



Document 2020 4215

Book 2020 Page 4215 Type 06 044 Pages 21  
Date 11/02/2020 Time 11:48:17AM  
Rec Amt \$107.00 Aud Amt \$5.00

INDX  
ANNO  
SCAN

LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

CHEK

**Prepared by**

**and Return to:** Charles H. Fagen, 502 15<sup>th</sup> St., P.O. Box 250, Dallas Center, IA 50063 Phone: (515) 992-3728

**PLAT AND CERTIFICATE FOR  
NORTH RIVER TRAIL ESTATES SUBDIVISION**

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 North River Trail Estates Subdivision, and that the real estate comprising said plat is described as follows:

Parcel "C" located in the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Twenty (20), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5<sup>th</sup> P.M., Madison County, Iowa, containing 20.133 acres, as shown in Plat of Survey filed in Book 2019, Page 2008 on July 3, 2019, in the Office of Madison County, Iowa

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. Dedication of Plat (w/ Final Plat Attached;
2. Attorney's Title Opinion for Final Plat;
3. Lienholder Approval;
4. Certificate of the Madison County Treasurer;
5. Madison County Board of Supervisors Resolution Approving Final Plat;

6. Agreement with County Engineer;
7. Groundwater Hazard Statement;
8. Madison County Soil and Water Conservation District Land Disturbing Activity Affidavit;
9. Affidavit Regarding Fences; and,
10. Certificate of County Auditor approving subdivision name.

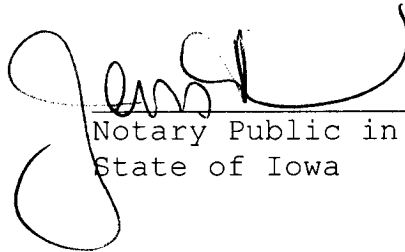
The property does not lie within two (2) miles of any existing municipal city limits. All of which are duly certified in accordance with the Madison County Zoning Ordinance.



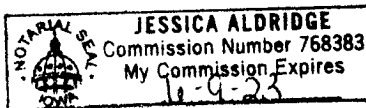
C.J. Nicholl, Zoning Administrator  
Of Madison County, Iowa

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 29 day of October, 2020 by C.J. Nicholl as Zoning Administrator of Madison County, Iowa.



Notary Public in and for the  
State of Iowa



**ACKNOWLEDGMENT CERTIFICATE**  
**OF OWNER'S CONSENT TO FINAL PLAT OF**  
**NORTH RIVER TRAIL ESTATES**

A Subdivision Plat being a part of Jefferson Township,  
Madison County, Iowa

**KNOW ALL MEN BY THESE PRESENTS:**

That we, Emil Ordagic and Jasmina Pajazetovic, husband and wife, for the consideration of the enhancement of the value of part of our real estate, do hereby acknowledge that we have caused the property lying within Jefferson Township, Madison County, Iowa, to be further subdivided and platted, which is designated as Final Plat North River Trail Estates located within Jefferson Township, Madison County, Iowa, which is annexed and attached hereto and made a part hereof, and which property contained in said plat is described as follows, to-wit:

Parcel "C" located in the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Twenty (20), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5<sup>th</sup> P.M., Madison County, Iowa, containing 20.133 acres, as shown in Plat of Survey filed in Book 2019, Page 2008 on July 3, 2019, in the Office of Madison County, Iowa,



**ACKNOWLEDGE CERTIFICATE  
OF LIENHOLDER FOR  
FINAL PLAT OF NORTH RIVER ESTATES**

A Subdivision Plat, located in Jefferson Township  
Madison County, Iowa

**KNOW ALL MEN BY THESE PRESENTS:**

That the GreenState Credit Union, Iowa has real estate mortgage on the following described property which is being platted by Jasmina Pajazetovic and Emil Ordagic as record titleholders to wit:

Parcel "C" located in the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Twenty (20), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5<sup>th</sup> P.M., Madison County, Iowa, containing 20.133 acres, as shown in Plat of Survey filed in Book 2019, Page 2008 on July 3, 2019, in the Office of Madison County, Iowa,

That the GreenState Credit Union, Iowa, has a mortgage recorded June 1, 2020 in Book 2020, Page 1909, in the office of the Madison County Recorder in the original amount of \$168,000.00. This mortgage was signed by Jasmina Pajazetovic and Emil Ordagic, wife and husband and duly notarized.

