

Jasper County, Iowa

Denny Carpenter

Doug Cupples

Brandon Talsma



Board of Supervisors

Courthouse

PO Box 944

Newton IA 50208

Phone 641-792-7016

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JASPER COUNTY BOARD OF SUPERVISORS SPECIAL MEETING AGENDA

www.co.jasper.ia.us

April 30th 2019

9:30 a.m.

Pledge of Allegiance

Item 1 Resolution Approving Deed, Easement on the Sale of 115 W 2nd St S Newton, IA 50208 with GG115 LLC a Subsidiary of Goldfinch Growth INC.

- a) Special Warranty Deed**
- b) Real Estate Transfer – Groundwater Hazard Statement**
- c) Jasper County Easement Agreement**
- d) Real Estate Transfer – Declaration of Value**

**SPECIAL WARRANTY DEED
Recorder's Cover Sheet**

Preparer Information: (name, address and phone number)

Adam D. Otto, 123 W 2nd St. N, Newton, Iowa 50208, Phone: (641) 792-7000

Taxpayer Information: (name and complete address)

GG 115, LLC, c/o 1500 S 12th Ave W, Newton, IA 50208

Return Document To: (name and complete address)

Adam D. Otto, 123 W 2nd St. N, Newton, Iowa 50208

Grantors:

Jasper County Board of Supervisors

Grantees:

GG 115, LLC

Legal Description: See Page 2

Document or instrument number of previously recorded documents:

SPECIAL WARRANTY DEED

For the consideration of One (\$1.00) Dollar and other valuable consideration, Jasper County, Iowa, does hereby Convey to GG 115, LLC the following described real estate in Jasper County, Iowa:

Parcel "A" part of Lot 7 and 8 in Block 19 of the Original Plat of Newton, Iowa, more particularly described as follows: The South 24 feet of the West 30 feet of Lot 7 and the West 30 feet of Lot 8, all in Block 19, Original Town of Newton, Jasper County, Iowa.

Subject to easement of record filed April 8, 2019, in Document No. 2019-00001659.

Sold by Public Hearing on September 18, 2018.

This deed is exempt according to Iowa Code 428A.2(6).

Grantors do Hereby Covenant with Grantees and successors in interest to Warrant and Defend the real estate against the lawful claims of all persons claiming by, through or under them, except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: _____.

JASPER COUNTY BOARD OF SUPERVISORS

By: _____

STATE OF IOWA, COUNTY OF JASPER

This record was acknowledged before me on _____, by _____ of the Jasper County Board of Supervisors.

Signature of Notary Public

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

TRANSFEROR:

Name Jasper County Board of Supervisors
Address PO Box 944, Newton, IA 50208
Number and Street or RR City, Town or P.O. State Zip

TRANSFeree:

Name GG 115, LLC
Address 1500 S 12th Ave. W, Newton, IA 50208
Number and Street or RR City, Town or P.O. State Zip

Address of Property Transferred:
115 W 2nd St. S, Newton, IA 50208
Number and Street or RR City, Town or P.O. State Zip

Legal Description of Property: (Attach if necessary) Parcel "A" part of Lot 7 and 8 in Block 19 of the Original Plat of Newton, Iowa, more particularly described as follows: The South 24 feet of the West 30 feet of Lot 7 and the West 30 feet of Lot 8, all in Block 19, Original Town of Newton, Jasper 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: _____ Telephone No.: (641) 792-7016
(Transferor or Agent)

Prepared by/Return to: Adam D. Otto, PO Box 1356, Newton, IA 50208; (641) 792-7000

EASEMENT AGREEMENT

This Agreement is made in Jasper County, Iowa on _____, 2019, between Jasper County, Iowa, hereinafter "County", and GG 115, LLC, an Iowa limited liability company hereinafter "GG 115".

