



Document 2010 GW955

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

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

TRANSFEROR:

Name John R. Baur and Judith A. Baur

Address 13561 Village Court, Clive, IA 50325

Number and Street or RR

City, Town or P.O.

State

Zip

TRANSFeree: R. Edward Baur Corporation; Farmers and Merchants State Bank
Name as Trustee of the Merritt C. Baur Trust; North River Development, L.L.C.

Address c/o Jerrold Oliver, P.O. Box 230, Winterset, IA 50273

Number and Street or RR

City, Town or P.O.

State

Zip

Address of Property Transferred:

Number and Street or RR

City, Town, or P.O.

State

Zip

Legal Description of Property: (Attach if necessary) See Exhibit "A" attached hereto

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)

- There are no known private sewage disposal systems on this property.
- ☐ There is a private sewage disposal system on this property. 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 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. When the inspection is completed, an amended Groundwater Hazard Statement shall be recorded with the certified inspection and shall include the document numbers of both the real estate transfer document and the original Groundwater Hazard Statement.
- ☒ There is a 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.
- ☐ This property is exempt from the private sewage disposal inspection requirements pursuant to the following exemption: _____.
- ☐ 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:

One well 600 feet North of house. _____

**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.: 480-782-1168

EXHIBIT "A"

The Northeast Quarter (1/4) of the Northwest Quarter (1/4) and the Northwest Quarter (1/4) of the Northeast Quarter (1/4) of Section One (1) in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa;

AND

The North Half (1/2) of the Southeast Quarter (1/4); the Southwest Quarter (1/4) of the Southeast Quarter (1/4); the South Half (1/2) of the Northeast Quarter (1/4); the Northeast Quarter (1/4) of the Southwest Quarter (1/4); the Southeast Quarter (1/4) of the Southwest Quarter (1/4); the Northwest Quarter (1/4) of the Southwest Quarter (1/4) except the West 25.16 acres and 1.02 acres of road; the portion of the East Half (1/2) of the Northwest Quarter (1/4) which lies South of the old channel of North River, and the East part of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) which lies South of the old channel of North River; all in Section Thirty-six (36), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa.

**TIME OF TRANSFER INSPECTION WAIVER
BINDING ACKNOWLEDGEMENT for DEMOLITION**

This agreement is entered into this 23rd day of April, 2010, by and between Madison County Board of Health and R. Edward Baur Corporation, Farmers & Merchants State Bank as Trustee of the Merritt C. Baur Trust and North River Development, LLC.

WHEREAS, it is understood the Iowa Administrative Code 567-69 requires an inspection of the private sewage disposal system on all property located in Iowa at the time of transfer.

WHEREAS, the property located at 2754 Cumming Rd. Cumming, Iowa, 50061, Iowa is subject to the inspection, and the buyers understands there has not been a time of transfer inspection on the private sewage disposal system serving this property.

NOW THEREFORE, it is hereby agreed that the dwelling located on this property shall be demolished without being occupied by the 1st day of May, 2011. Buyers agree that the property shall not be occupied from the present date until the house on said property is demolished.

Dated the 23rd day of April 2010.

R. EDWARD BAUR CORPORATION,
FARMERS & MERCHANTS STATE BANK
AS TRUSTEE OF THE MERRITT C. BAUR
TRUST AND NORTH RIVER DEVELOPMENT,
L.L.C.

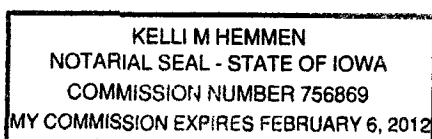
BY

R. Edward Baur Corp
Robert F Baur

MADISON COUNTY
BOARD OF HEALTH OR
AUTHORIZED REPRESENTATIVE

[Signature]

This instrument was acknowledged before me on 23 April 2010, by Robert Baur



Kelli M. Hemmen
Notary Public