



Document 2020 3682

Book 2020 Page 3682 Type 06 044 Pages 25

Date 9/29/2020 Time 8:23:57AM

Rec Amt \$127.00 Aud Amt \$5.00

INDX
ANNO
SCAN

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

Type of Document

NEMMERS SUBDIVISION

PREPARER INFORMATION:

Zoning Office for Phillip Nemmers

Contact: Jerry Oliver, Farmers & Merchants Building, Winterset IA 50273, 515-462-3731 attorney for Phillip Nemmers

TAXPAYER INFORMATION:

NEMMERS, PHILLIP
1909 105TH ST
EARLHAM, IA 50072

RETURN DOCUMENT TO:

NEMMERS, PHILLIP
1909 105TH ST
EARLHAM, IA 50072

Or

Jerry Oliver
F&M Bank Building, Winterset Iowa 50273
515-462-3731

GRANTOR:

GRANTEE:

LEGAL DESCRIPTION:

The Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, except commencing at the West Quarter (1/4) Corner of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., thence North 90°00'00" East 945.00 feet along the Quarter Section Line to the point of beginning, thence continuing North 90°00'00" East 286.20 feet, thence North 00°30'57" West 248.99 feet, thence North 15°22'27" West 199.54 feet, thence North 90°00'00" West 204.93 feet, thence South 01°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.

Legal Description - Ingress Egress Easement on Lot 1 All that part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 3, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the West 1/4 corner of said Section 3, thence North 00°35'06" West, along the West line of the SW1/4 of the NW1/4 of said Section 3, a distance of 40.00 feet, to the North right of way line of 105th Street; thence North 90°00'00" East, along said right of way line, a distance of 411.78 feet, to the Point of Beginning; thence North 00°25'02" West, a distance of 653.57 feet; thence North 63°05'12" West, a distance of 6.67 feet; thence North 00°57'13" East, a distance of 181.87 feet; thence South 09°01'21" East, a distance of 147.20 feet; thence South 00°17'52" East, a distance of 693.04 feet, to a point on the North right of way line of 105th Street; thence South 90°00'00" West, along said right of way line, a distance of .19.00 feet to the Point of Beginning, and containing 15,732 square feet or 0.36 acres of land, more or less.

**PLAT AND CERTIFICATE
FOR NEMMERS SUBDIVISION,
MADISON COUNTY, IOWA**


I, C. J. Nicholl, Zoning Administrator of Madison County, Iowa, do hereby certify that the plat to which this certificate is attached is a plat of a subdivision known and designated as Nemmers Subdivision, and that the real estate comprising said plat is described as follows:

SEE ATTACHED

I do further certify that attached hereto are true and correct copies of the following documents which have been submitted in connection with said plat:

1. Attorney's Opinion;
2. Dedication of Plat;
3. Certificate from County Treasurer;
4. Resolution of the Board of Supervisors of Madison County, Iowa, approving said plat;
5. Agreement with County Engineer;
6. Ground Water Statement;
7. Madison County Soil and Water Conservation District Land Disturbing Activity Affidavit;
8. Consent of County Auditor to subdivision name;
9. Fence Affidavit.
10. Consents of Lenders

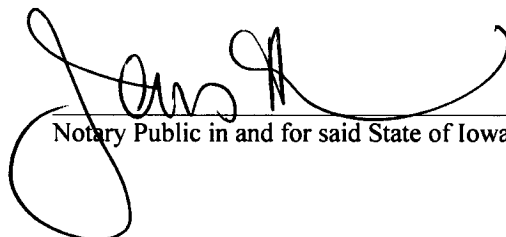
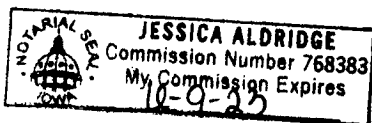
all of which are duly certified in accordance with the Madison County Zoning Ordinance.



C. J. Nicholl, Zoning Administrator of Madison
County, Iowa

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 25 day of September 2020, by C.J. Nicholl.



Notary Public in and for said State of Iowa

NEMMERS SUBDIVISION

Legal Description

The Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, except commencing at the West Quarter (1/4) Corner of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., thence North 90°00'00" East 945.00 feet along the Quarter Section Line to the point of beginning, thence continuing North 90°00'00" East 286.20 feet, thence North 00°30'57" West 248.99 feet, thence North 15°22'27" West 199.54 feet, thence North 90°00'00" West 204.93 feet, thence South 01°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.

