Accessible: **Yes**

Box Opened: **Yes**

Baffle Present: **Yes**

Speed Levelers Present: **Yes**

Watertight: **No**

Functioning As Designed: **No**

General Distribution System Comments :

Secondary Treatment

Lateral Field1

Distribution Type: **Distribution Box**

Material Type: **Leaching Chamber**

Trench Width: **36**

Lines: **6**

Total Length of Absorption Line: **390**

System Hydraulic Loaded: **Yes**

Gallons Loaded: **300**

Meets Setback to Well: **N/A**

Well Type:

Distance To Well (Ft.):

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:

Narrative Report

TOT Inspection Report Overall Narrative Comments: **Tank was a 1000 gallon tank in good shape watertight went into a 9 hole dbox plastic that was broken and had speed levelers pushed out and was not watertight or in working order. Laterals all took hydro load even and good. Other than dbox system appears to be in normal working order at time of inspection**

TIME OF TRANSFER INSPECTION TOT# 20009 AJ KILLEN CERT # 12978

Owner Name: **Biermann farms ltd**

Address: **2977 Clark Tower Rd Winterset, IA 50149 United , Winterset , IA 50149**

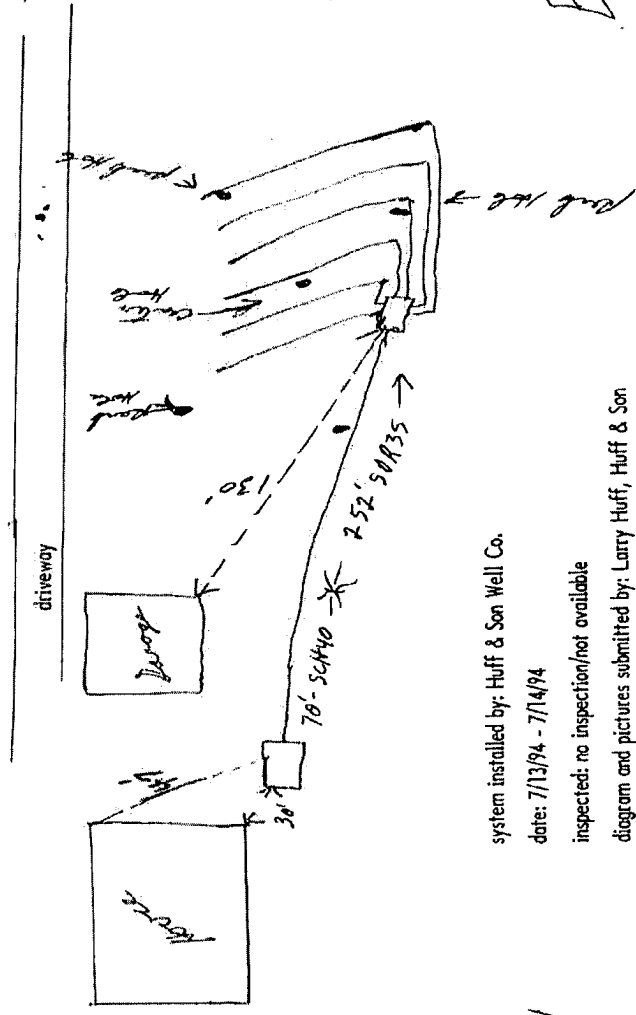
County: **Madison**

Inspection Date: **03/27/2026**

Submitted Date: **3/30/2026**

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).

N Bill Benson



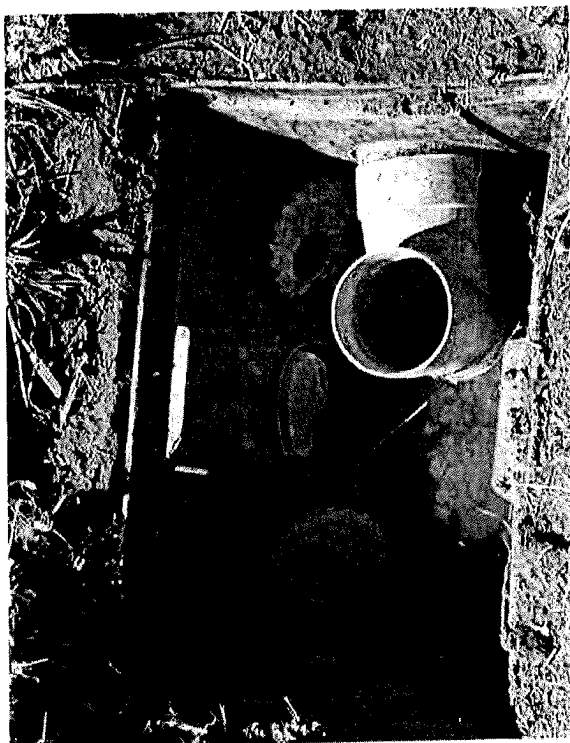
system installed by: Huff & Son Well Co.

date: 7/13/94 - 7/14/94

inspected: no inspection/not available

diagram and pictures submitted by: Larry Huff, Huff & Son

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-- Documents