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Date 5/27/2022 Time 10:41:10AM

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ANNO  
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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

CHEK

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Type of Document

## SWEENEY ACRES SUBDIVISION

**PREPARER INFORMATION:**

Zoning Office for Brad Sweeney

Contact: Mark Smith, attorney for Brad Sweeney, 515-462-3731

**TAXPAYER INFORMATION:**

Sweeney, Bradley W. Living Trust

3206 280th St.

Truro, IA 50257

**RETURN DOCUMENT TO:**

Sweeney, Bradley W. Living Trust

3206 280th St.

Truro, IA 50257

Or

Mark Smith-Jordan, Oliver, Walters & Smith P.C.

Farmers & Merchants Bank Building

PO Box 230

Winterset, IA 50273

**GRANTOR:**

**GRANTEE:**

**PLAT AND CERTIFICATE  
FOR SWEENEY ACRES 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 Sweeney Acres Subdivision, and that the real estate comprising said plat is described as follows:

That part of the North Half of the Northwest Quarter of Section 2, Township 74 North, Range 26 West of the 5<sup>th</sup> P.M., Madison County, Iowa, described as follows:  
Beginning at the Northwest corner of said Section 2; thence North 85 degrees 48 minutes 48 seconds East, 1479.30 feet along the North line of said Section 2; thence South 00 degrees 24 minutes 08 seconds East, 897.90 feet; thence South 56 degrees 52 minutes 50 seconds West, 40.59 feet; thence South 59 degrees 34 minutes 04 seconds East, 222.88 feet; thence South 82 degrees 31 minutes 08 seconds East, 82.79 feet; thence South 28 degrees 43 minutes 28 seconds East, 56.14 feet; thence South 53 degrees 59 minutes 46 seconds West, 262.37 feet; thence South 84 degrees 37 minutes 35 seconds West, 480.52 feet; thence North 00 degrees 26 minutes 40 seconds East, 273.73 feet; thence North 49 degrees 03 minutes 30 seconds West, 415.97 feet; thence South 58 degrees 49 minutes 04 seconds West, 452.39 feet; thence South 20 degrees 04 minutes 39 seconds East, 52.16 feet; thence South 85 degrees 48 minutes 48 seconds West, 377.39 feet to the West line of said Section 2; thence North 00 degrees 02 minutes 20 seconds West, 948.66 feet to the Point of Beginning, having an area of 34.12 Acres including 4.53 Acres of Road Easement.

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;
2. Attorney's Opinion;
3. Certificate from County Treasurer;
4. Consent of County Auditor to subdivision name;
5. Agreement with County Engineer;
6. Escrow Agreement for Road.
7. Restrictive Covenants.
8. Madison County Soil and Water Conservation District Land Disturbing Activity

Affidavit;

9. Approval of the City of Truro, Iowa;
10. Ground Water Statement;
11. Resolution of the Board of Supervisors of Madison County, Iowa, approving said plat; all of which are duly certified in accordance with the Madison County Zoning Ordinance.



\_\_\_\_\_  
C. J. Nicholl

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 26<sup>th</sup> day of May, 2022, by C.J. Nicholl.



\_\_\_\_\_  
Notary Public in and for said State of Iowa



**DEDICATION OF PLAT  
OF  
SWEENEY ACRES SUBDIVISION  
MADISON COUNTY, IOWA**

KNOW ALL MEN BY THESE PRESENTS:

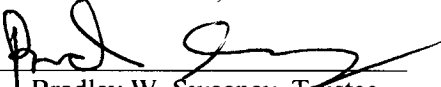
That, we do hereby certify that we are the sole owners and proprietors of the following-described real state:

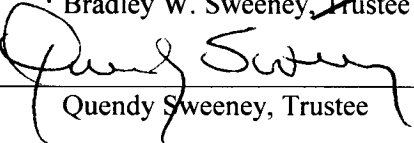
That part of the North Half of the Northwest Quarter of Section 2, Township 74 North, Range 26 West of the 5<sup>th</sup> P.M., Madison County, Iowa, described as follows: Beginning at the Northwest corner of said Section 2; thence North 85 degrees 48 minutes 48 seconds East, 1479.30 feet along the North line of said Section 2; thence South 00 degrees 24 minutes 08 seconds East, 897.90 feet; thence South 56 degrees 52 minutes 50 seconds West, 40.59 feet; thence South 59 degrees 34 minutes 04 seconds East, 222.88 feet; thence South 82 degrees 31 minutes 08 seconds East, 82.79 feet; thence South 28 degrees 43 minutes 28 seconds East, 56.14 feet; thence South 53 degrees 59 minutes 46 seconds West, 262.37 feet; thence South 84 degrees 37 minutes 35 seconds West, 480.52 feet; thence North 00 degrees 26 minutes 40 seconds East, 273.73 feet; thence North 49 degrees 03 minutes 30 seconds West, 415.97 feet; thence South 58 degrees 49 minutes 04 seconds West, 452.39 feet; thence South 20 degrees 04 minutes 39 seconds East, 52.16 feet; thence South 85 degrees 48 minutes 48 seconds West, 377.39 feet to the West line of said Section 2; thence North 00 degrees 02 minutes 20 seconds West, 948.66 feet to the Point of Beginning, having an area of 34.12 Acres including 4.53 Acres of Road Easement.

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.

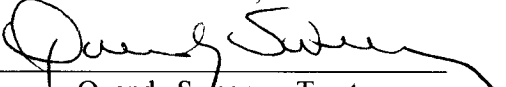
DATED this 25 day of February, 2022.

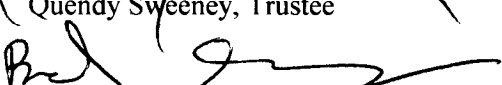
BRADLEY SWEENEY LIVING TRUST  
DATED OCTOBER 14, 2015

  
\_\_\_\_\_  
Bradley W. Sweeney, Trustee

  
\_\_\_\_\_  
Quendy Sweeney, Trustee

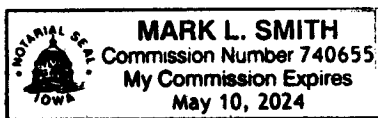
QUENDY SWEENEY LIVING TRUST  
DATED OCTOBER 14, 2015

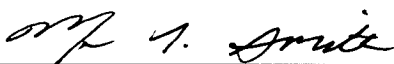
  
\_\_\_\_\_  
Quendy Sweeney, Trustee

  
\_\_\_\_\_  
Bradley W. Sweeney, Trustee

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 25 day of February, 2022, by Bradley W. Sweeney and Quendy Sweeney, Trustees of the Bradley Sweeney Living Trust; and Quendy Sweeney and Bradley W. Sweeney, Trustees of the Quendy Sweeney Living Trust.



  
\_\_\_\_\_  
Notary Public in and for said State of Iowa

**ATTORNEY'S OPINION FOR FINAL PLAT  
SWEENEY ACRES SUBDIVISION  
MADISON COUNTY, IOWA**

I, Mark L. Smith, 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 February 14, 2022, 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 Final Plat, Sweeney Acres Subdivision, Madison County, Iowa.

That part of the North Half of the Northwest Quarter of Section 2, Township 74 North, Range 26 West of the 5<sup>th</sup> P.M., Madison County, Iowa, described as follows:

Beginning at the Northwest corner of said Section 2; thence North 85 degrees 48 minutes 48 seconds East, 1479.30 feet along the North line of said Section 2; thence South 00 degrees 24 minutes 08 seconds East, 897.90 feet; thence South 56 degrees 52 minutes 50 seconds West, 40.59 feet; thence South 59 degrees 34 minutes 04 seconds East, 222.88 feet; thence South 82 degrees 31 minutes 08 seconds East, 82.79 feet; thence South 28 degrees 43 minutes 28 seconds East, 56.14 feet; thence South 53 degrees 59 minutes 46 seconds West, 262.37 feet; thence South 84 degrees 37 minutes 35 seconds West, 480.52 feet; thence North 00 degrees 26 minutes 40 seconds East, 273.73 feet; thence North 49 degrees 03 minutes 30 seconds West, 415.97 feet; thence South 58 degrees 49 minutes 04 seconds West, 452.39 feet; thence South 20 degrees 04 minutes 39 seconds East, 52.16 feet; thence South 85 degrees 48 minutes 48 seconds West, 377.39 feet to the West line of said Section 2; thence North 00 degrees 02 minutes 20 seconds West, 948.66 feet to the Point of Beginning, having an area of 34.12 Acres including 4.53 Acres of Road Easement.

