



Document 2021 4746

Book 2021 Page 4746 Type 06 044 Pages 13
Date 11/17/2021 Time 11:13:55AM
Rec Amt \$67.00

INDX
ANNO
SCAN
CHEK

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

Return to Preparer: Bryan M. Loya, WILSON & EGGE, P.C., 222 N.W. Sunrise Drive, Waukee, Iowa 50263 (515) 369-2502

AMENDED MADISON COUNTY TREASURER'S CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF MADISON)

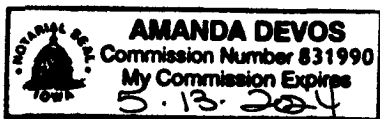
The undersigned, on behalf of the Madison County Treasurer's Office, hereby certifies that I have examined the records of this office in accordance with the provisions of Section 354.11 of The Code of Iowa, and have determined that Buck Haven Estates, LLC is the present fee titleholder to the following described real estate:

See Exhibit "A",

to be known as Buck Haven, a/k/a Buck Haven Estates and Buck Haven Estates Plat 1.

I further certify that taxes for the above-described real estate for fiscal year 2020/2021, due and payable 2021/2022, have been paid. I further certify that said property is free from all special assessments, special rates, and charges, nor are there any taxes due for Monies and Credits, Bushels of Grain, Industrial Machinery, Data Processing Equipment, Utilities or Buildings on leased land against Buck Haven Estates, LLC, which is the record titleholder of the above-described real estate.

Dated this 12 day of NOV, 2021.



MADISON COUNTY TREASURER

By: [Signature]

12th SUBSCRIBED AND SWORN to before me, a Notary Public in and for the State of Iowa, on this day of November, 2021.

[Signature]
Notary Public in and for the State of Iowa

EXHIBIT "A"

AN IRREGULAR SHAPED PARCEL OF LAND WITHIN GOVERNMENT LOT 3 SOUTH OF THE HIGHWAY, GOVERNMENT LOT 5 SOUTH OF THE HIGHWAY, AND PART OF GOVERNMENT LOT 4, ALL IN SECTION 30; AND GOVERNMENT LOT 6, IN SECTION 31, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH/ P.M., MADISON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHERLY CORNER OF PARCEL A AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 3 AT PAGE 278, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD G4R (CUMMING ROAD) AS IT IS PRESENTLY ESTABLISHED; THENCE N68°24'59"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 404.22 FEET; THENCE N74°07'39"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 301.50 FEET; THENCE N70°27'44"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 342.97 FEET; THENCE S09°35'01"E, A DISTANCE OF 663.50 FEET; THENCE S31°27'15"E, A DISTANCE OF 783.35 FEET; THENCE S00°12'24"E, A DISTANCE OF 927.36 FEET; THENCE S81°55'15"W, A DISTANCE OF 467.37 FEET; THENCE N81°14'16"W, A DISTANCE OF 345.22 FEET TO THE EAST LINE OF SAID PARCEL A; THENCE N00°51'00"E ALONG THE EAST LINE OF SAID PARCEL A, A DISTANCE OF 1032.14 FEET; THENCE N38°33'39"W ALONG THE EAST LINE OF SAID PARCEL A, A DISTANCE OF 1081.82 FEET; THENCE N51°13'56"W ALONG THE EAST LINE OF SAID PARCEL A, A DISTANCE OF 62.49 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD. SAID TRACT OF LAND CONTAINS 40.43 ACRES.

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

Date: 11/10/21

The Madison County Auditor's Office has reviewed the final plat of Buck Haven, a/k/a Buck Haven Estates and Buck Haven Estates Plat 1, and pursuant to Iowa Code §354.6(2) and §354.11(6), we approve of the subdivision name or title and have no objections to this subdivision plat being recorded.