That the GreenState Credit Union, Iowa, in consideration of the enhancement of their security interest in the real estate does hereby give their free consent to the platting of the foregoing property.

Dated this 19<sup>th</sup> day of August, 2020.

GreenState Credit Union

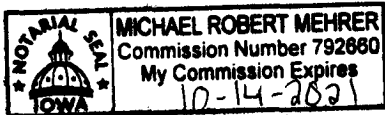


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Tiffany Leibold  
Mortgage Servicing and  
Post Closing Officer

STATE OF IOWA :  
 : ss.  
COUNTY OF DALLAS :

On this 19<sup>th</sup> day of August 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Tiffany Leibold, to me personally known, who being by me duly sworn, did say that she is the Mortgage Servicing and Post Closing Officer, of said corporation; that (no seal had been procured by the said) corporation by authority of its Board of Directors; and the said Mortgage Servicing and Post Closing Officer, as an officer, acknowledged the execution of said instrument to be their voluntary act and deed of said corporation by it and by her voluntarily executed.



Michael Robert Mehrer  
\_\_\_\_\_, Notary Public  
in and for the State of Iowa

**BROWN, FAGEN & ROUSE**  
**ATTORNEYS AT LAW**

GUY H. HALL (1882-1964)  
JOHN C. McDONALD (1924-2005)

RALPH R. BROWN\*  
CHARLES H. FAGEN\*\*  
BENJAMIN L. ROUSE

\* Also licensed in District of Columbia  
\*\* Also licensed in Minnesota

502 - 15TH STREET  
P.O. BOX 250  
DALLAS CENTER, IOWA 50063-0250

TELEPHONE: (515) 992-3728  
FAX: (515) 992-3971

INTERNET:  
www.dallascenterlawyers.com

Grimes Office at:  
306 East First Street

TELEPHONE: (515) 986-9888  
FAX: (515) 986-9876  
REPLY TO DALLAS CENTER OFFICE

The writer's e-mail address:  
chuck@dallascenterlawyers.com

August 17, 2020

T I T L E O P I N I O N

Jasmina Pajazetovic and Emil Ordagic  
44 NE Sunrise Drive  
Waukee, Iowa 50263

RE: Title Opinion for  
Emil Ordagic and Jasmina Pajazetovic  
Abstract No. 2077278

Gentlepersons:

We have examined at your request the accompanying Abstract of Title No. 2077278 in one (1) part and consisting of forty-two (42) entries, prepared by Madison County Abstract Company; from the Root of Title, to the 1<sup>st</sup> day of June, 2020, at 1:37 o'clock p.m. to the following described real estate, to-wit:

Parcel "C" located in the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Twenty (20), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5<sup>th</sup> P.M., Madison County, Iowa, containing 20.133 acres, as shown in Plat of Survey filed in Book 2019, Page 2008 on July 3, 2019, in the Office of Madison County, Iowa,

at which time, in my opinion, title of record is shown to be duly vested in

**Emil Ordagic and Jasmina Pajazetovic, husband and wife as Joint  
Tenants with Full Rights of Survivorship and Not as Tenants in  
Common**

RE: Title Opinion for  
Emil Ordagic and Jasmina Pajazetovic  
August 17, 2020  
Page 2

subject, however, to the following:

1. First Mortgage. A mortgage in favor of GreenState Credit Union dated April 17, 2020, and recorded on June 1, 2020, in Book 2020 at Page 1909, in the Office of the Recorder of Madison County, Iowa, is shown at Entry No. 39 of the Abstract in the original principal amount of \$168,000.00. This mortgage constitutes a lien upon the premises under examination.

2. At Entry No. 7 of the Abstract there is shown an easement to Madison Soil Conservation District, its successors and assigns for the purpose of construction, operation, maintenance, inspection, water flowage and grade stabilization, which easement is in, upon, and over the real estate under examination. Said easement is dated February 16, 1961, and was recorded on November 16, 1961, in Deed Record 90 at Page 487, in the Office of the Recorder of Madison County, Iowa. No objection is made to this point; however, you should review the easement as shown in the Abstract.

3. At Entry No. 12 of the Abstract there is shown an easement to Warren Water District, its successors and assigns for the purpose of use, operate, inspect, repair, maintain, replace and remove waterlines and appurtenances thereto, which easement is in, upon, and over the real estate under examination. Said easement is dated November 21, 200, and was recorded on December 19, 2000, in Book 144 at Page 588, in the Office of the Recorder of Madison County, Iowa. No objection is made to this point; however, you should review the easement as shown in the Abstract.