Legal Description - Ingress Egress Easement on Lot 1

All that part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 3, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:
Commencing at the West 1/4 corner of said Section 3, thence North 00°35'06" West, along the West line of the SW1/4 of the NW1/4 of said Section 3, a distance of 40.00 feet, to the North right of way line of 105th Street; thence North 90°00'00" East, along said right of way line, a distance of 411.78 feet, to the Point of Beginning; thence North 00°25'02" West, a distance of 653.57 feet; thence North 63°05'12" West, a distance of 6.67 feet; thence North 00°57'13" East, a distance of 181.87 feet; thence South 09°01'21" East, a distance of 147.20 feet; thence South 00°17'52" East, a distance of 693.04 feet, to a point on the North right of way line of 105th Street; thence South 90°00'00" West, along said right of way line, a distance of 19.00 feet to the Point of Beginning, and containing 15,732 square feet or 0.36 acres of land, more or less.

**DEDICATION OF PLAT
OF
NEMMERS SUBDIVISION**

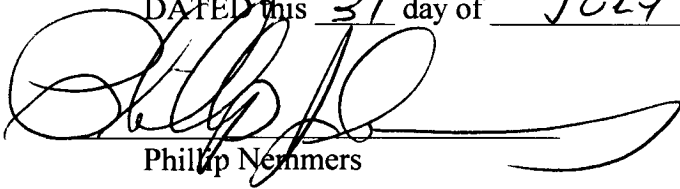
KNOW ALL MEN BY THESE PRESENTS:

That, I do hereby certify that I am the sole owner and proprietor of the following-
described real state:

See Attached

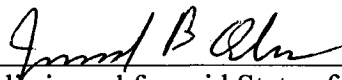
That the subdivision of the above-described real estate as shown by the final plat of
Subdivision is with the free consent and in accordance with the owner's desire as owner of said
real estate.

DATED this 31 day of JULY, 2020.


Phillip Nemmers

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 31 day of July,
2020, by Phillip Nemmers.



Notary Public in and for said State of Iowa



NEMMERS SUBDIVISION

Legal Description

The Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, except commencing at the West Quarter (1/4) Corner of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., thence North 90°00'00" East 945.00 feet along the Quarter Section Line to the point of beginning, thence continuing North 90°00'00" Esst 286.20 feet, thence North 00°30'57" West 248.99 feet, thence North 15°22'27" West 199.54 feet, thence North 90°00'00" West 204.93 feet, thence South 01°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.

Legal Description - Ingress Egress Easement on Lot 1

All that part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 3, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the West 1/4 corner of said Section 3, thence North 00°35'06" West, along the West line of the SW1/4 of the NW1/4 of said Section 3, a distance of 40.00 feet, to the North right of way line of 105th Street; thence North 90°00'00" East, along said right of way line, a distance of 411.78 feet, to the Point of Beginning; thence North 00°25'02" West, a distance of 653.57 feet; thence North 63°05'12" West, a distance of 6.67 feet; thence North 00°57'13" East, a distance of 181.87 feet; thence South 09°01'21" East, a distance of 147.20 feet; thence South 00°17'52" East, a distance of 693.04 feet, to a point on the North right of way line of 105th Street; thence South 90°00'00" West, along said right of way line, a distance of 19.00 feet to the Point of Beginning, and containing 15,732 square feet or 0.36 acres of land, more or less.

**CONSENT TO PLATTING
BY EARLHAM SAVINGS BANK**

Earlham Savings Bank does hereby consent to the platting and subdivision by Phillip Nemmers of the following-described real estate:

See Attached

in accordance with the ordinances of Madison County, Iowa, and the laws of the State of Iowa.

The undersigned holds a mortgage against said real estate dated February 9, 2016 and recorded on February 16, 2016 in Book 2016, Page 391 of the Recorder's Office of Madison County, Iowa.

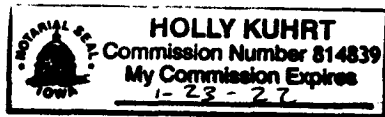
Dated this 30th day of July, 2020.

Earlham Savings Bank

By [Signature]

STATE OF IOWA, COUNTY OF Madison

This instrument was acknowledged before me on this 30 day of July, 2020 by Noah Hunter as VP of Earlham Savings Bank.



[Signature]
Notary Public in and for said State

NEMMERS SUBDIVISION

Legal Description

The Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, except commencing at the West Quarter (1/4) Corner of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., thence North 90°00'00" East 945.00 feet along the Quarter Section Line to the point of beginning, thence continuing North 90°00'00" East 286.20 feet, thence North 00°30'57" West 248.99 feet, thence North 15°22'27" West 199.54 feet, thence North 90°00'00" West 204.93 feet, thence South 01°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.

Legal Description - Ingress Egress Easement on Lot 1

All that part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 3, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the West 1/4 corner of said Section 3, thence North 00°35'06" West, along the West line of the SW1/4 of the NW1/4 of said Section 3, a distance of 40.00 feet, to the North right of way line of 105th Street; thence North 90°00'00" East, along said right of way line, a distance of 411.78 feet, to the Point of Beginning; thence North 00°25'02" West, a distance of 653.57 feet; thence North 63°05'12" West, a distance of 6.67 feet; thence North 00°57'13" East, a distance of 181.87 feet; thence South 09°01'21" East, a distance of 147.20 feet; thence South 00°17'52" East, a distance of 693.04 feet, to a point on the North right of way line of 105th Street; thence South 90°00'00" West, along said right of way line, a distance of 19.00 feet to the Point of Beginning, and containing 15,732 square feet or 0.36 acres of land, more or less.