Madison County Auditor

Return to Preparer: Bryan M. Loya, WILSON & EGGE, P.C., 222 N.W. Sunrise Drive, Waukee, Iowa 50263 (515) 369-2502

AMENDED CONSENT TO PLAT

KNOWN BY ALL MEN PRESENT:

The undersigned, Buck Haven Estates, LLC, an Iowa limited liability company, acting with full authority to act for and on behalf of the company, with full knowledge, does hereby consent to the platting of the property to be platted as **Buck Haven, a/k/a Buck Haven Estates and Buck Haven Estates Plat 1**, an Official Plat, included in and forming a part of Madison County, Iowa and specifically described as follows:

See Exhibit "A",

to be known as Buck Haven Estates Plat 1.

The undersigned, being the owner of the above property to be platted, declares that this Consent is prepared with the free consent and in accordance with the desire of the undersigned owner.

Dated on this 9th day of November, 2021.

BUCK HAVEN ESTATES, LLC

By Dean Quirk
Dean Quirk, Manager

STATE OF IOWA)
)
COUNTY OF FOLK)

This record was acknowledged before me on this 9th day of November, 2021, by Dean Quirk, as Manager of Buck Haven Estates, LLC.



Martha R. Brady
Notary Public in and for the State of Iowa

EXHIBIT "A"

AN IRREGULAR SHAPED PARCEL OF LAND WITHIN GOVERNMENT LOT 3 SOUTH OF THE HIGHWAY, GOVERNMENT LOT 5 SOUTH OF THE HIGHWAY, AND PART OF GOVERNMENT LOT 4, ALL IN SECTION 30; AND GOVERNMENT LOT 6, IN SECTION 31, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH/ P.M., MADISON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHERLY CORNER OF PARCEL A AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 3 AT PAGE 278, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD G4R (CUMMING ROAD) AS IT IS PRESENTLY ESTABLISHED; THENCE N68°24'59"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 404.22 FEET; THENCE N74°07'39"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 301.50 FEET; THENCE N70°27'44"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 342.97 FEET; THENCE S09°35'01"E, A DISTANCE OF 663.50 FEET; THENCE S31°27'15"E, A DISTANCE OF 783.35 FEET; THENCE S00°12'24"E, A DISTANCE OF 927.36 FEET; THENCE S81°55'15"W, A DISTANCE OF 467.37 FEET; THENCE N81°14'16"W, A DISTANCE OF 345.22 FEET TO THE EAST LINE OF SAID PARCEL A; THENCE N00°51'00"E ALONG THE EAST LINE OF SAID PARCEL A, A DISTANCE OF 1032.14 FEET; THENCE N38°33'39"W ALONG THE EAST LINE OF SAID PARCEL A, A DISTANCE OF 1081.82 FEET; THENCE N51°13'56"W ALONG THE EAST LINE OF SAID PARCEL A, A DISTANCE OF 62.49 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD. SAID TRACT OF LAND CONTAINS 40.43 ACRES.

WILSON & EGGE, P.C.
ATTORNEYS AT LAW

LISA R. WILSON
JEFFREY A. EGGE
BRYAN M. LOYA

475 S.E. ALICE'S ROAD • SUITE A
WAUKEE, IOWA 50263

TELEPHONE • (515) 369-2502
FACSIMILE • (515) 369-2503

November 9, 2021
AMENDED

Madison County, Iowa - Board of Supervisors
Madison County Courthouse
112 N John Wayne Drive
Winterset, Iowa 50273

Re: Plat Title Opinion/Buck Haven, a/k/a Buck Haven Estates and Buck Haven Estates Plat 1

Dear Board:

Pursuant to the requirements of Iowa Code Section 354.11(1)(c) (2021), I hereby certify that I have examined the Abstract of Title, Pencil Notes No. IA21351292, prepared by Statewide Abstract and Title and certified that it reflects all matters up to November 1, 2021 at 8:00 a.m. and relating to the following property:

AN IRREGULAR SHAPED PARCEL OF LAND WITHIN GOVERNMENT LOT 3 SOUTH OF THE HIGHWAY, GOVERNMENT LOT 5 SOUTH OF THE HIGHWAY, AND PART OF GOVERNMENT LOT 4, ALL IN SECTION 30; AND GOVERNMENT LOT 6, IN SECTION 31, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH/ P.M., MADISON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHERLY CORNER OF PARCEL A AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 3 AT PAGE 278, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD G4R (CUMMING ROAD) AS IT IS PRESENTLY ESTABLISHED; THENCE N68°24'59"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 404.22 FEET; THENCE N74°07'39"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 301.50 FEET; THENCE N70°27'44"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 342.97 FEET; THENCE S09°35'01"E, A DISTANCE OF 663.50 FEET; THENCE S31°27'15"E, A DISTANCE OF 783.35 FEET; THENCE S00°12'24"E, A DISTANCE OF 927.36 FEET; THENCE S81°55'15"W, A DISTANCE OF 467.37 FEET; THENCE N81°14'16"W, A DISTANCE OF 345.22 FEET TO THE EAST LINE OF SAID PARCEL A; THENCE N00°51'00"E ALONG THE EAST LINE OF SAID PARCEL A, A DISTANCE OF 1032.14 FEET; THENCE N38°33'39"W ALONG THE EAST LINE OF SAID PARCEL A, A DISTANCE OF 1081.82 FEET; THENCE N51°13'56"W ALONG THE

EAST LINE OF SAID PARCEL A, A DISTANCE OF 62.49 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

SAID TRACT OF LAND CONTAINS 40.43 ACRES,

to be known as Buck Haven, a/k/a Buck Haven Estates and Buck Haven Estates Plat 1.

As of that date and time, we find from our examination that good and marketable title to the property described above is held by:

Buck Haven Estates, LLC

subject to the following:

1. **MORTGAGE:** The Abstract shows a Mortgage dated February 16, 2021 and filed February 17, 2021 in Book 2021, Page 650 from Buck Haven Estates, LLC to Pinnacle Bank.
2. **REAL ESTATE TAXES:** The Abstract shows fiscal year 2019/2020 real estate taxes as follows:

Parcel No. 030013000041000: First installment of \$125.00 as paid and second installment of \$125.00 as due but not delinquent.

Parcel No. 030013000070000: First installment of \$124.00 as paid and second installment of \$124.00 as due but not delinquent.

Parcel No. 030013000081000: First installment of \$346.00 as paid and second installment of \$346.00 as due but not delinquent.

Parcel No. 030013000091000: First installment of \$19.00 as paid and second installment of \$19.00 as due but not delinquent.

Parcel No. 030013000022000: First installment of \$3.00 as paid and second installment of \$3.00 as due but not delinquent.

3. **EASEMENTS:** The Abstract shows an access Easement for ingress and egress purposes referenced in Warranty Deed filed October 3, 1991 in Book 129, Page 252.

The Abstract shows an access Easement for ingress and egress purposes referenced in Warranty Deed filed May 15, 1992 in Book 130, Page 3.

The Abstract shows a Warranty Easement Deed to the United States of America for wetlands and conservation purposes filed July 29, 1998 in Book 139, Page 372.

The Abstract shows a Declaration of Private Easements filed August 9, 2021 in Book 2021, Page 3300. The Abstract further shows an Amended and Restated Declaration of Private Easements filed August 26, 2021 in Book 2021, Page 3583.

The Abstract shows an Underground Electric Easement filed October 29, 2021 in Book 2021, Page 4508.

4. **RESTRICTIVE COVENANTS/ASSOCIATION:** The Abstract shows a Buck Haven Owners' Association, Inc. and a Declaration of Covenants, Conditions, Easements and Restrictions for Buck Haven Estates filed October 14, 2021 in Book 2021, Page 4278.

5. **PLAT:** The Abstract shows the Final Plat of Secs.30 and 31-75-26 filed in the Office of the County Auditor for Madison County, Iowa.

6. **PLAT:** The Abstract shows the Final Plat of Buck Haven Estates filed August 9, 2021 in Book 2021, Page 3300.