Whereas, the County represents and warrants that it owns and has fee simple title to that certain parcel of real estate located in the Jasper County, Iowa legally described as follows:

Lot 7 in Block 19 of the Original Plat of Newton, Iowa, EXCEPT Parcel "A" part of Lot 7 and 8 in Block 19 of the Original Plat of Newton, Iowa, more particularly described as follows: The South 24 feet of the West 30 feet of Lot 7 and the West 30 feet of Lot 8, all in Block 19, Original Town of Newton, Jasper County, Iowa.

Whereas, GG 115 represents and warrants that it owns and has fee simple title to that certain parcel of real estate located in the Jasper County, Iowa legally described as follows:

Parcel "A" part of Lot 7 and 8 in Block 19 of the Original Plat of Newton, Iowa, more particularly described as follows: The South 24 feet of the West 30 feet of Lot 7 and the West 30 feet of Lot 8, all in Block 19, Original Town of Newton, Jasper County, Iowa.

Whereas, GG 115 has reserved an easement over the County's above-described real estate in the Plat recorded April 8, 2019, in Instrument No. 2019-00001659, and said easement area is legally described as follows:

A 6.00' wide easement located entirely within Lot 7 in Block 19 of the Original Plat Newton, Jasper County, Iowa. More particularly described as follows: commencing at Northwest Corner of said Lot 7; thence S0°37'07"E 36.24' along the West line of said Lot 7 to the point of beginning; thence, continuing

S0°37'07"E 6.00' along said West line; thence N89°08'12"E 30.00'; thence, N0°37'07"W 6.00'; thence S89°08'12"W 30.00' to the point of beginning, containing 180 sq ft/0.004 acres.

Now therefore, and for One Dollar (\$1.00) and other valuable consideration, it is mutually agreed as follows:

A perpetual easement that shall run with land for the benefit of GG 115's real estate is hereby created to reserve the following:

1. The right to place a dumpster for trash removal on the easement area and have unimpeded access to said dumpster at all times
2. The right to place and maintain heating, cooling, and air handling equipment, including associated utility connections, on the easement area.
3. The right to place and maintain a grease trap on the easement area or below ground in the easement area.
4. The right to place and maintain coolers and freezers on the easement area.
5. The right to have building doors swing open onto and above the easement area.

However, if GG 115's use of the land named in this Easement Agreement is deemed to be a "Public Nuisance", the County has provided three (3) written notices to GG 115, the County has provided GG 115 a reasonable amount of time to cure the nuisance, and the nuisance has not been cured by GG 115, then the easement shall be terminated.

In witness thereof, the County and GG 115 have duly executed this Agreement.

**JASPER COUNTY
BOARD OF SUPERVISORS**

GG 115, LLC

By: _____

By: Bryan D. Friedman, Co-President of
Goldfinch Growth, Inc., Member

By: Natalie K. Umstead, Co-President of
Goldfinch Growth, Inc., Member

STATE OF IOWA)
) SS:
JASPER COUNTY)

On this ____ day of _____, 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in and for said State

STATE OF IOWA)
) SS:
JASPER COUNTY)

On this ____ day of _____, 2019, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Bryan D. Friedman, to me personally known, who being by me duly sworn did say that he is the Co-President of Goldfinch Growth, Inc., Member of GG 115, LLC, executing the within and foregoing instrument; and that Bryan D. Friedman, acknowledged the execution of the foregoing instrument to be the voluntary act and deed of said corporation, by it and by him voluntarily executed.

Notary Public in and for said State

STATE OF IOWA)
) SS:
JASPER COUNTY)

On this ____ day of _____, 2019, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Natalie K. Umstead, to me personally known, who being by me duly sworn did say that she is the Co-President of Goldfinch Growth, Inc., Member of GG 115, LLC, executing the within and foregoing instrument; and that Natalie K. Umstead, acknowledged the execution of the foregoing instrument to be the voluntary act and deed of said corporation, by it and by her voluntarily executed.

Notary Public in and for said State

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REAL ESTATE TRANSFER - DECLARATION OF VALUE

Please read the instructions comprised in form 57-011 before completing and filing this form.