**CONSENT TO PLATTING
BY FARM CREDIT SERVICES OF AMERICA, FLCA**

Farm Credit Services of America, FLCA does hereby consent to the platting and subdivision by Phillip Nemmers of the following-described real estate:

See Attached

in accordance with the ordinances of Madison County, Iowa, and the laws of the State of Iowa.

The undersigned holds mortgages against said real estate:

1. Mortgage dated February 24, 2014 and recorded on March 3, 2014 in Book 2014, Page 482 of the Recorder's Office of Madison County, Iowa.
2. Mortgage dated January 23, 2015 and recorded on January 27, 2015 in Book 2015, Page 204 of the Recorder's Office of Madison County, Iowa.

Dated this 18th day of August, 2020.

Farm Credit Services of America, FLCA

By Nathan Podey
Nathan Podey, Financial Services Officer

STATE OF IOWA, COUNTY OF DALLAS

This instrument was acknowledged before me on this 18th day of August, 2020 by Nathan Podey as Financial Services Officer of Farm Credit Services of America, FLCA



Traci M Kieffer
Notary Public in and for said State

NEMMERS SUBDIVISION

Legal Description

The Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, except commencing at the West Quarter (1/4) Corner of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., thence North 90°00'00" East 945.00 feet along the Quarter Section Line to the point of beginning, thence continuing North 90°00'00" East 286.20 feet, thence North 00°30'57" West 248.99 feet, thence North 15°22'27" West 199.54 feet, thence North 90°00'00" West 204.93 feet, thence South 01°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.

Legal Description - Ingress Egress Easement on Lot 1

All that part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 3, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:
Commencing at the West 1/4 corner of said Section 3, thence North 00°35'06" West, along the West line of the SW1/4 of the NW1/4 of said Section 3, a distance of 40.00 feet, to the North right of way line of 105th Street; thence North 90°00'00" East, along said right of way line, a distance of 411.78 feet, to the Point of Beginning; thence North 00°25'02" West, a distance of 653.57 feet; thence North 63°05'12" West, a distance of 6.67 feet; thence North 00°57'13" East, a distance of 181.87 feet; thence South 09°01'21" East, a distance of 147.20 feet; thence South 00°17'52" East, a distance of 693.04 feet, to a point on the North right of way line of 105th Street; thence South 90°00'00" West, along said right of way line, a distance of 19.00 feet to the Point of Beginning, and containing 15,732 square feet or 0.36 acres of land, more or less.

ATTORNEY'S OPINION FOR FINAL PLAT, NEMMERS SUBDIVISION, MADISON COUNTY, IOWA

I, Jerrold B. Oliver, an attorney at law licensed to practice under the laws of the State of Iowa, have examined the abstract of title in one (1) part, last certified to July 14, 2020, at 8:00 A.M., by Madison County Abstract Co., purporting to show the chain of title to the following described real estate, which is the real property contained in the Final Plat, Nemmers Subdivision, Madison County, Iowa:

See copy of description attached.

In my opinion, merchantable title to the above described property is in the name of Phillip Nemmers free and clear of all liens and encumbrances except the following mortgages:

1. Entry No. 166 shows a Mortgage from Phillip J. Nemmers and Rhonda L. Nemmers, Husband and Wife, to Farm Credit Services of America, FLCA, in the principal amount of \$1,000,000.00, dated February 24, 2014, filed March 3, 2014, in Book 2014, Page 482, of the Recorder's Office of Madison County, Iowa.

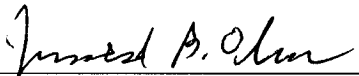
2. Entry No. 175 shows a Mortgage from Phillip J. Nemmers and Rhonda L. Nemmers, Husband and Wife, to Farm Credit Services of America, FLCA, dated January 23, 2015, filed January 27, 2015, in Book 2015, Page 204, of the Recorder's Office of Madison County, Iowa.

3. Entry No. 180 shows a Mortgage from Phillip J. Nemmers and Rhonda L. Nemmers, Husband and Wife, to Earlham Savings Bank, in the principal amount of \$180,000.00, dated February 9, 2016, filed February 16, 2016, in Book 2016, Page 391, of the Recorder's Office of Madison County, Iowa.

The abstract shows the following easement:

Entry No. 141 shows an Easement from Phillip J. Nemmers and Rhonda L. Nemmers (no marital status shown), to Warren Water District, granting an Easement for water pipeline purposes dated August 19, 2005, filed August 31, 2005, in Deed Record 2005, Page 4177, of the Recorder's Office of Madison County, Iowa.