In connection with such examination, we find merchantable title to be in: Quendy S. Sweeney and Bradley W. Sweeney, Trustees, or their successors in trust, under the Quendy S. Sweeney Living Trust, dated October 14, 2015, and any amendments thereto, as to Parcel "B" in the Northwest Fractional Quarter of the Northwest Quarter of Section 2, Township 74 North,

Range 26 West of the 5<sup>th</sup> P.M., Madison County, Iowa, as shown by Plat filed July 7, 2004, in Book 2004, Page 31-71 of the Recorder's Office of Madison County, Iowa, and the remainder of the property is owned by: Bradley W. Sweeney and Quendy S. Sweeney, Trustees, or their successors in trust, under the Bradley W. Sweeney Living Trust dated October 14, 2015, and any amendments thereto.

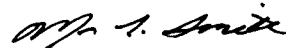
Subject to the following:

1. An Iowa Financial Incentive Program for Soil Erosion Control Maintenance/Performance Agreement, is shown between Madison SWCD County Soil and Water Conservation District and Brad Sweeney, dated March 22, 2012, and filed March 27, 2012, in Book 2012, Page 867 of the Recorder's Office of Madison County, Iowa. This Agreement states that no action shall be taken by the recipient, his agents or successors, to remove, alter or modify any soil or water conservation practice for a period of ten years from the date of this Agreement. Therefore, none of these practices may be modified until March 23, 2022.

2. Two Easements are shown to Warren Water District, its successors and assigns. The first is dated January 11, 1996, and filed February 8, 1996, in Deed Record 135, Page 736. The second is dated May 20, 2004, and filed June 22, 2004, in Book 2004, Page 2906. Both of the Recorder's Office of Madison County, Iowa, for waterline and all necessary appurtenances thereto.

Respectfully submitted,

JORDAN, OLIVER & WALTERS, P.C.



Mark L. Smith, Title Guaranty No. 10074

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

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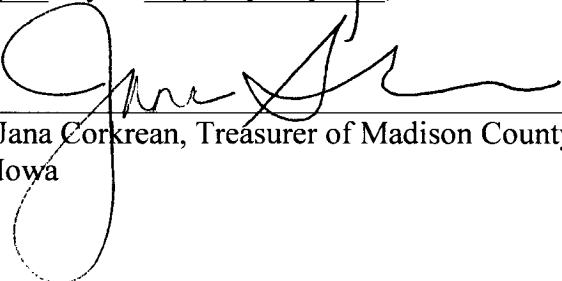
I, Jana Corkrean, do hereby certify that I am the duly elected and acting Treasurer of Madison County, Iowa; that I have examined the records in my office, and that there are no unpaid taxes forming a lien against the following-described real estate, to-wit:

**SWEENEY ACRES SUBDIVISION**

That part of the North Half of the Northwest Quarter of Section 2, Township 74 North, Range 26 West of the 5<sup>th</sup> P.M., Madison County, Iowa, described as follows: Beginning at the Northwest corner of said Section 2; thence North 85 degrees 48 minutes 48 seconds East, 1479.30 feet along the North line of said Section 2; thence South 00 degrees 24 minutes 08 seconds East, 897.90 feet; thence South 56 degrees 52 minutes 50 seconds West, 40.59 feet; thence South 59 degrees 34 minutes 04 seconds East, 222.88 feet; thence South 82 degrees 31 minutes 08 seconds East, 82.79 feet; thence South 28 degrees 43 minutes 28 seconds East, 56.14 feet; thence South 53 degrees 59 minutes 46 seconds West, 262.37 feet; thence South 84 degrees 37 minutes 35 seconds West, 480.52 feet; thence North 00 degrees 26 minutes 40 seconds East, 273.73 feet; thence North 49 degrees 03 minutes 30 seconds West, 415.97 feet; thence South 58 degrees 49 minutes 04 seconds West, 452.39 feet; thence South 20 degrees 04 minutes 39 seconds East, 52.16 feet; thence South 85 degrees 48 minutes 48 seconds West, 377.39 feet to the West line of said Section 2; thence North 00 degrees 02 minutes 20 seconds West, 948.66 feet to the Point of Beginning, having an area of 34.12 Acres including 4.53 Acres of Road Easement.

Owned by: Bradley W. Sweeney and Quendy Sweeney, Trustees, or their successors in trust, under the Bradley W. Sweeney Living Trust dated October 14, 2015; and Quendy Sweeney and Bradley W. Sweeney, Trustees, or their successors in trust, under the Quendy Sweeney Living Trust dated October 14, 2015.

DATED at Winterset, Iowa, this 28 day of February, 2022.

  
\_\_\_\_\_  
Jana Corkrean, Treasurer of Madison County,  
Iowa

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

**SWEENEY ACRES SUBDIVISION**

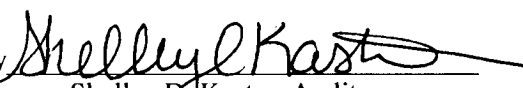
For property located at:

That part of the North Half of the Northwest Quarter of Section 2, Township 74 North, Range 26 West of the 5<sup>th</sup> P.M., Madison County, Iowa, described as follows:  
Beginning at the Northwest corner of said Section 2; thence North 85 degrees 48 minutes 48 seconds East, 1479.30 feet along the North line of said Section 2; thence South 00 degrees 24 minutes 08 seconds East, 897.90 feet; thence South 56 degrees 52 minutes 50 seconds West, 40.59 feet; thence South 59 degrees 34 minutes 04 seconds East, 222.88 feet; thence South 82 degrees 31 minutes 08 seconds East, 82.79 feet; thence South 28 degrees 43 minutes 28 seconds East, 56.14 feet; thence South 53 degrees 59 minutes 46 seconds West, 262.37 feet; thence South 84 degrees 37 minutes 35 seconds West, 480.52 feet; thence North 00 degrees 26 minutes 40 seconds East, 273.73 feet; thence North 49 degrees 03 minutes 30 seconds West, 415.97 feet; thence South 58 degrees 49 minutes 04 seconds West, 452.39 feet; thence South 20 degrees 04 minutes 39 seconds East, 52.16 feet; thence South 85 degrees 48 minutes 48 seconds West, 377.39 feet to the West line of said Section 2; thence North 00 degrees 02 minutes 20 seconds West, 948.66 feet to the Point of Beginning, having an area of 34.12 Acres including 4.53 Acres of Road Easement.

And owned by: Bradley W. Sweeney and Quendy Sweeney, Trustees, or their successors in trust, under the Bradley W. Sweeney Living Trust dated October 14, 2015; and Quendy Sweeney and Bradley W. Sweeney, Trustees, or their successors in trust, under the Quendy Sweeney Living Trust dated October 14, 2015.

Has been approved on the 25<sup>th</sup> day of February, 2022.

Auditor, Madison County, Iowa.

By   
Shelley D. Kaster, Auditor



## RESTRICTIVE COVENANTS

We, Quendy Sweeney and Bradley Sweeney, husband and wife, are now the fee simple owners and record titleholders of the following described real estate:

That part of the North Half of the Northwest Quarter of Section 2, Township 74 North, Range 26 West of the 5<sup>th</sup> P.M., Madison County, Iowa, described as follows:

Beginning at the Northwest corner of said Section 2; thence North 85 degrees 48 minutes 48 seconds East, 1479.30 feet along the North line of said Section 2; thence South 00 degrees 24 minutes 08 seconds East, 897.90 feet; thence South 56 degrees 52 minutes 50 seconds West, 40.59 feet; thence South 59 degrees 34 minutes 04 seconds East, 222.88 feet; thence South 82 degrees 31 minutes 08 seconds East, 82.79 feet; thence South 28 degrees 43 minutes 28 seconds East, 56.14 feet; thence South 53 degrees 59 minutes 46 seconds West, 262.37 feet; thence South 84 degrees 37 minutes 35 seconds West, 480.52 feet; thence North 00 degrees 26 minutes 40 seconds East, 273.73 feet; thence North 49 degrees 03 minutes 30 seconds West, 415.97 feet; thence South 58 degrees 49 minutes 04 seconds West, 452.39 feet; thence South 20 degrees 04 minutes 39 seconds East, 52.16 feet; thence South 85 degrees 48 minutes 48 seconds West, 377.39 feet to the West line of said Section 2; thence North 00 degrees 02 minutes 20 seconds West, 948.66 feet to the Point of Beginning, having an area of 34.12 Acres including 4.53 Acres of Road Easement.

The undersigned owners do hereby impose and subject this real estate to certain regulations, covenants, restrictions and easements as to the use and occupancy thereof, as follows:

1. The above described real estate and any lots, tracts or parcels into which the above such real estate may be divided shall be used only for single-family residential purposes. The residential dwelling structure shall be at least one thousand eight hundred (1800) square feet in a single level home and two thousand four hundred (2400) square feet in a two story home, of habitable, finished living area within the dwelling not limited to the main entry level, but excluding from this minimum area the portion of the structure used as a basement or as an unfinished portion of the structure. No mobile homes, manufactured homes or modular homes of any kind at any time shall be erected or placed on any of said lots, tracts, or parcels. All

residential dwelling structures shall have a concrete foundation with a full basement. For the purposes of these Restrictive Covenants the following definitions shall apply:

a. "Mobile home" means any vehicle without motive power used or so manufactured or constructed as to permit its conveyance upon the public streets and highways and so designed, constructed, or reconstructed as will permit the vehicle to be used as a place for human habitation by one or more persons; but shall also include any such vehicle with motive power not registered as a motor vehicle in Iowa.

b. "Modular home" means a factory-built structure which is manufactured to be used as a place of human habitation, is constructed to comply with the Iowa state building code and may display the seal issued by the state building code commissioner.

c. "Manufactured home" means a factory-built structure built under the authority of 42 U.S.C. § 5403, that is required by federal law to display a seal from the United States Department of Housing and Urban Development, and was constructed on or after June 15, 1976.

