

BK: 2018 PG: 1217
Recorded: 4/19/2018 at 1:25:15.0 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 Nicholas D. Cain
Address 3365 155th St., Cumming, IA 50061
Number and Street or RR City, Town or P.O. State Zip

TRANSFeree:

Name Mark A. Dunahoo and Ann M. Dunahoo
Address 1403 Willow Ct., Cumming, IA 50061
Number and Street or RR City, Town or P.O. State Zip

Address of Property Transferred:

bare land in Madison County, Iowa
Number and Street or RR City, Town or P.O. State Zip

Legal Description of Property: (Attach if necessary) See 1 in Addendum, P. 3 of 3

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: Michael D. Cain Telephone No.: (515) 201-8462
(Transferor or Agent)

ADDENDUM A

Real Estate Description:

Parcel "C" located in the East Half (1/2) of the Southwest Quarter (1/4) of Section Twenty-Five (25), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 39.256 acres, as shown in Plat of Survey filed in Book 2016, Page 3663 on December 2, 2016 in the Office of the Recorder of Madison County, Iowa,

Subject to a covenant running with the land reserved by the Grantors, their successors and assigns in WD filed April 1, 1994 in Book 132, Page 621, said reservation described therein as:

...a right-of-way easement upon, over and along the existing meandering lane located upon the North 200 feet of: The East Half (1/2) of the Southwest Quarter (1/4) of Section Twenty-Five (25), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, which reservation of rights will allow the Grantor, their successors and assigns access to the real estate legally described as:

The West Half (1/2) of the Southwest Quarter (1/4) of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

This reservation of rights shall be a covenant running with the above described real estate binding upon the parties, their successors and assigns. The right of use of this existing lane as a right-of-way shall not be exclusive to the Grantor, their successors or assigns; the Grantor, their successors and assigns shall not fence in this reserved right of way; and, the Grantor, their successors and assigns shall be responsible for the maintenance of any gates in the existing fence lines incident to the exercise of this right of access.

THE GRANTOR HEREIN RESERVES TO HIMSELF, HIS SUCCESSORS AND ASSIGNS the two (2) easements for ingress/egress identified in said Plat of Survey of Parcel "C" filed in Book 2016, Page 3663 on December 2, 2016, being legally described therein as follows:

INGRESS/EGRESS EASEMENT #1:

A 30 Foot wide Ingress/Egress Easement across Parcel C of the NE 1/4 SW 1/4 and the SE 1/4 SW 1/4 of Section 25, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa, the centerline of which is more particularly described as follows:

Commencing at the Northeast corner of said Parcel C, thence S83°23'46"W along the North line of said Parcel C, 31.34 feet to the point of beginning; thence S20°12'42"W, 116.15 feet; thence 93.84 feet along a 60 foot radius curve, concave northwesterly, whose chord is 84.56 feet and bears S65°00'57"W; thence N70°10'48"W, 236.06 feet; thence 174.13 feet along a 120 foot radius curve, concave southeasterly, whose chord is 159.25 feet and bears S68°15'08"W; thence S26°40'48"W, 31.31 feet; thence 56.97 feet along a 60 foot radius curve, concave northwesterly, whose chord is 54.85 feet and bears S53°52'49"W; thence S81°04'50"W, 283.53 feet; thence N72°15'56"W, 124.62 feet; thence N84°25'26"W, 172.53 feet; thence S86°02'13"W, 144.42 feet to point of terminus said point being on the West line of said Parcel C and being S0°21'03"W, 37.40 feet from the Northwest corner of said Parcel C.

INGRESS/EGRESS EASEMENT #2:

A 30 Foot wide Ingress/Egress Easement across Parcel C of the NE 1/4 SW 1/4 and the SE 1/4 SW 1/4 of Section 25, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa, the centerline of which is more particularly described as follows:

Commencing at the Northeast corner of said Parcel C, thence S83°23'46"W along the North line of said Parcel C, 31.34 feet to the point of beginning; thence S20°12'42"W, 116.15 feet; thence S7°16'49"W, 291.35 feet; thence S57°30'50"E, 108.40 feet; thence S0°13'00"W, 584.60 feet to the point of terminus, said point being on the South line of said Parcel C and being N89°15'34"W, 15.00 feet from the Southeast corner of said Parcel C.

SUBJECT TO ALL OTHER EASEMENTS AND RESTRICTIONS OF RECORD.