

June 24, 2009

From: Iowa State Bar Association
Iowa Land Title Association
Iowa County Recorders Association

To: Daniel Olson, R.S.
Onsite Wastewater Program
Iowa Dept. of Natural Resources

Re: Compliance with Iowa Code section 455B.172(11)"i"

Dear Mr. Olson:

We believe that the following actions will fulfill the requirements placed on title abstracts and county recorders in the aforementioned Code section:

The county recorder will record the Ground Water Hazard (GWH) statement as a related document when accompanying a document of conveyance. The GWH will receive its own document reference number, and the Time of Transfer inspection report shall be attached when an inspection is required (see question #6).

The abstractor will include the response to question #6 of the GWH in the abstract entry for that deed along with the following statement: "Pursuant to Iowa Code Section 455B.172(11)(i), a certified inspector's report or binding acknowledgment is of record with the county recorder."

If a binding acknowledgement rather than an inspection report accompanies the document of conveyance, the recorder will record an amended Ground Water Hazard statement, with the inspection report attached, when the inspection has been completed. A new document reference number will be affixed to the amended GWH statement. The filing party shall include the document reference numbers of the original conveyance documents. In this situation, the abstractor will show this new document in the next abstract continuation.

We would appreciate you sharing this letter with the appropriate people at the Iowa DNR, and we will be disseminating this information to our respective members no later than Thursday, June 25, 2009.

Very truly,

John Eisenman, President
Iowa Land Title Association

Mark Otto, Chairman
Iowa State Bar Association – Real Estate Section

Marilyn Dopheide, President
Iowa County Recorders Association