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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

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

TRANSFEROR:

Name Mark W. Schmidt

Address 550 Legacy Court Norwalk IA 50211
Number and Street or RR City, Town or P.O. State Zip

TRANSFeree:

Name David Fisher

Address 106 W Carruth Ln Double Oak TX 75077
Number and Street or RR City, Town or P.O. State Zip

Address of Property Transferred:

3332 135th Ct Cumming IA 50061
Number and Street or RR City, Town or P.O. State Zip

Legal Description of Property: (Attach if necessary)

Lot Eight (8) of Polo Points Plat II Subdivision, a subdivision located in the South Half (1/2) of the Northwest Quarter (1/4), in the South Half (1/2) of the Northeast Quarter (1/4), in the Northeast Quarter (1/4) of the Southwest Quarter (1/4), and in the North Half (1/2) of the Southeast Quarter (1/4) of Section Twenty-four (24), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, as shown in Corrected Subdivision Plat filed on October 4, 2004, in Book 2004, Page 4667 in the Office of the Recorder of Madison County, Iowa.

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:

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.: 615 577-9556

**TIME OF TRANSFER INSPECTION
BINDING AGREEMENT
For
FUTURE REPAIR**

This agreement is entered into this 7th day of June 2017, by and between Madison County Board of Health and David Fisher.

WHEREAS, it is understood the Iowa Administrative Code 567-69 requires:

"If a private disposal system is failing to ensure effective wastewater treatment or is otherwise improperly functioning, the private sewage disposal system shall be renovated to meet current standards as adopted by the department, either by the seller or, by agreement, within a reasonable time period as determined by the county or the department, by the buyer."

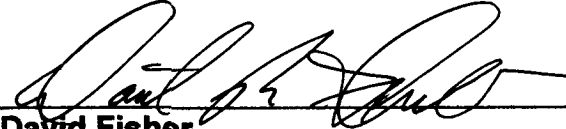
WHEREAS, the property located at 3332 135th Court, Cumming, Iowa, further described as Lot 8 Polo Pointe 2, Section 24 of Lee Township in Madison County, is improperly functioning based upon an inspection from a state certified inspector, the buyer David Fisher understands the private sewage disposal system serving this property must be renovated to meet current standards.

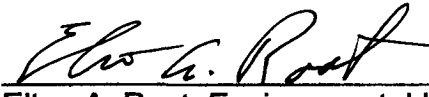
NOW THEREFORE, it is hereby agreed that the sewage disposal system shall be renovated no later than the 1st Day of October 2017.

Dated the 7th Day of June 2017.

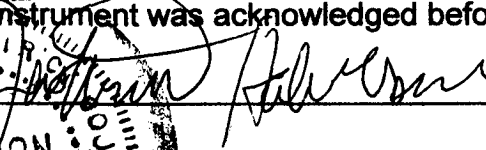
PROPERTY BUYER

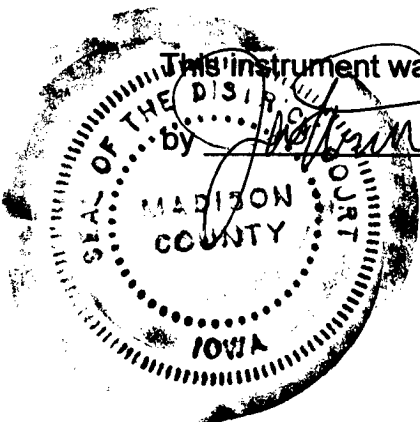
MADISON COUNTY
BOARD OF HEALTH OR
AUTHORIZED REPRESENTATIVE


David Fisher


Elton A. Root, Environmental Health Officer

This instrument was acknowledged before me on June 7, 2017


Notary Public



Soil Site Evaluation Report

Job Site –Mark Schmidt, 3332 135th Ct, Cumming, Ia

I met with Travis Witt on job site May 11th, 2017. We made several soil probe investigations around current lateral system. The hand soil probe below the lateral system indicated a glacial till soil to the surface was not far down the slope from the lateral system. The hand soil probes within the lateral system indicated 40-60 inches of loess soil over glacial till/paleosol. The lower lateral depth on the west side was near the glacial till depth. The glacial till/paleosol restriction is most likely causing a water table within the lateral system. I generally do not recommend lateral systems to be installed where depth to glacial till/paleosol is less than 60 inches. The foundation and rain spout drainage discharge near the lateral system is compounding the problem also.