4. At Entry No. 17 of the Abstract there is shown a Badger Creek Watershed Soil Conservation Subdistrict for the purpose of water shed protection, which is in, upon, and over the real estate under examination. Said Declaration is dated June 27, 1960, and was recorded on July 1, 1960, in Miscellaneous Record 26 at Page 549, in the Office of the Recorder of Madison County, Iowa. No objection is made to this point; however, you should review the Subdistrict requirements as shown in the Abstract.

5. At Entry No. 32 of the Abstract there is shown the Plat of Survey dated July 3, 2019 and recorded in the Office of the Recorder of Madison County, Iowa, on July 3, 2019, in Plat Book 2019 at Page 2008.



RE: Title Opinion for  
Emil Ordagic and Jasmina Pajazetovic  
August 17, 2020  
Page 3

6. The Abstractor states that for Zoning classification, Urban Renewal designation, or other Ordinances pertaining thereto, of the property, an interested party should consult the applicable Government Agency. You should determine for yourself that your planned uses of the real estate under examination conform to any applicable Ordinances. For further particulars, you should contact the Madison County Zoning Administrator.

7. At Entry No. 25 of the Abstract there is shown Required Set Back Footage for Badger Creek Watershed which is dated December 11, 2006 and recorded December 12, 2006 in Book 2006 at Page 5157 in the office of the Madison County Recorder. You should determine for yourself that your planned uses of the real estate under examination conform to this applicable Ordinance. For further particulars, you should contact the Badger Creek Set Back Zoning district administration.

8. Taxes against the property appear at Entry No. 41 of the Abstract. No personal taxes are shown as being due. The fiscal year taxes payable in 2019-2020 are shown as follows: The first half payment of \$225.00 is paid, and the second half payment of \$225.00 is paid. A purchaser should require that the seller pay real estate taxes prorata to the date of possession. The Abstract does not certify as to special assessments not yet certified to the County Treasurer for collection.

9. An Abstract of Title will not disclose the existence of hazardous waste, underground storage tanks, drainage wells and other environmentally regulated activities. You are cautioned that federal, state, and local legislation may, in the event there are environmental and/or public health violations, permit injunctive relief and require clean-up such as removal or remedial actions. The costs of such clean-up may be a lien against the property and a personal liability to the owner thereof. You may have liability even though you may not have disposed of hazardous waste on the property or used any underground storage tanks or wells.

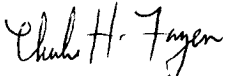
10. If the above-described premises are to be used for your personal residence, you should contact the Assessor of Madison County, Iowa, to sign up for the homestead credit and any other exemptions or credits to which you may be entitled.

RE: Title Opinion for  
Emil Ordagic and Jasmina Pajazetovic  
August 17, 2020  
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11. You are required to take notice of any special assessments on said property not shown by the Treasurer's tax books, of the rights of parties in possession of said property, of any easements or servitudes which can be observed from an examination of the premises and any construction upon the premises within the last 90 days for which a mechanics lien may be perfected. You must further ascertain that all boundaries and measurements of the property are well defined and not in dispute. The correctness of acreage and boundary lines is not assured by this Opinion. In order to ascertain the correctness of acreage and boundary lines, it would be necessary to have the premises surveyed by a qualified engineer.

Subject to the foregoing, the title, in my opinion, is merchantable.

Respectfully submitted,



Charles H. Fagen  
Examining Attorney  
Title Guaranty Member No. 7695

CHF:mmr

Abstract is:

\_\_\_\_\_ enclosed with this opinion

X  retained by this office

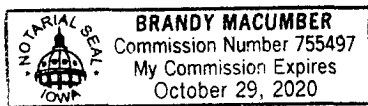
\_\_\_\_\_ mailed to \_\_\_\_\_

\_\_\_\_\_ delivered \_\_\_\_\_



STATE OF IOWA :  
 : ss.  
COUNTY OF MADISON :

On this 2 day of September, 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Jana S. Corkrean, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.



Brandy Macumber  
\_\_\_\_\_, Notary Public  
in and for the State of Iowa

**APPROVAL OF SUBDIVISION PLAT NAME  
BY MADISON COUNTY**

Date August 21, 2020

The Madison County Auditor's Office has reviewed the final plat of

**NORTH RIVER TRAIL ESTATES**

Pursuant to Iowa Code §354.6(2) and §354.11(1)(e), we approve of the Subdivision name or title and have no objections to this subdivision plat being recorded.