2. The requirements contained in the Madison County Zoning Ordinances as to lot area, width and yard requirements shall apply to all lots, tracts or parcels.

3. Any lots, tracts or parcels into which the above described real estate is divided may be further divided in compliance with the Subdivision Ordinances and Zoning Ordinances of Madison County, Iowa.

4. No trailer, basement, tent, shack, garage, barn or other accessory building in the tract shall at any time be used as a residence, temporarily or permanently, nor shall any residence of a temporary character be permitted.

5. No building shall be erected on any parcel unless the design and location is in harmony with the existing structures and locations in the tract and does not violate any of these restrictive covenants.

6. No building shall be erected on any building parcel unless the design and location is in harmony with the existing structures and locations in the tract and does not violate any of these protective covenants. No semi-trailers, storage containers, or shipping containers are permitted on any parcel.

7. No building including a residential dwelling unit may be moved or relocated onto any lot.

8. The titleholder of each parcel, vacant or improved, shall keep his parcel or parcels free of weeds, junk, non-working cars and trucks, equipment, machinery and debris, and shall not engage in any activity which is a nuisance. No equipment, machinery, non-working vehicles, or tractors can be left outside in view from any other lot.

9. If any person shall violate or attempt to violate any of the covenants, conditions or restrictions contained herein, it shall be lawful for any owner of any lot, tract or parcel to institute proceedings in law or in equity against the person or persons violating or attempting to violate any such covenants, conditions or restrictions, and to prevent or enjoin him or them from so doing or recover damages for such violation.

10. Invalidation of any one these covenants by judgment or court order shall not affect any of the other provisions which shall remain in full force and effect.

11. If any lot, tract or parcel owner decides to erect a fence upon his lot, tract or parcel, the total cost of installation of such fence shall be borne by said lot, tract or parcel owner as well as the cost of all future maintenance of the fence. No adjoining lot, tract or parcel owner shall be required to participate in the cost of the erection or maintenance of any fence. Any fence erected shall be the sole property of the lot, tract or parcel owner and can be removed by such lot, tract or parcel owner at his discretion. Nothing in this paragraph shall be deemed to preclude a fencing agreement between adjoining lot, tract or parcel owners for erection and maintenance of a common fence, however, for any such common fence agreement to be enforceable upon a future lot, tract or parcel owners, such fencing agreement must be in writing and filed of record in the Madison County Recorder's Office in order to apprise prospective purchasers of their obligations with the respect to such fencing.

12. There is no common sewage system available for use within said lots, tracts or parcels, and it shall be the responsibility of each of the owners of the respective lots, tracts or parcels to provide a septic system for use with the residence constructed upon each lot, tract or parcel.

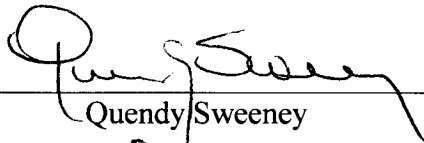
13. No animals shall be kept or maintained on any of the parcels, except ordinary household pets. No more than two dogs or cats, shall kept on any parcel. No more than ten chickens shall be permitted on any parcel. No dug runs shall be permitted.

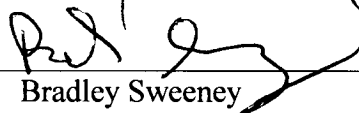
14. No hog confinement, nursery or finishing structure, cattle finishing structure, or raising horses shall be erected on any of the above described lots, tracts or parcels.

15. No dirt bikes, ATV's or UTV's shall be used on the parcels unless used for work on any parcel. No tracks for dirt bikes, ATV's or UTV's shall be permitted.

16. All houses must be completed after the start of construction of such houses and outbuildings within twelve (12) months.

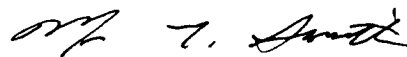
Dated this 25 day of February, 2022.

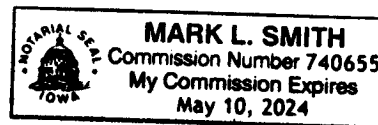
  
\_\_\_\_\_  
Quendy Sweeney

  
\_\_\_\_\_  
Bradley Sweeney

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 25th day of February, 2022, by Quendy Sweeney and Bradley Sweeney.

  
\_\_\_\_\_  
Notary Public in and for said State of Iowa



**RESOLUTION APPROVING FINAL PLAT  
OF SWEENEY ACRES SUBDIVISION  
MADISON COUNTY, IOWA**

WHEREAS, there was filed in the Office of the City Clerk of the City of Truro, Madison County, Iowa, a registered land surveyor's plat of a proposed subdivision known as Sweeney Acres Subdivision; and

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

That part of the North Half of the Northwest Quarter of Section 2, Township 74 North, Range 26 West of the 5<sup>th</sup> P.M., Madison County, Iowa, described as follows:  
Beginning at the Northwest corner of said Section 2; thence North 85 degrees 48 minutes 48 seconds East, 1479.30 feet along the North line of said Section 2; thence South 00 degrees 24 minutes 08 seconds East, 897.90 feet; thence South 56 degrees 52 minutes 50 seconds West, 40.59 feet; thence South 59 degrees 34 minutes 04 seconds East, 222.88 feet; thence South 82 degrees 31 minutes 08 seconds East, 82.79 feet; thence South 28 degrees 43 minutes 28 seconds East, 56.14 feet; thence South 53 degrees 59 minutes 46 seconds West, 262.37 feet; thence South 84 degrees 37 minutes 35 seconds West, 480.52 feet; thence North 00 degrees 26 minutes 40 seconds East, 273.73 feet; thence North 49 degrees 03 minutes 30 seconds West, 415.97 feet; thence South 58 degrees 49 minutes 04 seconds West, 452.39 feet; thence South 20 degrees 04 minutes 39 seconds East, 52.16 feet; thence South 85 degrees 48 minutes 48 seconds West, 377.39 feet to the West line of said Section 2; thence North 00 degrees 02 minutes 20 seconds West, 948.66 feet to the Point of Beginning, having an area of 34.12 Acres including 4.53 Acres of Road Easement.

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 proprietors, Bradley W. Sweeney and Quendy Sweeney, Trustees, or their successors in trust, under the Bradley W. Sweeney Living Trust dated October 14, 2015; and Quendy Sweeney and Bradley W. Sweeney, Trustees, or their successors in trust, under the Quendy Sweeney Living Trust dated October 14, 2015.

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 City Council of the City of Truro, Madison County, Iowa, finds that said plat conforms to the provisions of the Ordinances of the City of Truro, Madison County, Iowa, and that the plat, papers and documents presented therewith should be approved by the City of Council of the City of Truro, Madison County, Iowa.

NOW, THEREFORE, BE IT RESOLVED by the City of Council of the City of Truro, Madison County, Iowa.

1. That said plat, known as Sweeney Acres Subdivision, prepared in connection with said plat and subdivision is hereby approved.
2. The City Clerk of the City of Truro, Madison County, Iowa, is hereby directed to certify this resolution which shall be affixed to said plat to the County documents which should be filed and recorded in connection therewith.

DATED at Truro, Iowa, this 7<sup>th</sup> day of March, 2022.

CITY OF TRURO, IOWA

By 

ATTEST:

  
City Clerk

## AGREEMENT

This Agreement made and entered into, by and between, the proprietors of Sweeney Acres Subdivision and Mike Hackett, Madison County Engineer.

NOW THEREFORE IT IS AGREED AS FOLLOWS:

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

That part of the North Half of the Northwest Quarter of Section 2, Township 74 North, Range 26 West of the 5<sup>th</sup> P.M., Madison County, Iowa, described as follows:  
Beginning at the Northwest corner of said Section 2; thence North 85 degrees 48 minutes 48 seconds East, 1479.30 feet along the North line of said Section 2; thence South 00 degrees 24 minutes 08 seconds East, 897.90 feet; thence South 56 degrees 52 minutes 50 seconds West, 40.59 feet; thence South 59 degrees 34 minutes 04 seconds East, 222.88 feet; thence South 82 degrees 31 minutes 08 seconds East, 82.79 feet; thence South 28 degrees 43 minutes 28 seconds East, 56.14 feet; thence South 53 degrees 59 minutes 46 seconds West, 262.37 feet; thence South 84 degrees 37 minutes 35 seconds West, 480.52 feet; thence North 00 degrees 26 minutes 40 seconds East, 273.73 feet; thence North 49 degrees 03 minutes 30 seconds West, 415.97 feet; thence South 58 degrees 49 minutes 04 seconds West, 452.39 feet; thence South 20 degrees 04 minutes 39 seconds East, 52.16 feet; thence South 85 degrees 48 minutes 48 seconds West, 377.39 feet to the West line of said Section 2; thence North 00 degrees 02 minutes 20 seconds West, 948.66 feet to the Point of Beginning, having an area of 34.12 Acres including 4.53 Acres of Road Easement.

hereby agree that all private roads located within Sweeney Acres Subdivision are private roads and 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 the Madison County Engineer's Department.