Part I - TO BE COMPLETED BY BUYER, SELLER OR AGENT

Date of Instrument (MMDDYYYY) [Grid]

Enter the number matching your selection in the box at the end of the line: Deed (1) Contract (2)

1

Seller: Jasper County Board of Supervisors Phone Number: (641) 792-7016

Seller Address: PO Box 944 City: Newton

State: Iowa ZIP: 50208 email: N/A

Buyer: GG 115, LLC Phone Number: (641) 841-0808

Buyer Address: 1500 S 12th Ave. W City: Newton

State: Iowa ZIP: 50208 email: N/A

Address of Property Conveyed: 115 W 2nd St. S

City: Newton State: Iowa ZIP: 50208

Legal Description: See 1 in Addendum

Enter the number corresponding to your selection in the box at the end of the line, if applicable.

Type of Sale: Sale between related parties/family (1); Sale of partial interest (2); Trade (3); Quit Claim Deed (4); Auction (5)

Was this a sale of agricultural land to: Corporation (1); Trust (2); Alien (3); Non-resident Alien (4); Limited Partnership (5)

DECLARATION OF VALUE STATEMENT

- 1. Total Amount Paid..... [Grid] 40,000.00
2. Amount Paid for Personal Property..... [Grid] 0.00
3. Amount Paid for Real Property..... [Grid] 40,000.00

I hereby declare that the information contained in Part I of this form is true and correct.

Printed Name: Jasper County Board of Supervisors Phone Number: (641) 792-7016

Signature: Buyer [] or Seller [X] or Agent [] or Attorney []

Part II - TO BE COMPLETED BY THE ASSESSOR

Assessed values must be as of January 1 of the year in which the sale occurred.

SECTION A: SINGLE CLASSIFICATION

Primary Classification: Residential (4); Commercial (5); Industrial (2); Agricultural (1); Multi-residential (7)

City/Township: Occupancy:

Primary Parcel Number: _____ Year Built:

Class	Land	Building	Dwelling
Res	<input type="text"/> , <input type="text"/> .00	<input type="text"/> , <input type="text"/> , <input type="text"/> .00	<input type="text"/> , <input type="text"/> , <input type="text"/> .00
Com	<input type="text"/> , <input type="text"/> .00	<input type="text"/> , <input type="text"/> , <input type="text"/> .00	
Ind	<input type="text"/> , <input type="text"/> .00	<input type="text"/> , <input type="text"/> , <input type="text"/> .00	
Ag	<input type="text"/> , <input type="text"/> .00	<input type="text"/> , <input type="text"/> , <input type="text"/> .00	<input type="text"/> , <input type="text"/> , <input type="text"/> .00
MultiRes	<input type="text"/> , <input type="text"/> .00	<input type="text"/> , <input type="text"/> , <input type="text"/> .00	<input type="text"/> , <input type="text"/> , <input type="text"/> .00

Subtotal , , .00

SECTION B: DUAL CLASSIFICATION

Primary Classification: Commercial (5); Industrial (2); Multi-residential (7)

City/Township: Occupancy:

Primary Parcel Number: _____ Year Built:

Class	Land	Building	Dwelling
Com	<input type="text"/> , <input type="text"/> .00	<input type="text"/> , <input type="text"/> , <input type="text"/> .00	
Ind	<input type="text"/> , <input type="text"/> .00	<input type="text"/> , <input type="text"/> , <input type="text"/> .00	
MultiRes	<input type="text"/> , <input type="text"/> .00	<input type="text"/> , <input type="text"/> , <input type="text"/> .00	<input type="text"/> , <input type="text"/> , <input type="text"/> .00

Subtotal , , .00

Total: Add Subtotal amounts from Sections A and B , , .00

Enter amount from line 3, page 1 , , .00

Ratio: Divide Total amount by the amount on line 3, page 1 , . %

NUTC

Jurisdiction

Comments: _____

Addendum

1. Parcel "A" part of Lot 7 and 8 in Block 19 of the Original Plat of Newton, Iowa, more particularly described as follows: The South 24 feet of the West 30 feet of Lot 7 and the West 30 feet of Lot 8, all in Block 19, Original Town of Newton, Jasper County, Iowa.