Signed Shelley D. Kaster  
Shelley D. Kaster  
County Auditor of Madison County, Iowa



**AGREEMENT**

This Agreement, made and entered into, by and between, Emil Ordagic and Jasmina Pajazetovic, husband and wife, as the proprietors of North River Trail Estates Subdivision, and Todd Hagan, Madison County Engineer.

NOW THEREFORE IT IS AGREED AS FOLLOWS:

1. The proprietors of North River Trail Estates Subdivision, a plat of the following described real estate:

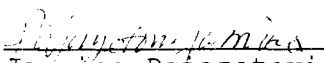
Parcel "C" located in the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Twenty (20), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5<sup>th</sup> P.M., Madison County, Iowa, containing 20.133 acres, as shown in Plat of Survey filed in Book 2019, Page 2008 on July 3, 2019, in the Office of Madison County, Iowa,

acknowledge and agree that any private roads located within North River Trail Estates Subdivision are private roads that are not being dedicated to Madison County, Iowa. Said proprietors consent and agree that such roads shall not be maintained in any manner by Madison County, Iowa, or by the Madison County Engineer's Department.

  
\_\_\_\_\_  
Emil Ordagic, Proprietor  
of North River Trail Estates

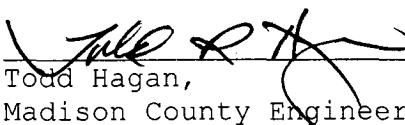
10-5-20

Dated

  
\_\_\_\_\_  
Jasmina Pajazetovic, Proprietor  
of North River Trail Estates

10-5-20

Dated

  
\_\_\_\_\_  
Todd Hagan,  
Madison County Engineer

9/29/2020

Dated

Prepared by/Return to: Charles H. Fagen, P.O. Box 250, Dallas Center, IA 50063; 515-992-3728

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**AFFIDAVIT**

STATE OF IOWA, COUNTY OF DALLAS, ss:

We, Emil Ordagic and Jasmina Pajzetovic, husband and wife, first being duly sworn on oath, state that this Affidavit concerns North River Trail Estates Subdivision, Madison County, Iowa. We further state that we know of our own personal knowledge that there is a lawful fence on three boundary lines of the property located within the subdivision and the North side of the property fronts 130<sup>th</sup> Street.

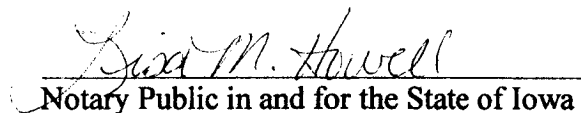
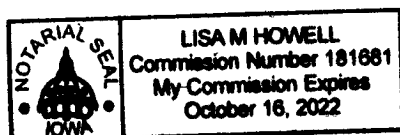


Emil Ordagic, Proprietor



Jasmina Pajzetovic, Proprietor

Subscribed and sworn to before me on this 22nd day of October, 2020, by Emil Ordagic and Jasmina Pajzetovic, husband and wife.



Notary Public in and for the State of Iowa

**LAND DISTURBING ACTIVITIES  
AFFIDAVIT**

STATE OF IOWA            :  
                              :  
DALLAS COUNTY            :            ss.

Pursuant to Section 161A.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, we, Emil Ordagic and Jasmina Pajazetovic, husband and wife, 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:

Parcel "C" located in the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Twenty (20), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5<sup>th</sup> P.M., Madison County, Iowa, containing 20.133 acres, as shown in Plat of Survey filed in Book 2019, Page 2008 on July 3, 2019, in the Office of Madison County, Iowa

As owners or occupants of the land described above, we are aware that we 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.

We are aware that loss limit regulations prohibit sediment from leaving the site in excess of 5 tons per acre per year. Any land disturbing activities upon the real estate described above



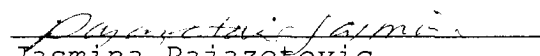
will be conducted in a manner that will ensure compliance with the soil limit regulations.

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

We are the owners of the land, and have full authority to execute this Affidavit.

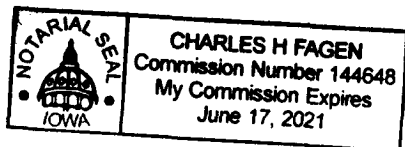
Dated this 28<sup>th</sup> day of August, 2020.