Date: February 25, 2022.

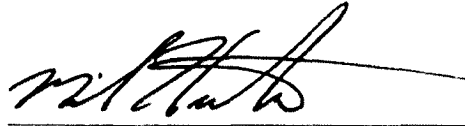


PROPRIETORS OF SWEENEY ACRES

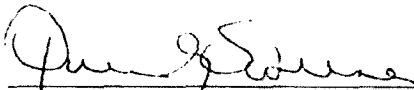
BRADLEY W. SWEENEY LIVING TRUST  
DATED OCTOBER 14, 2015


  
\_\_\_\_\_  
Bradley W. Sweeney, Trustee

  
\_\_\_\_\_  
Quendy Sweeney, Trustee

  
\_\_\_\_\_  
Mike Hackett, Madison County Engineer

QUENDY SWEENEY LIVING TRUST  
DATED OCTOBER 14, 2015

  
\_\_\_\_\_  
Quendy Sweeney, Trustee

  
\_\_\_\_\_  
Bradley W. Sweeney, Trustee

Weeks Trucking

903 West Street  
Box 136  
New Virginia, IA 50210  
641-449-3277

# Estimate

Date	Estimate #
2/2/2022	1

Name / Address
Brad Sweeney 3206 280th St Truro, IA 50257

			Project
Description	Qty	Cost	Total
Hauling and Material	30	415.00	12,450.00
		<b>Total</b>	\$12,450.00

ESCROW AGREEMENT

This Escrow Agreement is made this 25th, day of February, 2022 between Bradley W. Sweeney and Quendy Sweeney, Trustees of the Bradley W. Sweeney Living Trust dated October 14, 2015; and Quendy Sweeney and Bradley W. Sweeney, Trustees of the Quendy Sweeney Living Trust dated October 14, 2015, (hereinafter "Developers") and Madison County, Iowa, (hereinafter "County").

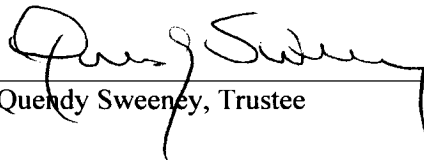
The sum of \$12,450.00 shall be held in a non-interest-bearing escrow account by the Law Firm of Jordan, Oliver, Walters & Smith, PC., in Trust, and disbursed only in accordance with the following provisions:

1. Said funds will be held by the Law Firm until such time as the roadway for Sweeney Acres Subdivision is completed by Developer. Once completion of the roadway has occurred the funds will be returned to developer or paid directly to the contractor completing the work. The confirmation of completion will come from the Madison County Zoning Administrator.

2. If the roadway is not completed within the timeframe designated by the Madison County Subdivision Ordinance, said funds shall be turned over to County and used to complete the roadway. Any remaining funds after the completion of the roadway would be returned to Developer.

Developer:

  
\_\_\_\_\_  
Bradley W. Sweeney, Trustee

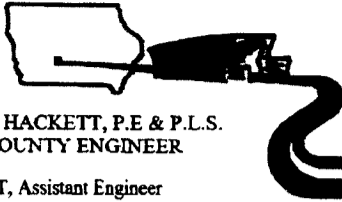
  
\_\_\_\_\_  
Quendy Sweeney, Trustee

County:

\_\_\_\_\_  
C.J. Nicholl, Madison County Zoning Administrator

Escrow Agent:

  
\_\_\_\_\_  
Mark L. Smith, Jordan, Oliver, Walters & Smith, P.C.



**MADISON COUNTY  
SECONDARY ROAD DEPARTMENT**

1105 E. COURT AVE.  
WINTERSET, IOWA 50273

Phone: (515) 462-1136 / Fax: (515) 462-2506 / Email: secondaryroads@madisoncounty.iowa.gov

MIKE HACKETT, P.E. & P.L.S.  
COUNTY ENGINEER

VACANT, Assistant Engineer  
KERRY STAPLES, Office Assistant  
JOSH JOHNSTON, Maintenance Superintendent

April 1, 2022

Brad Sweeney  
3206 280<sup>th</sup> St.  
Truro, Iowa 50257

RE: Sweeney Acres – Lot 7 - Existing  
Permit No. 04-007 – Lot 7 – W.O. 12734  
Sweeney Acres – Subdivision Access Road from 280<sup>th</sup> St.  
Permit No. 22-005 - Access Road – W.O. 12735  
Sweeney Acres – Lot 8  
Permit No. 22-006-W.O. No. 12710

Mr. Sweeney,

Attached are the above referenced permits. The permits are approved and meet the Field Entrance and Residential Driveway Policy for Madison County.

Please see the construction provisions, site plans, and permit details for each of the permits before the construction of the access road and driveway entrances.

You had indicated to this office that Lot 9 will be using an easement through Lot 8. This may need to be addressed through the Zoning Office before the finalization of the plat for Sweeney Subdivision. Please check with the Zoning Office.

The access road and driveway entrances from 280<sup>th</sup> St. and Truro Rd. will become the entrances of record for Sweeney Acres Subdivision, and any additional entrances/driveways for lots in this subdivision will not be allowed.

If you have any questions regarding the attached applications or the above comments, please contact me. Thank you.

Sincerely,

MIKE HACKETT, P.E. & P.L.S.  
Madison County Engineer

MH: kbs  
Enclosure

Cc: Mark Smith, Jordan, Oliver, Walters & Smith P.C. – *by email*  
Jeff Nichols, Madison County Zoning Director – *by email*

APPLICATION FOR FIELD ENTRANCE OR DRIVEWAY

W.O. 12735 280th

Madison County Engineer's Office
1105 E. Court Ave.
Winterset, Iowa 50273
Telephone - (515) 462-1136 / Fax - (515) 462-2506

INSTRUCTIONS TO APPLICANT:

- 1. Complete the top portion of the application form. Please print or type.
2. Return the application to Madison County Engineer's Office for review and survey.
3. Mark the center of the proposed entrance at the property line with the orange flagging provided.
4. The applicant may begin construction of the entrance only upon receipt of the approved application, and according to the design provided and the guidelines listed in the "Field Entrance and Driveway Policy" on the back side of this application.
5. If the application site does not meet the safety, hydraulic, or construction criteria specified in this policy, the applicant will be notified in writing that the application for an entrance at that site is denied.
6. After construction is completed and before rock surfacing is applied, notify the Madison County Engineer's Office for inspection of the entrance.
7. Upon inspection approval of the entrance the applicant is released from future maintenance responsibilities for the entrance (excluding surfacing).
8. This permit expires if the entrance is not completed within six (6) months of the application approval.

NAME: Bradley Sweeney Sweeney DATE: Feb 11, 2022

MAILING ADDRESS: 3206 280th Street Truro Iowa 50257

TELEPHONE DAY: 515-681-8177 TELEPHONE NIGHT:

LOCATION: NAME OF TOWNSHIP: Ohio SECTION: 2 TOWNSHIP: T74N RANGE: R26W

ENTRANCE LOCATION DESCRIPTION: Private Road Sweeney Acres

PURPOSE OF DRIVEWAY (farm, residential, commercial): ( WIDTH): EXISTING OR NEW: New

DOES THIS PROPERTY HAVE AN EXISTING ENTRANCE? IS THIS ENTRANCE TO BE PAVED?

IS THIS PROPERTY IN A SUBDIVISION? Yes IF YES, WHAT SUBDIVISION? Sweeney Acres - subdivision Access

CONTRACTOR (name, address, telephone number): Road from 280th St.

(I have read and understand the provisions of the Madison County Field Entrance and Driveway Policy dated 04-18-05 on the back of this application).

SIGNATURE: [Signature]

Office use only below this line.