JORDAN, OLIVER, WALTERS & SMITH, P.C.

By 


Jerrold B. Oliver
Farmers & Merchants Bank Bldg.
P.O. Box 230
Winterset, Iowa 50273
Telephone: (515) 462-3731

**CERTIFICATE OF THE COUNTY TREASURER
OF MADISON COUNTY, IOWA**

I, Jana Corkrean, do hereby certify that I am the duly elected and acting Treasurer of Madison County, Iowa; that I have examined the records in my office, and that there are no unpaid taxes forming a lien against the following-described real estate, to-wit:

See Attached

DATED at Winterset, Iowa, this 31 day of July, 2020.



Jana Corkrean, Treasurer of Madison County,
Iowa

NEMMERS SUBDIVISION

Legal Description

The Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, except commencing at the West Quarter (1/4) Corner of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., thence North 90°00'00" East 945.00 feet along the Quarter Section Line to the point of beginning, thence continuing North 90°00'00" Esst 286.20 feet, thence North 00°30'57" West 248.99 feet, thence North 15°22'27" West 199.54 feet, thence North 90°00'00" West 204.93 feet, thence South 01°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.

Legal Description - Ingress Egress Easement on Lot 1

All that part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 3, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:
Commencing at the West 1/4 corner of said Section 3, thence North 00°35'06" West, along the West line of the SW1/4 of the NW1/4 of said Section 3, a distance of 40.00 feet, to the North right of way line of 105th Street; thence North 90°00'00" East, along said right of way line, a distance of 411.78 feet, to the Point of Beginning; thence North 00°25'02" West, a distance of 653.57 feet; thence North 63°05'12" West, a distance of 6.67 feet; thence North 00°57'13" East, a distance of 181.87 feet; thence South 09°01'21" East, a distance of 147.20 feet; thence South 00°17'52" East, a distance of 693.04 feet, to a point on the North right of way line of 105th Street; thence South 90°00'00" West, along said right of way line, a distance of 19.00 feet to the Point of Beginning, and containing 15,732 square feet or 0.36 acres of land, more or less.

Pursuant to Iowa Code requirements, the following proposed subdivision name:

NEMMERS SUBDIVISION

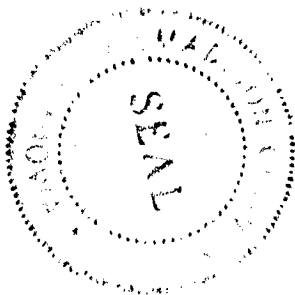
For property located at: See Legal Attached

And owned by: Phillip Nemmers

Has been approved on the 3rd day of August, 2020.

Auditor, Madison County, Iowa.

By Melley O Kasten



NEMMERS SUBDIVISION

Legal Description

The Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, except commencing at the West Quarter (1/4) Corner of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., thence North 90°00'00" East 945.00 feet along the Quarter Section Line to the point of beginning, thence continuing North 90°00'00" East 286.20 feet, thence North 00°30'57" West 248.99 feet, thence North 15°22'27" West 199.54 feet, thence North 90°00'00" West 204.93 feet, thence South 01°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.

Legal Description - Ingress Egress Easement on Lot 1

All that part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 3, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the West 1/4 corner of said Section 3, thence North 00°35'06" West, along the West line of the SW1/4 of the NW1/4 of said Section 3, a distance of 40.00 feet, to the North right of way line of 105th Street; thence North 90°00'00" East, along said right of way line, a distance of 411.78 feet, to the Point of Beginning; thence North 00°25'02" West, a distance of 653.57 feet; thence North 63°05'12" West, a distance of 6.67 feet; thence North 00°57'13" East, a distance of 181.87 feet; thence South 09°01'21" East, a distance of 147.20 feet; thence South 00°17'52" East, a distance of 693.04 feet, to a point on the North right of way line of 105th Street; thence South 90°00'00" West, along said right of way line, a distance of 19.00 feet to the Point of Beginning, and containing 15,732 square feet or 0.36 acres of land, more or less.

AGREEMENT

This Agreement, made and entered into, by and between, the proprietors of Nemmers Subdivision and Todd Hagan, Madison County Engineer.

