

BK: 2016 PG: 3547
Recorded: 11/22/2016 at 3:36:04.0 PM
Fee Amount: \$0.00
Revenue Tax:
LISA SMITH RECORDER
Madison County, Iowa

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

TRANSFEROR: Name Adair Holdings, LLC

Address: 405 No. 115th Street, Suite. 100 Omaha NE 68154
Number and Street or RR City, Town or P.O. State Zip

TRANSFeree: Name Timothy & Laura Newberry

Address 24530 215th Street Dallas Center IA 50063
Number and Street or RR City, Town or P.O. State Zip

Address of Property Transferred:

1917 105th Street Earlham IA 50072
Number and Street or RR City, Town or P.O. State Zip

Legal Description of Property: (Attach if necessary)
SEE ATTACHED LEGAL

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)

☐ All buildings on this property are served by a public or semi-public sewage disposal system.

☐ This transaction does not involve the transfer of any building which has or is required by law to have a sewage disposal system.

☐ 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.

☒ 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.

☐ There is a building served by private sewage disposal system on this property. 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.

☐ 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 #9]

☐ This property is exempt from the private sewage disposal inspection requirements pursuant to the following exemption [Note: for exemption #9 use prior check box]:

☐ 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:

UNKNOWN. Seller acquired through foreclosure. Buyer shall be responsible for arranging the inspection and obtaining the required reports pursuant to Iowa Code Section 455B.172 (11) prior to the transfer of the real property. Buyer shall also be responsible for any costs association with obtaining said inspections and reports.

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.: (402) 399-9049

EXHIBIT "A"

A parcel of land in the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section Three (3) Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the West Quarter Corner of Section Three (3), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., thence North 90 deg 00'00" East 945.00 feet along the Quarter Section line to the point of beginning. Thence continuing North 90 deg 00'00" East 268.00 feet, thence North 00 deg 30'57" West 248.99 feet, thence North 15 deg 22'27" West 199.54 feet, thence North 90 deg 00'00" West 204.93 feet; thence South 01 deg 03'18" West 441.45 feet to the point of beginning. Said parcel contains 2.543 acres including 0.246 acres of county road right of way. a/k/a PARCEL # 200030346020000

**TIME OF TRANSFER INSPECTION WAIVER
BINDING ACKNOWLEDGEMENT for FUTURE INSTALLATION**

This agreement is entered into this 21st day of November, 2016 by and between
Madison County Board of Health and T. S. Newberry.

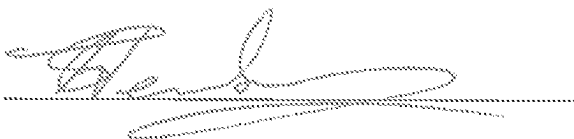
WHEREAS, it is understood the Iowa Administrative Code 567-69 requires an inspection of
the private sewage disposal system on all property located in Iowa at the time of transfer.

WHEREAS, the property located at 1917 105th St., Madison County is subject to the
inspection, and the buyer T. S. Newberry understands there is not a private sewage
disposal system serving this property.

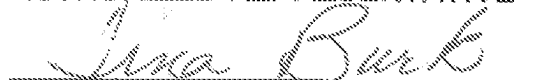
NOW THEREFORE, it is hereby agreed that the time of transfer inspection will not be
required and agrees that the necessary private sewage disposal system to serve the
property shall be installed and completed no later than the 1st day of June, 2017.

Dated the 21st day of November, 2016.

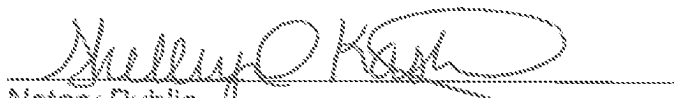
PROPERTY BUYER



MADISON COUNTY
BOARD OF HEALTH OR
AUTHORIZED REPRESENTATIVE


Tina Burk, Environmental Health

This instrument was acknowledged before me on 21 Nov 2016 by


Notary Public