ENGINEERING REVIEW: BY: Cory Scott DATE: 2-14-22

SIGHT DISTANCE: N @ (ft.) 350' @ 24" S @ (ft.) 350' @ 24" PAVED ROUTE: NO V.P.D.: 35

DRAINAGE AREA (ac.): Dry fill DITCH DEPTH (ft.): 1.2' STREAM SLOPE (ft./mi.): -

BEDDING CLASS: C COVER OVER PIPE (ft.): N/A METAL THICKNESS (ga.): N/A

TOP WIDTH (ft.): 18' + 12' LENGTH (ft.): 20' SIDE SLOPES: 2:1 SURFACING ROCK (tons): 13

NON-SPIRAL CORRUGATED METAL PIPE SIZE (in./ft.): \* N/A COUNTY PRICE (paid for when picked up): \$ N/A
\*[30" diameter & below pipe size - can purchase from County, (if available), if pipe above 30" diameter - must be purchased elsewhere]

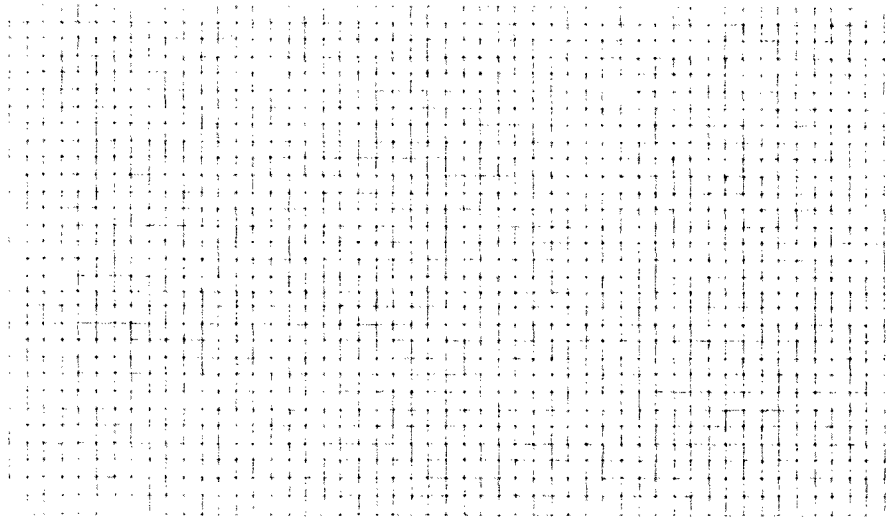
SURVEY NOTES: 60 00 60 20 60 40 59 70 58 80
0' shoulder 10' 22' 50' 18' E

SITE PLAN:

CENTERLINE PROFILE:

N

SCALE: 1" = VERTICAL, 1" = HORIZONTAL, 1" =

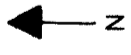


CONSTRUCTION PROVISIONS: \* See attached site plan + construction provisions \*

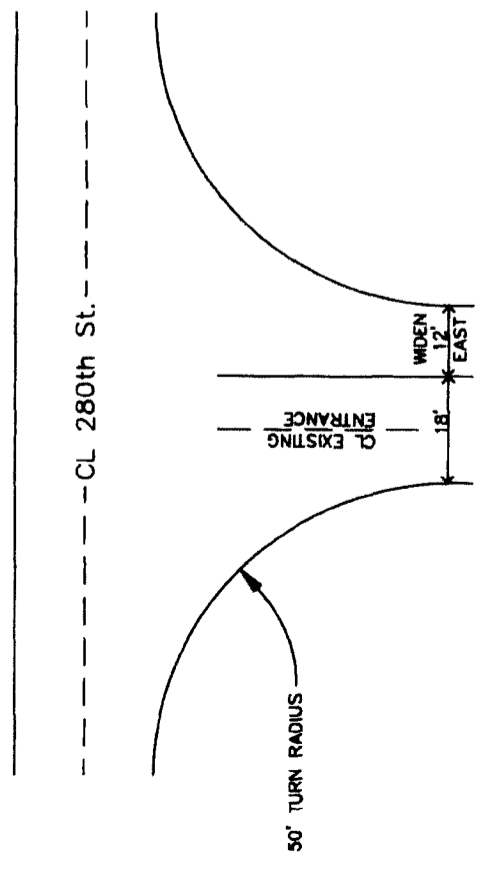
APPLICATION APPROVED BY: [Signature] DATE: 4/1/2022

CONSTRUCTION INSPECTION BY: DATE:

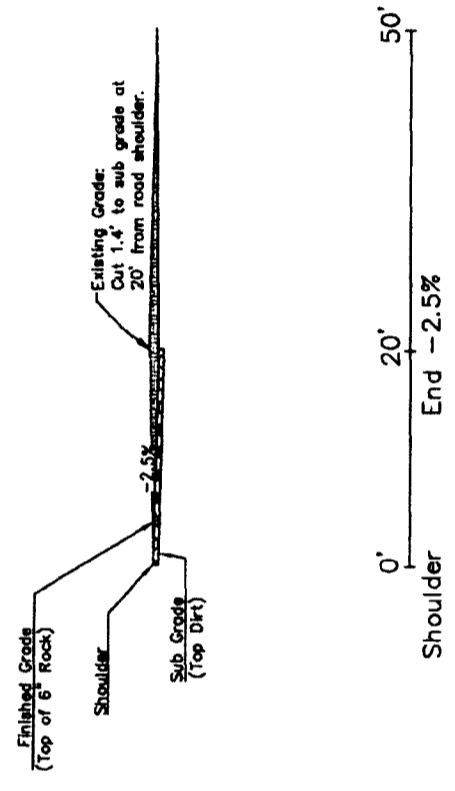
SWEENEY ACRES SUBDIVISION  
 PERMIT NO. 22-005 - 280TH  
 W.O. NO. 12735  
 SUBDIVISION ACCESS ROAD FROM 280TH ST.



Site Plan



Centerline Profile



Construction Provisions

Construct entrance with -2.5% slope for 20' from road shoulder, match the existing grade at 50'.  
 Widen road 12' East for a 30' top, include 50' turn radiuses from 280th into the new road.  
 Finish with 6" of rock in R.O.W., call for an inspection before adding rock.

APPLICATION FOR FIELD ENTRANCE OR DRIVEWAY

Madison County Engineer's Office
1105 E. Court Ave.
Winterset, Iowa 50273

Telephone - (515) 462-1136 / Fax - (515) 462-2506

W.O. 12710 R35
TRURO RD - LOT #8

INSTRUCTIONS TO APPLICANT:

- 1. Complete the top portion of the application form. Please print or type.
2. Return the application to Madison County Engineer's Office for review and survey.
3. Mark the center of the proposed entrance at the property line with the orange flagging provided.
4. The applicant may begin construction of the entrance only upon receipt of the approved application, and according to the design provided and the guidelines listed in the "Field Entrance and Driveway Policy" on the back side of this application.
5. If the application site does not meet the safety, hydraulic, or construction criteria specified in this policy, the applicant will be notified in writing that the application for an entrance at that site is denied.
6. After construction is completed and before rock surfacing is applied, notify the Madison County Engineer's Office for inspection of the entrance.
7. Upon inspection approval of the entrance the applicant is released from future maintenance responsibilities for the entrance (excluding surfacing).
8. This permit expires if the entrance is not completed within six (6) months of the application approval.

NAME: Bradley Sweeney Sweeney DATE: Feb 11, 2022

MAILING ADDRESS: 3206 280th Street Truro Iowa 50257

TELEPHONE DAY: 515-681-8177 TELEPHONE NIGHT:

LOCATION: NAME OF TOWNSHIP: Ohio SECTION: 2 TOWNSHIP: T74N RANGE: R26W

ENTRANCE LOCATION DESCRIPTION: Lot 8 Sweeney Acres

PURPOSE OF DRIVEWAY (farm, residential, commercial): Residential (WIDTH): 30' EXISTING OR NEW: Existing

DOES THIS PROPERTY HAVE AN EXISTING ENTRANCE? IS THIS ENTRANCE TO BE PAVED?

IS THIS PROPERTY IN A SUBDIVISION? Yes IF YES, WHAT SUBDIVISION? Sweeney Acres - Lot 8

CONTRACTOR (name, address, telephone number):

(I have read and understand the provisions of the Madison County Field Entrance and Driveway Policy dated 04-18-05 on the back of this application).

SIGNATURE: [Signature]

Office use only below this line.