NOW THEREFORE IT IS AGREED AS FOLLOWS:

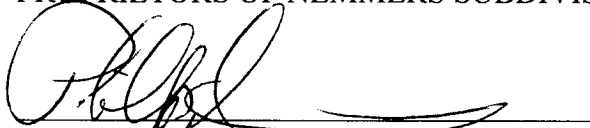
1. The proprietors of Nemmers Subdivision, a Plat of the following described real estate:

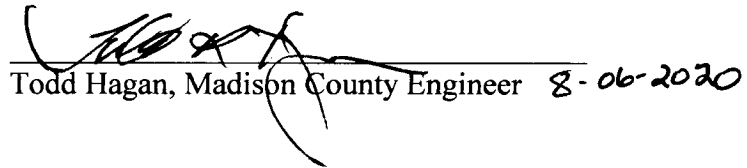
See Attached Legal Description

hereby agree that all private roads located within Nemmers Subdivision are private roads and are not being dedicated to Madison County, Iowa. Said proprietor consents and agrees that such roads shall not be maintained in any manner by Madison County, Iowa, or the Madison County Engineer's Department.

Date: July 31, 2020

PROPRIETORS OF NEMMERS SUBDIVISION


Phillip Nemmers


Todd Hagan, Madison County Engineer 8-06-2020

NEMMERS SUBDIVISION

Legal Description

The Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, except commencing at the West Quarter (1/4) Corner of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., thence North 90°00'00" East 945.00 feet along the Quarter Section Line to the point of beginning, thence continuing North 90°00'00" East 286.20 feet, thence North 00°30'57" West 248.99 feet, thence North 15°22'27" West 199.54 feet, thence North 90°00'00" West 204.93 feet, thence South 01°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.

Legal Description - Ingress Egress Easement on Lot 1

All that part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 3, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:
Commencing at the West 1/4 corner of said Section 3, thence North 00°35'06" West, along the West line of the SW1/4 of the NW1/4 of said Section 3, a distance of 40.00 feet, to the North right of way line of 105th Street; thence North 90°00'00" East, along said right of way line, a distance of 411.78 feet, to the Point of Beginning; thence North 00°25'02" West, a distance of 653.57 feet; thence North 63°05'12" West, a distance of 6.67 feet; thence North 00°57'13" East, a distance of 181.87 feet; thence South 09°01'21" East, a distance of 147.20 feet; thence South 00°17'52" East, a distance of 693.04 feet, to a point on the North right of way line of 105th Street; thence South 90°00'00" West, along said right of way line, a distance of 19.00 feet to the Point of Beginning, and containing 15,732 square feet or 0.36 acres of land, more or less.

Prepared by: Jerrold B. Oliver, PO BOX 230, Winterset, IA 50273 515/462-3731
Return to: Jerrold B. Oliver, PO BOX 230, Winterset, IA 50273 515/462-3731

AFFIDAVIT

STATE OF IOWA :
: ss
MADISON COUNTY :

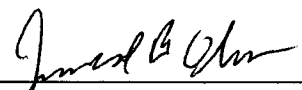
I, Phillip Nemmers, first being duly sworn on oath state that this Affidavit concerns the chain of title to the following described real estate:

See Legal Description Attached

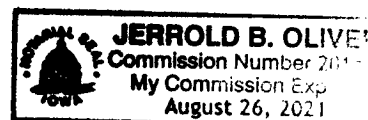
I further state that there are lawful fences on the boundary lines of the above described real estate.


Phillip Nemmers

Subscribed and sworn to before me on this 31 day of July, 2020.



Notary Public in and for the State of Iowa



NEMMERS SUBDIVISION

Legal Description

The Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, except commencing at the West Quarter (1/4) Corner of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., thence North 90°00'00" East 945.00 feet along the Quarter Section Line to the point of beginning, thence continuing North 90°00'00" Esst 286.20 feet, thence North 00°30'57" West 248.99 feet, thence North 15°22'27" West 199.54 feet, thence North 90°00'00" West 204.93 feet, thence South 01°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.

Legal Description - Ingress Egress Easement on Lot 1

All that part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 3, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:
Commencing at the West 1/4 corner of said Section 3, thence North 00°35'06" West, along the West line of the SW1/4 of the NW1/4 of said Section 3, a distance of 40.00 feet, to the North right of way line of 105th Street; thence North 90°00'00" East, along said right of way line, a distance of 411.78 feet, to the Point of Beginning; thence North 00°25'02" West, a distance of 653.57 feet; thence North 63°05'12" West, a distance of 6.67 feet; thence North 00°57'13" East, a distance of 181.87 feet; thence South 09°01'21" East, a distance of 147.20 feet; thence South 00°17'52" East, a distance of 693.04 feet, to a point on the North right of way line of 105th Street; thence South 90°00'00" West, along said right of way line, a distance of 19.00 feet to the Point of Beginning, and containing 15,732 square feet or 0.36 acres of land, more or less.