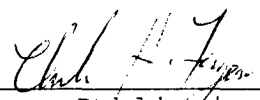
  
Emil Ordagic

  
Jasmina Pajazetovic

STATE OF IOWA, COUNTY OF DALLAS

This instrument was acknowledged before me by Emil Ordagic and Jasmina Pajazetovic, husband and wife, on this 28<sup>th</sup> day of August, 2020.



  
Notary Public in and  
for the State of Iowa

**ZO-RESOLUTION-102720A  
APPROVING FINAL PLAT  
NORTH RIVER TRAIL ESTATES  
SUBDIVISION**

WHEREAS, there was filed in the Office of the Zoning Administrator of Madison County, Iowa, a Final Plat of the proposed Subdivision known as North River Trail Estates Subdivision, prepared by a Licensed Professional land Surveyor; and

WHEREAS, the real estate comprising said plat is described and attached.

WHEREAS, there is also filed with said plat a dedication of said plat containing a statement to the effect the subdivision as it appears on the plat is with free consent and in accordance with the desire of the proprietors, Emil Ordagic and Jasmina Pajazetovic; and

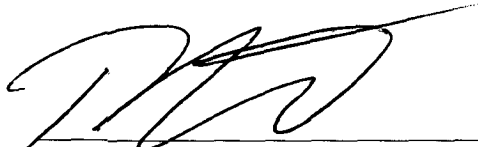
WHEREAS, the dedicated easement for County Road Right-of-Way as shown on the plat should be accepted; and

WHEREAS, said plat was accompanied by an opinion from an attorney at law showing that title is in fee simple in said proprietor and that the platted land is free from encumbrance, and a 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 the plat, known as North River Trail Estates Subdivision should be approved by the Board Of Supervisors, Madison County, Iowa.

Passed and approved by the Board of Supervisors on this 27<sup>th</sup> day of October 2020, at Winterset, Iowa.

Madison County Board of Supervisors



Phillip Clifton, Chairman

Aye

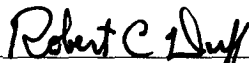
Nay



Diane Fitch, Supervisor

Aye

Nay



Robert Duff, Interim Supervisor

Aye

Nay

Attest:



Shelley Kaster  
Madison County Auditor

Parcel "C" located in the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Twenty (20), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 20.133 acres, as shown in Plat of Survey filed in Book 2019, Page 2008 on July 3, 2019, in the Office of Madison County, Iowa

INDEX LEGEND

# FINAL PLAT OF NORTH RIVER TRAIL ESTATES

LOCATION: NW/14 NW1/4 SECTION 20-T77N-R27W  
 LEGAL DESCRIPTION-PARCEL 'C' LOCATED IN THE NW 1/4 OF THE NW 1/4 OF SEC. 20-77-27, MADISON COUNTY, IOWA, AS SHOWN IN PLAT OF SURVEY FILED IN BOOK 2019, PAGE 2008 IN THE OFFICE OF THE RECORDER OF MADISON COUNTY, IOWA

SURVEYOR: MARK A. FOWLER PLS  
 RETURN TO: FOWLER CONSULTING, L.L.C.  
 2425 240TH STREET, DALLAS CENTER, IOWA 50063  
 mark@fowlerconsultingllc.com (515) 491-2617

PROPRIETORS - EMIL ORDAGIC & JASMINA PAJAZETOVIC  
 REQUESTOR - EMIL ORDAGIC & JASMINA PAJAZETOVIC

FOR COUNTY RECORDER'S USE ONLY



Document 2020 4215

Book 2020 Page 4215 Type 06 044 Pages 21  
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INDX  
 ANNO  
 SCAN  
 CHEK