ENGINEERING REVIEW: BY: Cory Scott DATE: 2-14-22

SIGHT DISTANCE: NE (ft.) 550' @ 24' SW (ft.) 550' @ 24' PAVED ROUTE: Yes R35 V.P.D.: 779

DRAINAGE AREA (ac.): Dry fill DITCH DEPTH (ft.): 3.8' STREAM SLOPE (ft./mi.): -

BEDDING CLASS: C COVER OVER PIPE (ft.): N/A METAL THICKNESS (ga.): N/A

TOP WIDTH (ft.): 30' LENGTH (ft.): 40' SIDE SLOPES: 6:1 SURFACING ROCK (tons): 43.5

NON-SPIRAL CORRUGATED METAL PIPE SIZE (in./ft.): N/A COUNTY PRICE (paid for when picked up): \$ N/A
\*[30" diameter & below pipe size - can purchase from County, (if available), if pipe above 30" diameter - must be purchased elsewhere]

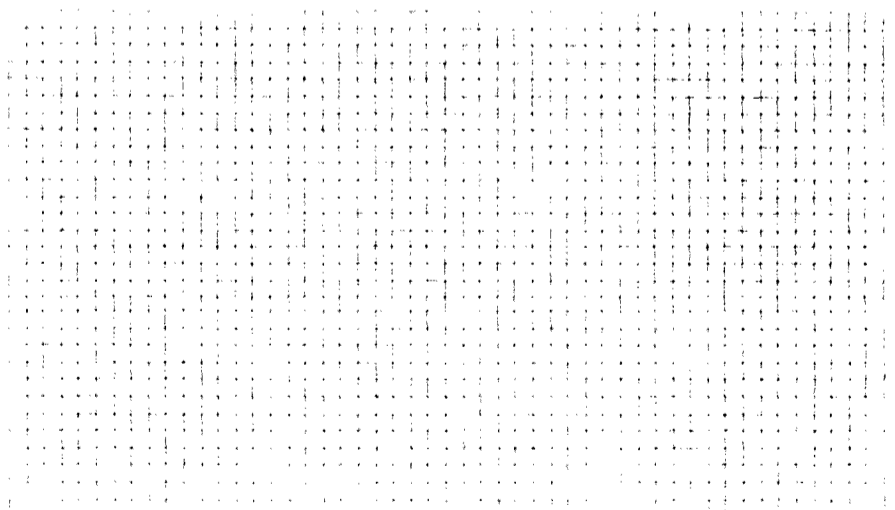
SURVEY NOTES: 47 50 45 60 44 40 42 60 43 20
0' Shoulder 20' 37' 50' 27' R

SITE PLAN:

N

CENTERLINE PROFILE:

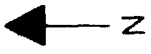
SCALE: 1" = VERTICAL, 1" = HORIZONTAL, 1" =



CONSTRUCTION PROVISIONS: \* See attached Site plan & construction provisions

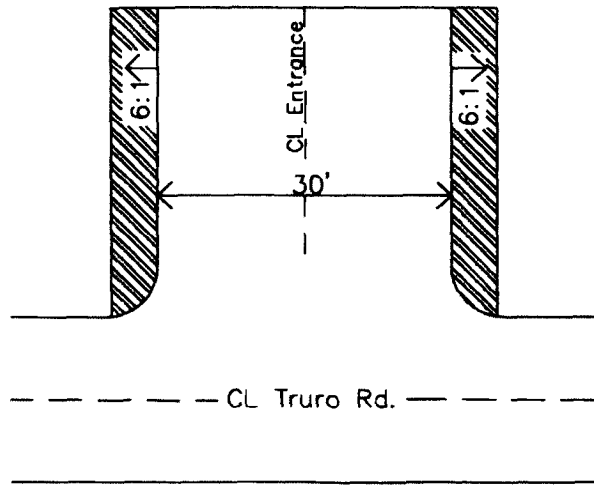
APPLICATION APPROVED BY: [Signature] DATE: 4/1/2022

CONSTRUCTION INSPECTION BY: DATE:

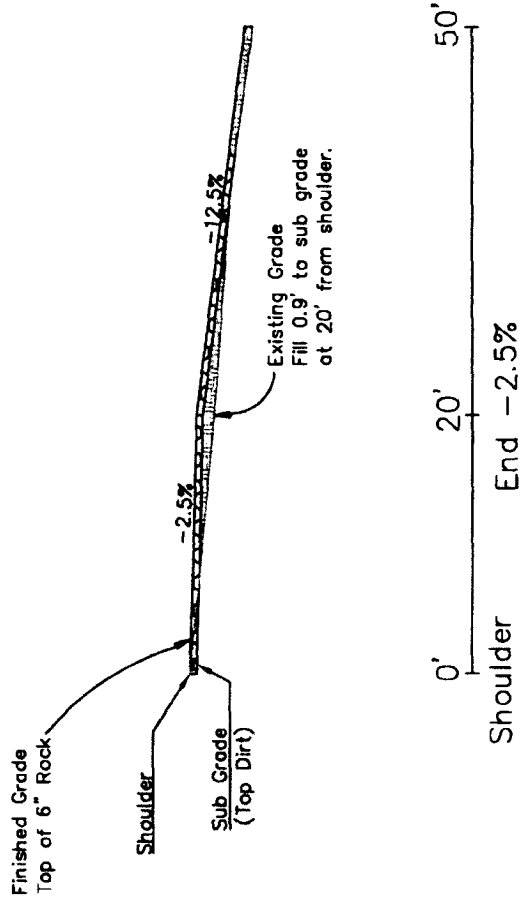


SWEENEY ACRES SUBDIVISION  
PERMIT NO. 22-006 - TRURO RD  
W.O. NO. 12710 LOT #8 R35

Site Plan



Centerline Profile



Construction Provisions

Construct entrance with -2.5% slope for 20' from road shoulder. Do not exceed -12.5% when going down to match the existing grade. Finish with 6" of rock in R.O.W., call for an inspection before adding rock.



**APPLICATION FOR FIELD ENTRANCE OR DRIVEWAY**

Madison County Engineer's Office  
 P. O. Box 152 Winterset, Iowa 50273  
 Telephone (515) 462-1136 Fax (515) 462-2506

**RECEIVED**  
 COUNTY ENGINEER  
 MADISON COUNTY, IOWA

W.O. 12734  
 LOT 7

JAN 29 2004

**INSTRUCTIONS TO APPLICANT:**

1. Complete the top portion of the application form. Please print or type.
2. Return the application to Madison County Engineer's Office for review and survey.
3. Mark the center of the proposed entrance at the property line with the orange flagging provided.
4. The applicant may begin construction of the entrance only upon receipt of the approved application, and according to the design provided and the guidelines listed in the "Field Entrance and Driveway Policy" on the back side of this application.
5. If the application site does not meet the safety, hydraulic, or construction criteria specified in this policy, the applicant will be notified in writing that the application for an entrance at that site is denied.
6. After construction and before rock surfacing is applied, notify the Madison County Engineer's Office for inspection of the entrance or driveway.
7. Upon inspection approval the applicant is released from future maintenance responsibilities for the entrance or driveway (excluding surfacing).
8. This permit expires if the entrance is not completed within six (6) months of the application approval.

NAME: Brad Sweeney DATE: 1-28-04

MAILING ADDRESS: 1020 Scott Felton Rd. Indianola, Ia. 50125

TELEPHONE DAY: 515-681-8177 TELEPHONE NIGHT: 515-961-6906

LOCATION: NAME OF TOWNSHIP: Ohio SECTION: 2 TOWNSHIP: Ohio RANGE: 74

ENTRANCE LOCATION DESCRIPTION: Approx. 400 ft east on 280<sup>th</sup> from Truro Road on South side

PURPOSE OF DRIVEWAY (farm, residential, commercial): residential EXISTING OR NEW? New

DOES THIS PROPERTY HAVE ANOTHER ENTRANCE? Yes IS THIS ENTRANCE TO BE PAVED? No

IS THIS PROPERTY IN A SUBDIVISION? No IF YES, WHAT SUBDIVISION? \_\_\_\_\_

CONTRACTOR (name, address, telephone number): Undecided Dan Johnson, St. Charles I

I have read and understand the provisions of the Madison County Field Entrance and Driveway Policy dated 10-02-02 on the back of this application.

SIGNATURE: Brad Sweeney  
 Office use only below this line.