**LAND DISTURBING ACTIVITIES
AFFIDAVIT**

STATE OF IOWA :
 :
 :
MADISON COUNTY :

Pursuant to section 161 A.64, Code of Iowa in consideration for permission to engage in a land disturbing activity as defined in that statute, and recognizing that the agency authorized by that statute to receive and file this affidavit will rely on the statements we make herein, I, Phillip Nemmers, being first duly sworn on oath, do solemnly swear to affirm that:

I do not plan to engage in land disturbing activities upon the following described real estate:


See Legal Description Attached

As owner or occupant of the land described above, I am aware that I must establish and maintain soil conservation practices as necessary to meet the soil loss limits established by the Madison County Soil and Water Conservation District, pursuant to sections 161A.43, and 161A.44, Code of Iowa.

I am aware that loss limit regulations prohibit sediment from leaving the site in excess of 5 tons per acre per year. The land disturbing activities described above will be conducted in a manner that will insure compliance with the soil loss limit regulations.

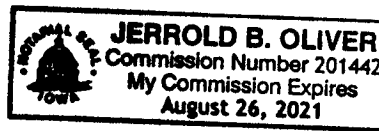
I assume responsibility for all land disturbing activities conducted on this property by us or other people entities we represent. This authority covers only the land and land disturbing activity described above.

I am the owner of the land, and have full authority to enter into this agreement.


Phillip Nemmers

Subscribed and sworn to before me on this 31 day of July, 2020.


Notary Public in and for the State of Iowa



NEMMERS SUBDIVISION

Legal Description

The Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, except commencing at the West Quarter (1/4) Corner of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., thence North 90°00'00" East 945.00 feet along the Quarter Section Line to the point of beginning, thence continuing North 90°00'00" East 286.20 feet, thence North 00°30'57" West 248.99 feet, thence North 15°22'27" West 199.54 feet, thence North 90°00'00" West 204.93 feet, thence South 01°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.

Legal Description - Ingress Egress Easement on Lot 1

All that part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 3, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the West 1/4 corner of said Section 3, thence North 00°35'06" West, along the West line of the SW1/4 of the NW1/4 of said Section 3, a distance of 40.00 feet, to the North right of way line of 105th Street; thence North 90°00'00" East, along said right of way line, a distance of 411.78 feet, to the Point of Beginning; thence North 00°25'02" West, a distance of 653.57 feet; thence North 63°05'12" West, a distance of 6.67 feet; thence North 00°57'13" East, a distance of 181.87 feet; thence South 09°01'21" East, a distance of 147.20 feet; thence South 00°17'52" East, a distance of 693.04 feet, to a point on the North right of way line of 105th Street; thence South 90°00'00" West, along said right of way line, a distance of 19.00 feet to the Point of Beginning, and containing 15,732 square feet or 0.36 acres of land, more or less.

ZO-RESOLUTION-092220
APPROVING FINAL PLAT
NEMMERS SUBDIVISION

WHEREAS, there was filed in the Office of the Zoning Administrator of Madison County, Iowa, a registered land surveyor's plat of a proposed subdivision known as Nemmers Subdivision; and

WHEREAS, the real estate comprising said plat is described as follows: See Attached

WHEREAS, there was also filed with said plat a dedication of said plat containing a statement to the effect that the subdivision as it appears on the plat is with the free consent and in accordance with the desire of the proprietor, Phillip Nemmers; and

WHEREAS, said plat was accompanied by a complete abstract of title and an opinion from an attorney at law showing that title in fee simple is in said proprietor and that the platted land is free from encumbrance, and Certified statement from the Treasurer of Madison County, Iowa, that said platted land is free from taxes.

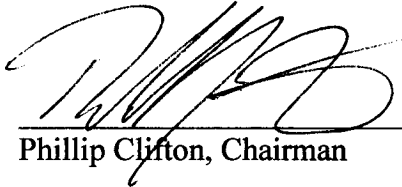
WHEREAS, the Board of Supervisors, Madison County, Iowa, finds that said plat conforms to the provisions of the Zoning Ordinance of Madison County, Iowa, and that the plat, papers and documents presented therewith should be approved by the Board of Supervisors, and that said plat, known as Nemmers Subdivision should be approved by the Board of Supervisors, Madison County, Iowa.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors, Madison County, Iowa:

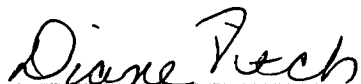
1. That said plat, known as Nemmers Subdivision prepared in connection with said plat and subdivision is hereby approved.
2. The Zoning Administrator of Madison County, Iowa, is hereby directed to certify this resolution which shall be affixed to said plat to the County Recorder of Madison County, Iowa, and attend to the filing and recording of the plat, papers and documents which should be filed and recorded in connection therewith.

Passed and approved by the Board of Supervisors on this 22nd day of September 2020, at Winterset, Iowa.