A curtain drain system installed around the perimeter of the lateral system at a depth of 5 feet would lower the water table to the glacial till/paleosol restriction. Pea gravel or washed rock should be used in the curtain drain trench to within 6 inches of the surface. The curtain drains shall discharge to the south from the lateral system to an appropriate distance down slope. The drainage tile on the west side of the lateral system causing surface wetness from the foundation and eave spouts should be extended down slope at least 30 feet.

Please contact me with above phone number if more information is needed.

Doug Oelmann

Soil Scientist

Attachment

69.9(3) Construction details for all soil absorption trenches.

- a. Depth. Soil absorption trenches shall not exceed 36 inches in depth unless authorized by the administrative authority. Not less than 6 inches of porous soil shall be provided over the laterals. The minimum separation between trench bottom and groundwater, rock formation or other confining layers shall be 36 inches even if extra rock is used under the pipe.
- b. Length. No soil absorption trench shall be greater than 100 feet long.
- c. Separation distance. At least 6 feet of undisturbed soil shall be left between each trench edge on level sites. The steeper the slope of the ground, the greater the separation distance should be. Two feet of separation distance should be added for each 5 percent increase in slope from level.
- d. Grade. The trench bottom should be constructed level from end to end. On sloping ground, the trench shall follow a uniform land contour to maintain a minimum soil cover of 6 inches and a level trench bottom.
- e. Compaction. There shall be minimum use or traffic of heavy equipment on the area proposed for soil absorption. In addition, it is prohibited to use heavy equipment on the bottom of the trenches in the absorption area.
- f. Fill soil. Soil absorption systems shall not be installed in fill soil. Disturbed soils which have stabilized for at least one year shall require a recent percolation test or soil analysis.
- g. Bearing strength. Soil absorption systems shall be designed to carry loadings to meet AASHTO H-10 standards.
- h. Soil smearing. Soils with significant clay content should not be worked when wet. If soil moisture causes sidewall smearing, the installation should be discontinued until conditions improve.

INVOICE

Invoice Number: 056

Invoice Date 5/11/17

Customer Information:

Billing Address:		Shipping Address:	
Company:		Company:	
	Mark Schmidt	Name:	
Address:	3332 135 th ct	Address:	
	Cummings, la 50061		
City/State/Zip		City/State/Zip	

1	Soil Investigation Work		\$200.00
		Subtotal:	\$200.00
		Tax:	
		Shipping:	
		Grand Total:	\$200.00

Notes:
Report will be provided upon receipt of payment.
Make check payable to: Douglas Oelmann

Soil Map—Madison County, Iowa
(mark schmidt)

leach field

curtain drains

Soil Map may not be valid at this scale.

Map Scale: 1:1,590 if printed on A portrait (8.5" x 11") sheet.

0 20 40 80 120 Meters

0 50 100 200 300 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84

Soil Map—Madison County, Iowa
(mark schmidt)

MAP LEGEND

Area of Interest (AOI)		Area of Interest (AOI)		Spoil Area
Soils		Soil Map Unit Polygons		Stony Spot
		Soil Map Unit Lines		Very Stony Spot
		Soil Map Unit Points		Wet Spot
Special Point Features				Other
	Blowout		Special Line Features	
	Borrow Pit	Water Features		
	Clay Spot		Streams and Canals	
	Closed Depression	Transportation		
	Gravel Pit		Rails	
	Gravelly Spot		Interstate Highways	
	Landfill		US Routes	
	Lava Flow		Major Roads	
	Marsh or swamp		Local Roads	
	Mine or Quarry	Background		
	Miscellaneous Water		Aerial Photography	
	Perennial Water			
	Rock Outcrop			
	Saline Spot			
	Sandy Spot			
	Severely Eroded Spot			
	Sinkhole			
	Slide or Slip			
	Sodic Spot			

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.
Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Madison County, Iowa
Survey Area Data: Version 20, Sep 22, 2016

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 11, 2011—May 18, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Madison County, Iowa (IA121)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
GaF2	Gara loam, 18 to 25 percent slopes, moderately eroded	5.5	45.3%
LaB	Ladoga silt loam, 2 to 5 percent slopes	1.0	8.5%
LaC2	Ladoga silt loam, 5 to 9 percent slopes, moderately eroded	5.6	46.2%
LaD2	Ladoga silt loam, 9 to 14 percent slopes, moderately eroded	0.0	0.0%
Totals for Area of Interest		12.2	100.0%