**ENGINEERING REVIEW:** BY: TERENCE P McNAMARA JUSTINA R. JEFFS DATE: 2-20-04

SIGHT DISTANCE: N(E) (ft.): 350 (12') S(W) (ft.): 350 (12') PAVED ROUTE: NO V.P.D.: 40

DRAINAGE AREA (ac.): 0.29 DITCH DEPTH (ft.): \_\_\_\_\_ COVER OVER PIPE (ft.): 1.0 MINIMUM

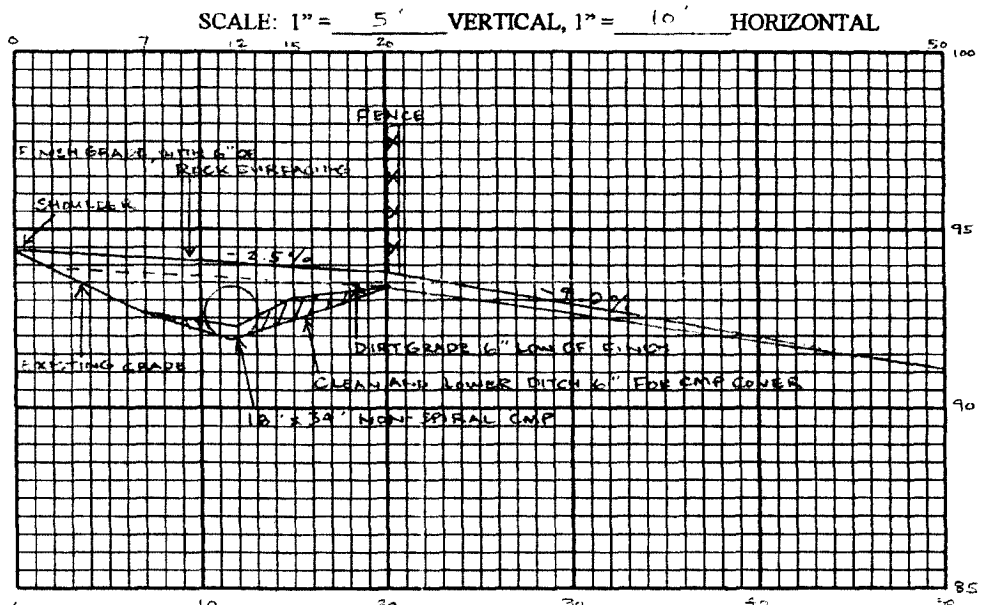
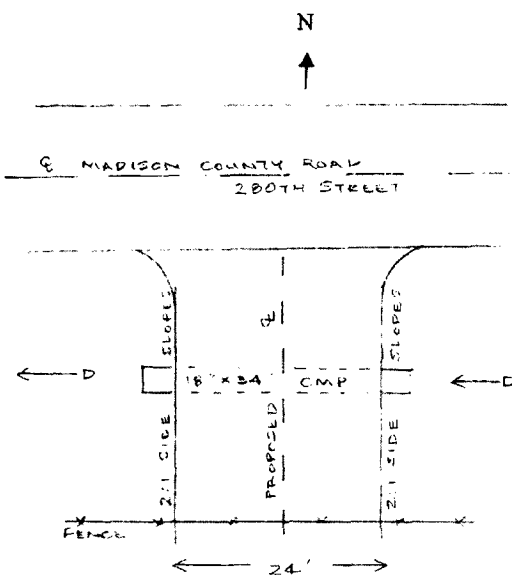
TOP WIDTH (ft.): 24 LENGTH (ft.): 20 SIDE SLOPES: 2:1 SURFACING ROCK (tons): 17.4

CORRUGATED METAL PIPE (non-spiral, 16 gauge, in./ft.): 18 x 34 COUNTY PRICE (paid for when picked up): \$ 250.58

**SURVEY NOTES:** DRAIN: W. 320' x 40' - 12" DIA  
PAID IN FULL 3/12/04  
CK # 2205 \$250.58

**SITE PLAN:**

**CENTERLINE PROFILE:**

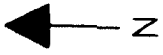


**CONSTRUCTION PROVISIONS:** CONSTRUCT FROM SHOULDER WITH -2.5% GRADE FOR 20', -9.0% FROM 20' TO MATCH

CLEAN AND LOWER DITCH 6" FOR COVER OVER CMP

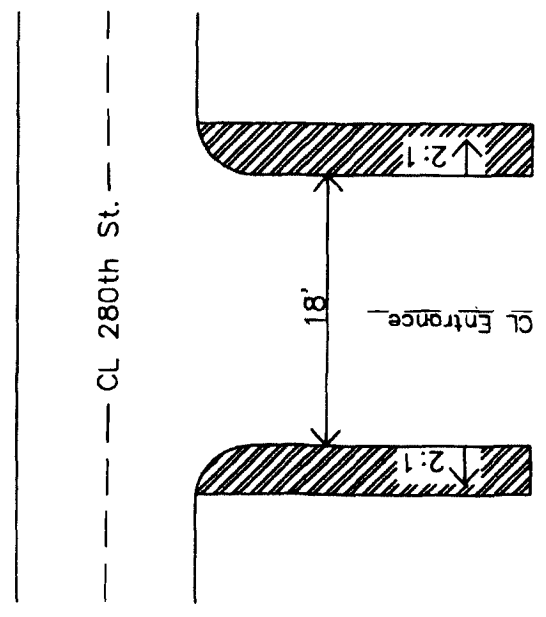
APPLICATION APPROVED BY: [Signature] DATE: 2/27/04

CONSTRUCTION INSPECTION BY: \_\_\_\_\_ DATE: \_\_\_\_\_

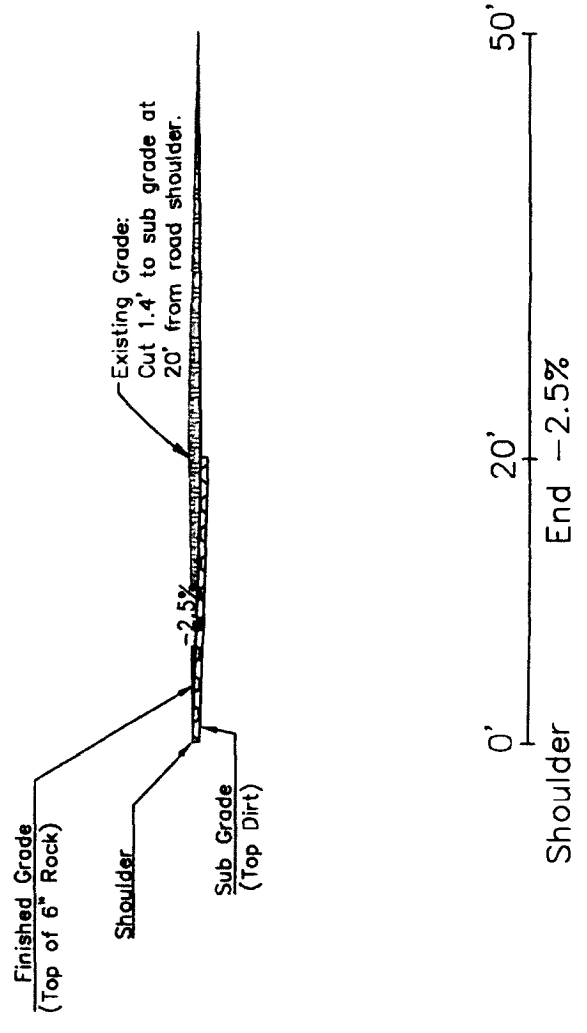


SWEENEY ACRES SUBDIVISION  
PERMIT NO. 04-007 - LOT #7  
W.O. NO. 12734

Site Plan

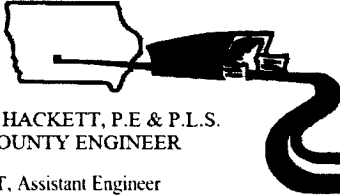


Centerline Profile



Construction Provisions

Construct entrance with -2.5% slope for 20' from road shoulder, match the existing grade at 50'.  
Finish with 6" of rock in R.O.W., call for an inspection before adding rock.



**MADISON COUNTY  
SECONDARY ROAD DEPARTMENT**

1105 E. COURT AVE.  
WINTERSET, IOWA 50273

Phone: (515)-462-1136 / Fax: (515)-462-2506 / Email: [secondaryroads@madisoncounty.iowa.gov](mailto:secondaryroads@madisoncounty.iowa.gov)

MIKE HACKETT, P.E. & P.L.S.  
COUNTY ENGINEER

VACANT, Assistant Engineer  
KERRY STAPLES, Office Assistant  
JOSH JOHNSTON, Maintenance Superintendent

April 1, 2022

Madison County Zoning Commission  
Office of Zoning & Environmental Health  
P.O. Box 152  
Winterset, IA 50273

RE: Sweeney Acres Plats, Preliminary Plan, & Profile  
Section 2, Township 74N, Range 26W  
Ohio Township  
Madison County, Iowa

Commission Members:

Upon review of the above-referenced subdivision, it was noted that there will be a need for a new intersection along 280<sup>th</sup> Street to the private subdivision road. The owner has obtained, from the Madison County Secondary Road Department, an approved permit for the construction of the access intersection to the proposed private subdivision road (within the existing right-of-way). The owner will need to contact the Madison County Secondary Road Department when the construction of the intersection is completed as per the approved permit.

The owner has also obtained approved permits for driveway access to lot seven (7) and lot eight (8). The owner has indicated to this office that lot nine (9) will be using an easement through lot eight (8). This may need to be addressed on the final plat. Additional driveways or field entrances will not be allowed for lots seven (7), eight (8), and nine (9). Lots one (1) through six (6) have access to the private subdivision road and therefore will not be allowed to have any additional driveways or field entrances within the Madison County road right-of-way abutting 280th Street. The owner will need to contact the Madison County Secondary Road Department when the construction of driveways or field entrances are completed as per the approved permit.

The subdivisions nine (9) lots, once developed, will generate an additional 90 (maximum) vehicles per day to the secondary road system with 280th Street receiving 70 vehicles per day and Truro Road receiving 20 vehicles per day. The additional 90 vehicles per day will not have a significant impact on the roadway.