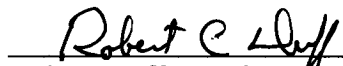
Madison County Board of Supervisors




Phillip Clifton, Chairman Aye Nay



Diane Fitch, Supervisor Aye Nay



Robert Duff, Interim Supervisor Aye Nay

Attest: 

Shelley Kaster
Madison County Auditor

Legal Description

The Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, except commencing at the West Quarter (1/4) Corner of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., thence North 90°00'00" East 945.00 feet along the Quarter Section Line to the point of beginning, thence continuing North 90°00'00" East 286.20 feet, thence North 00°30'57" West 248.99 feet, thence North 15°22'27" West 199.54 feet, thence North 90°00'00" West 204.93 feet, thence South 01°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.

Legal Description -Ingress Egress Easement on Lot 1

All that part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 3, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

Commencing at the West 1/4 corner of said Section 3, thence North 00°35'06" West, along the West line of the SW1/4 of the NW1/4 of said Section 3, a distance of 40.00 feet, to the North right of way line of 105th Street; thence North 90°00'00" East, along said right of way line, a distance of 411.78 feet, to the Point of Beginning; thence North 00°25'02" West, a distance of 653.57 feet; thence North 63°05'12" West, a distance of 6.67 feet; thence North 00°57'13" East, a distance of 181.87 feet; thence South 09°01'21" East, a distance of 147.20 feet; thence South 00°17'52" East, a distance of 693.04 feet, to a point on the North right of way line of 105th Street; thence South 90°00'00" West, along said right of way line, a distance of 19.00 feet to the Point of Beginning, and containing 15,732 square feet or 0.36 acres of land, more or less.

INDEX LEGEND

COUNTY: Madison
 SITE ADDRESS: 1909 105th Street
 CITY: Earlham
 SECTION: 3 TOWNSHIP: 77 RANGE: 28
 ALIQUOT PART: SW NW
 SUBDIVISION NAME: Nemmers Subdivision
 BLOCK: LOT(S): 1 - 4
 PROPRIETOR: Phillip Nemmers
 REQUESTED BY: Phillip Nemmers
 SURVEYOR NAME: Vincent E. Piagentini

FINAL PLAT

NEMMERS SUBDIVISION

Document 2020 3682
 Book 2020 Page 3682 Type 06 044 Pages 25
 Date 9/29/2020 Time 8:23:57AM
 Rec Amt \$127.00 Aud Amt \$5.00

INDEX
 ANNO
 SCAN
 CHECK

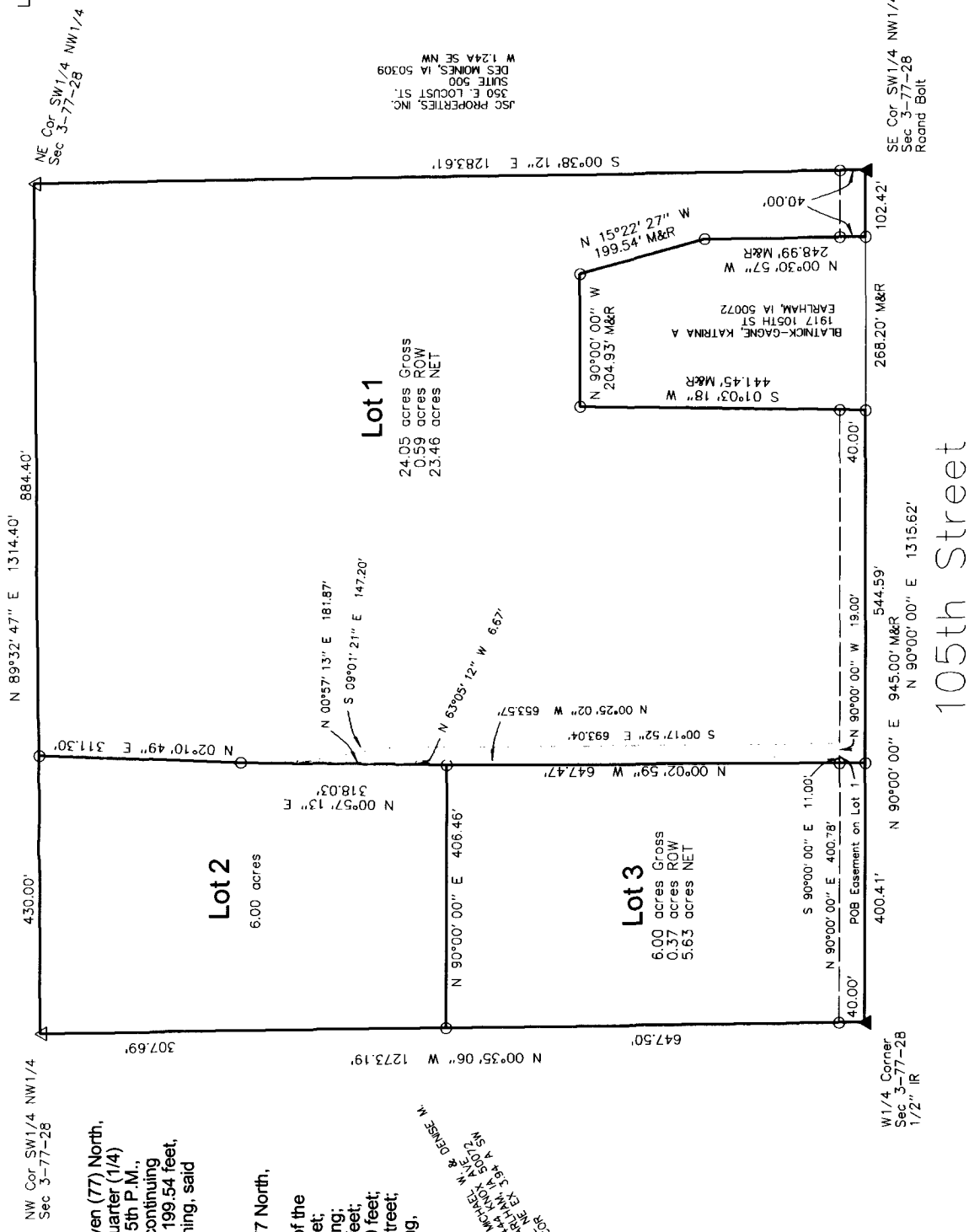
LISA SMITH, COUNTY RECORDER
 MADISON COUNTY IOWA