7. **PLAT OF SURVEY:** The Abstract shows the Plat of Survey filed June 17, 1998 in Book 3, Page 278.

8. **CERTIFICATE:** The Abstract shows the United States Public Land Survey Corner Certificate filed October 3, 1991 in Book 1, Page 55.

9. **CERTIFICATE:** The Abstract shows the United States Public Land Survey Corner Certificate filed May 12, 1993 in Book 1, Page 167.

10. **ZONING:** The property under examination is subject to the zoning ordinances of Madison County.

11. **SEARCHES:** The abstract reflects searches as to the above titleholder, Mallard Flats, L.C., and Mallard Flats 2, LLC.

You are hereby advised that this opinion is prepared pursuant to Iowa Code Sections 614.26 and 614.28 of the 2021 Code of Iowa, Chapter 11 of the Iowa Title Examination Standards, the abstracting standards of the Iowa Land Title Association and the 40 Year Marketable Title Act.

Respectfully submitted,

WILSON & EGGE, P.C.

By: 

Bryan M. Loya

AMENDED FENCE AFFIDAVIT

STATE OF IOWA)
COUNTY OF Polk) ss:

The proprietor of Buck Haven, a/k/a Buck Haven Estates and Buck Haven Estates Plat 1, a plat of the following described real estate, to-wit:

AN IRREGULAR SHAPED PARCEL OF LAND WITHIN GOVERNMENT LOT 3 SOUTH OF THE HIGHWAY, GOVERNMENT LOT 5 SOUTH OF THE HIGHWAY, AND PART OF GOVERNMENT LOT 4, ALL IN SECTION 30; AND GOVERNMENT LOT 6, IN SECTION 31, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH/ P.M., MADISON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHERLY CORNER OF PARCEL A AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 3 AT PAGE 278, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD G4R (CUMMING ROAD) AS IT IS PRESENTLY ESTABLISHED; THENCE N68°24'59"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 404.22 FEET; THENCE N74°07'39"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 301.50 FEET; THENCE N70°27'44"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 342.97 FEET; THENCE S09°35'01"E, A DISTANCE OF 663.50 FEET; THENCE S31°27'15"E, A DISTANCE OF 783.35 FEET; THENCE S00°12'24"E, A DISTANCE OF 927.36 FEET; THENCE S81°55'15"W, A DISTANCE OF 467.37 FEET; THENCE N81°14'16"W, A DISTANCE OF 345.22 FEET TO THE EAST LINE OF SAID PARCEL A; THENCE N00°51'00"E ALONG THE EAST LINE OF SAID PARCEL A, A DISTANCE OF 1032.14 FEET; THENCE N38°33'39"W ALONG THE EAST LINE OF SAID PARCEL A, A DISTANCE OF 1081.82 FEET; THENCE N51°13'56"W ALONG THE EAST LINE OF SAID PARCEL A, A DISTANCE OF 62.49 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

SAID TRACT OF LAND CONTAINS 40.43 ACRES.

does hereby state that currently there is an existing "lawful fence" around the Buck Haven development; and that the developer and the owners of the land within the plat shall be responsible for the cost of ongoing maintenance of such fence. In the event the need arises for installation of additional "lawful fence" on any of the boundaries of the development, the developers and the owners of the land within the plat shall be responsible for the cost of installation and ongoing maintenance of such additional

fencing.

I, as Manager and authorized representative of the developer, have full authority to execute this Affidavit.

Further Affiant sayeth naught.

DATED this 9th day of November, 2021.

BUCK HAVEN ESTATES, LLC
An Iowa limited liability company

Dean Quirk

By: Dean Quirk, Manager

This record was acknowledged before me on this 9th day of November, 2021 by Dean Quirk, as Manager of Buck Haven Estates, LLC.