LISA SMITH, COUNTY RECORDER  
 MADISON COUNTY IOWA

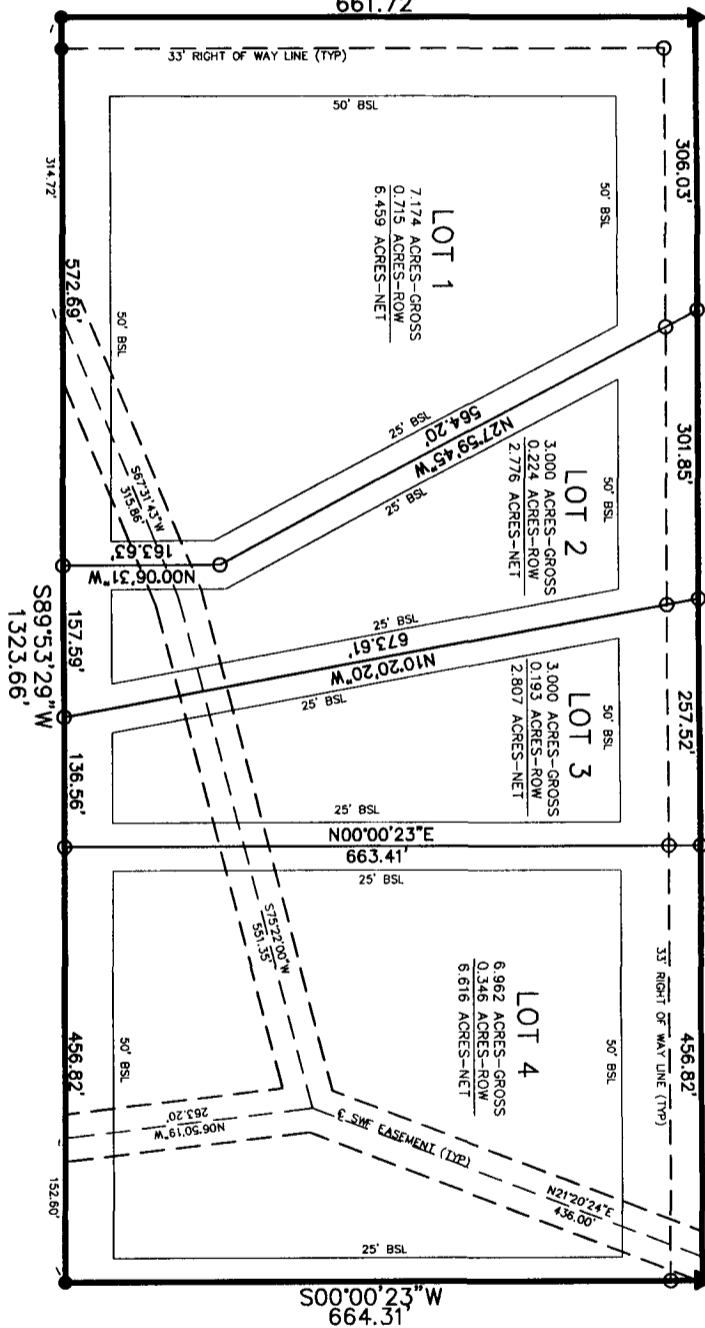
## FINAL PLAT OF NORTH RIVER TRAIL ESTATES

NW CORNER  
 SEC 20-77-27  
 5/8" IRON ROD  
 W/CAP #13427

130TH STREET  
 N89°46'44"E  
 1322.22'

NORTHEAST  
 CORNER  
 NW 1/4 NW 1/4  
 SEC 20-77-27  
 1/2" IRON ROD  
 W/CAP #6808

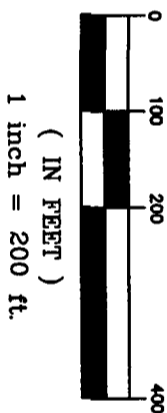
NORTH RIVER TRAIL  
 N00°07'52"E  
 661.72'



LEGEND

- ▲ FOUND SECTION CORNER AS NOTED
- FOUND 5/8" IRON ROD W/CAP #13427
- SET 5/8" X 24" REBAR WITH YELLOW CAP #14074
- BSL BUILDING SETBACK LINE
- SWF SURFACE WATER FLOWAGE

GRAPHIC SCALE



NOTES

- AREA IS SERVED BY WARREN RURAL WATER.
- SEWER SYSTEM-PRIVATE SEPTIC SYSTEMS
- BUILDING SETBACKS- 50' FRONT AND REAR YARD, 25' SIDEYARD
- MONUMENTATION TO BE COMPLETED WITHIN ONE YEAR OF RECORDING DATE, PURSUANT TO IOWA CODE 355.6



I hereby certify that this land surveying document was prepared and the related survey 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.

*Mark A. Fowler*  
 Mark A. Fowler License number 14074  
 My license renewal date is December 31, 2020.  
 Pages or sheets covered by this seal: THIS PAGE ONLY



FOWLER CONSULTING, L.L.C.

2425 240th Street  
 Dallas Center, Iowa 50063  
 (515) 491-2617 www.fowlerconsultingllc.com