SPACE ABOVE FOR USE BY RECORDER OFFICE

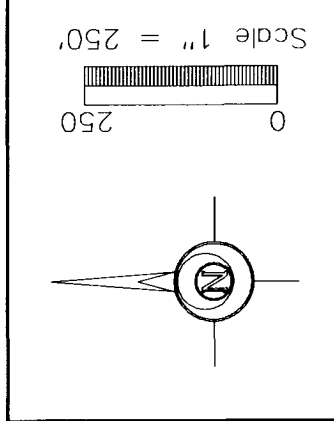
Legal Description
 The Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, except commencing at the West Quarter (1/4) Corner of Section Three (3), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., thence North 90°00'00" East 945.00 feet along the Quarter Section Line to the point of beginning, thence continuing North 90°00'00" East 286.20 feet, thence North 00°30'57" West 248.99 feet, thence North 15°22'27" West 199.54 feet, thence North 90°00'00" West 204.93 feet, thence South 01°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.

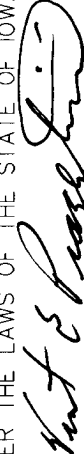
Legal Description - Ingress Egress Easement on Lot 1
 All that part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 3, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:
 Commencing at the West 1/4 corner of said Section 3, thence North 00°35'06" West, along the West line of the SW1/4 of the NW1/4 of said Section 3, a distance of 40.00 feet, to the North right of way line of 105th Street; thence North 90°00'00" East, along said right of way line, a distance of 411.78 feet, to the Point of Beginning; thence North 00°25'02" West, a distance of 653.57 feet; thence North 63°05'12" West, a distance of 6.67 feet; thence North 00°57'13" East, a distance of 181.87 feet; thence South 09°01'21" East, a distance of 147.20 feet; thence South 00°17'52" East, a distance of 693.04 feet, to a point on the North right of way line of 105th Street; thence South 90°00'00" West, along said right of way line, a distance of 19.00 feet to the Point of Beginning, and containing 15,732 square feet or 0.36 acres of land, more or less.

Lot 3 to get separate access when house is constructed.



- NOTES:**
1. Building setbacks to be 50 feet front and rear yard and 25 feet side yard.
 2. Sewer to be individual septic tank and lateral system.
 3. Waer to be rural water.
 4. Property is currently zoned Agricultural.



DATE OF SURVEY FIELDWORK: 6/17/20 DRAWING DATE: 7/1/20 DRAFTER: VP PROJECT NO: 18007	SYMBOLS LEGEND:
I HEREBY CERTIFY THAT THIS SURVEYING DOCUMENT WAS PREPARED AND THE RELATED WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION, AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.  VINCENT E. PIAGENTINI, IOWA LIC. NO 15982 DATE 9/16/2020 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2020. ADDITIONAL PAGES CERTIFIED (NONE UNLESS INDICATED HERE)	R RECORDED DISTANCE M MEASURED DISTANCE C CALCULATED DISTANCE ● CORNER MONUMENT FOUND ○ SET 1/2" IR YC 15982 UNLESS NOTED ▲ SECTION CORNER FOUND ▼ SECTION CORNER SET 1/2" IR YC 15982 UNLESS NOTED POB POINT OF BEGINNING POC POINT OF COMMENCEMENT YC YELLOW CAP IR IRON ROD IP IRON PIPE

ABACI CONSULTING, INC.
 CIVIL ENGINEERING - LAND SURVEYING
 3000 SE Grimes Blvd., Ste 800, GRIMES, IOWA 50111, PH. (515)986-5048