Martha R. Brady
Notary Public in and for the State of Iowa

**AMENDED
LAND DISTURBING ACTIVITIES
AFFIDAVIT**

STATE OF IOWA)
) ss:
COUNTY OF Polk)

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, I, Dean Quirk, as Manager of Buck Haven Estates, LLC (the "Company"), an Iowa limited liability company, being first duly sworn on oath, do solemnly swear to affirm that:

The Company does not plan to engage in land disturbing activities upon the following described real estate:

AN IRREGULAR SHAPED PARCEL OF LAND WITHIN GOVERNMENT LOT 3 SOUTH OF THE HIGHWAY, GOVERNMENT LOT 5 SOUTH OF THE HIGHWAY, AND PART OF GOVERNMENT LOT 4, ALL IN SECTION 30; AND GOVERNMENT LOT 6, IN SECTION 31, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH/ P.M., MADISON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHERLY CORNER OF PARCEL A AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 3 AT PAGE 278, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD G4R (CUMMING ROAD) AS IT IS PRESENTLY ESTABLISHED; THENCE N68°24'59"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 404.22 FEET; THENCE N74°07'39"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 301.50 FEET; THENCE N70°27'44"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 342.97 FEET; THENCE S09°35'01"E, A DISTANCE OF 663.50 FEET; THENCE S31°27'15"E, A DISTANCE OF 783.35 FEET; THENCE S00°12'24"E, A DISTANCE OF 927.36 FEET; THENCE S81°55'15"W, A DISTANCE OF 467.37 FEET; THENCE N81°14'16"W, A DISTANCE OF 345.22 FEET TO THE EAST LINE OF SAID PARCEL A; THENCE N00°51'00"E ALONG THE EAST LINE OF SAID PARCEL A, A DISTANCE OF 1032.14 FEET; THENCE N38°33'39"W ALONG THE EAST LINE OF SAID PARCEL A, A DISTANCE OF 1081.82 FEET; THENCE N51°13'56"W ALONG THE EAST LINE OF SAID PARCEL A, A DISTANCE OF 62.49 FEET TO THE POINT OF BEGINNING.
SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.
SAID TRACT OF LAND CONTAINS 40.43 ACRES.

As owner or occupant of the land described above, the Company is aware that it 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.

The Company is 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 ensure compliance with the soil loss limit regulations.

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

I, as Manager and authorized representative of the Company, have full authority to enter into this agreement.

Further Affiant sayeth naught.

DATED this 9th day of November, 2021.

BUCK HAVEN ESTATES, LLC
An Iowa limited liability company

By: Dean Quirk, Manager

This record was acknowledged before me on this 9th day of November, 2021
by Dean Quirk, as Manager of Buck Haven Estates, LLC.



Martha R. Brady
Notary Public in and for the State of Iowa

Return to Preparer: Bryan M. Loya, WILSON & EGGE, P.C., 222 N.W. Sunrise Drive, Waukee, Iowa 50263 (515) 369-2502

AMENDED LENDER'S CONSENT TO PLAT

KNOWN BY ALL MEN PRESENT:

The undersigned, Pinnacle Bank, acting with full authority to act for and on behalf of the bank, does hereby consent to the platting of the property to be platted as **Buck Haven, a/k/a Buck Have Estates and Buck Haven Estates Plat 1**, an Official Plat, now included in and forming a part of Madison County, Iowa and specifically described as follows:

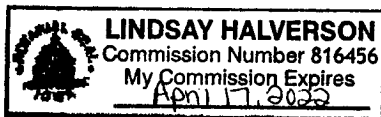
See Exhibit "A."

This consent is as mortgagee to the property described above with a mortgage being filed against said property on February 17, 2021 in Book 2021, Page 650, and is given with the free consent and in accordance with the desire of the undersigned as mortgagee to said property described above, which is to be included in said plat.

Dated this 12 day of November, 2021.

PINNACLE BANK

By Damon Morrison
Its President



STATE OF IOWA)
) SS:
COUNTY OF Marshall)

This record was acknowledged before me on this 12 day of November, 2021, by Damon Morrison, the President of Pinnacle Bank.

Lindsay Halverson
Notary Public in and for the State of Iowa