The owner has submitted plan and profile sheet for the proposed subdivision road. The road has been meets the guidelines established by the American Association of State and Highway Transportation Officials (AASHTO) for "Geometric Design of Local Roads (average daily traffic of under 400vehicles per day)", 2011 edition. Based on the rate of vertical curvature and the vertical gradients, the maximum design speed is 40 miles per hour. The only exception to the design would be the horizontal curve at the intersection of 280th Street. The horizontal curve at the intersection of 280th Street is at a stopping condition and the design radius should be sufficient for low speeds to a stop condition.

The typical cross section provided shows 3:1 foreslopes and 2:1 backslopes with a 4 foot ditch bottom. The plan and profile submitted does not show a need for culverts due to the general location of the private road. Surface water must be maintained within the subdivision. The natural course of a waterway cannot be altered or changed in a manner that increases flow onto Madison County right-of-way.

The owner has proposed granular surfaced roadway. The surface design calls for 7 inches of granular surfacing. This should be sufficient design based on an estimated AADT of 90 vehicles per day. Additional granular surfacing may be need in the future.

Street signs abutting the public road (280th Street) shall be required. Stop sign, street sign, and E 9-1-1 markers shall be required. The type and size of sign is subject to the specifications adopted by the County Engineer.

The private road located within the above-referenced subdivision is a private road and will not be dedicated to Madison County, Iowa. That same road will not be maintained in any manner by neither Madison County, Iowa, nor the Madison County Secondary Road Department.

I have enclosed the approved access permits, the road agreement, and all submittals for this subdivision as reference to this letter

If you have any questions, please don't hesitate to contact me.

Sincerely,



Mike Hackett, P.E. and P.L.S.  
Madison County Engineer

MH: kbs

Enclosures

Cc: Mark Smith, Jordan, Oliver, Walters & Smith P.C.  
Jeff Nichols, Madison County Zoning Director

Prepared by

And Return to: Mark L. Smith, P.O. Box 230, Winterset, Iowa 50273; 515-462-3731

**FENCE AFFIDAVIT**

STATE OF IOWA :  
:SS  
MADISON COUNTY :

I, Bradley W. Sweeney, after first being duly sworn upon oath, depose and state as follows:

1. This Affidavit concerns the following described property being subdivided under the name Sweeney Acres Subdivision:

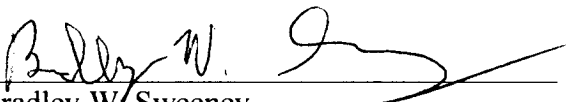
**See Attached Legal Description**

2. I know of my own personal knowledge I and my wife, Quendy Sweeney, own all the land that surrounds said subdivision.

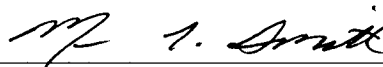
3. My wife and I hereby waive the requirement that any fence be built surrounding the subdivision.

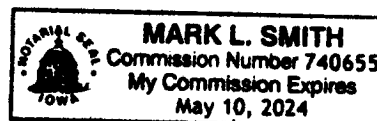
4. Therefore, the subdivision is in compliance with the fencing regulation.

5. I also, however, affirmatively state that upon construction of houses upon said subdivision, I will install lawful fencing to ensure that no cattle come upon the subdivision at such time as houses have been completed.

  
Bradley W. Sweeney

Subscribed and sworn to before me by the said Bradley W. Sweeney on this 13<sup>th</sup> day of May, 2022.

  
Notary Public in and for the State of Iowa



That part of the North Half of the Northwest Quarter of Section 2, Township 74 North, Range 26 West of the 5th P.M., Madison County, Iowa, described as follows;  
Beginning at the Northwest corner of said Section 2; thence North 85 degrees 48 minutes 48 seconds East, 1479.30 feet along the North line of said Section 2; thence South 00 degrees 24 minutes 08 seconds East, 897.90 feet; thence South 56 degrees 52 minutes 50 seconds West, 40.59 feet; thence South 59 degrees 34 minutes 04 seconds East, 222.88 feet; thence South 82 degrees 31 minutes 08 seconds East, 82.79 feet; thence South 28 degrees 43 minutes 28 seconds East, 56.14 feet; thence South 53 degrees 59 minutes 46 seconds West, 262.37 feet; thence South 84 degrees 37 minutes 35 seconds West, 480.52 feet; thence North 00 degrees 26 minutes 40 seconds East, 273.73 feet; thence North 49 degrees 03 minutes 30 seconds West, 415.97 feet; thence South 58 degrees 49 minutes 04 seconds West, 452.39 feet; thence South 20 degrees 04 minutes 39 seconds East, 52.16 feet; thence South 85 degrees 48 minutes 48 seconds West, 377.39 feet to the West line of said Section 2; thence North 00 degrees 02 minutes 20 seconds West, 948.66 feet to the Point of Beginning, having an area of 34.12 Acres including 4.53 Acres of Road Easement.

**LAND DISTURBING ACTIVITIES  
AFFIDAVIT**

**STATE OF IOWA** :  
: ss  
**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, we, Bradley W. Sweeney and Quendy Sweeney, 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:


That part of the North Half of the Northwest Quarter of Section 2, Township 74 North, Range 26 West of the 5<sup>th</sup> P.M., Madison County, Iowa, described as follows:  
Beginning at the Northwest corner of said Section 2; thence North 85 degrees 48 minutes 48 seconds East, 1479.30 feet along the North line of said Section 2; thence South 00 degrees 24 minutes 08 seconds East, 897.90 feet; thence South 56 degrees 52 minutes 50 seconds West, 40.59 feet; thence South 59 degrees 34 minutes 04 seconds East, 222.88 feet; thence South 82 degrees 31 minutes 08 seconds East, 82.79 feet; thence South 28 degrees 43 minutes 28 seconds East, 56.14 feet; thence South 53 degrees 59 minutes 46 seconds West, 262.37 feet; thence South 84 degrees 37 minutes 35 seconds West, 480.52 feet; thence North 00 degrees 26 minutes 40 seconds East, 273.73 feet; thence North 49 degrees 03 minutes 30 seconds West, 415.97 feet; thence South 58 degrees 49 minutes 04 seconds West, 452.39 feet; thence South 20 degrees 04 minutes 39 seconds East, 52.16 feet; thence South 85 degrees 48 minutes 48 seconds West, 377.39 feet to the West line of said Section 2; thence North 00 degrees 02 minutes 20 seconds West, 948.66 feet to the Point of Beginning, having an area of 34.12 Acres including 4.53 Acres of Road Easement.

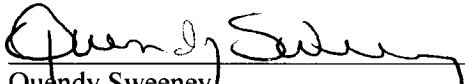
As owner or occupant of the land described above, we are aware that we must establish and maintain soil conservation practices as necessary to meet the soil loss limits established by the Madison County Soil and Water Conservation District, pursuant to sections 161A.43, and 161A.44, Code of Iowa.

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

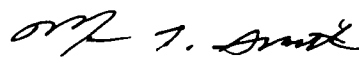
We assume responsibility for all land disturbing activities conducted on this property by us or other people entities we represent. This authority covers only the land and land disturbing activity described above.

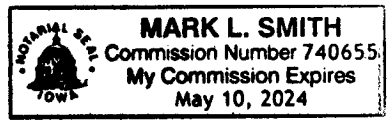
We are the owners of the land, and have full authority to enter into this agreement.

  
\_\_\_\_\_  
Bradley W. Sweeney

  
\_\_\_\_\_  
Quandy Sweeney

Subscribed and sworn to before me by Bradley W. Sweeney and Quandy Sweeney on this \_\_\_\_\_  
day of February 25, 2022.

  
\_\_\_\_\_  
Notary Public in and for the State of Iowa





**ZO-RESOLUTION 05-24-22A**  
**APPROVING FINAL PLAT**  
**SWEENEY ACRES SUBDIVISION**  
**MADISON COUNTY, IOWA**

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 Sweeney Acres Subdivision; an

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

That part of the North Half of the Northwest Quarter of Section 2, Township 74 North, Range 26 West of the 5th P.M., Madison County, Iowa, described as follows:

Beginning at the Northwest corner of said Section 2; thence North 85 degrees 48 minutes 48 seconds East, 1479.30 feet along the North line of said Section 2; thence South 00 degrees 24 minutes 08 seconds East, 897.90 feet; thence South 56 degrees 52 minutes 50 seconds West, 40.59 feet; thence South 59 degrees 34 minutes 04 seconds East, 222.88 feet; thence South 82 degrees 31 minutes 08 seconds East, 82.79 feet; thence South 28 degrees 43 minutes 28 seconds East, 56,14 feet; thence South 53 degrees 59 minutes 46 seconds West, 262.37 feet; thence South 84 degrees 37 minutes 35 seconds West, 480.52 feet; thence North 00 degrees 26 minutes 40 seconds East, 273.73 feet; thence North 49 degrees 03 minutes 30 seconds West, 415.97 feet; thence South 58 degrees 49 minutes 04 seconds West, 452.39 feet; thence South 20 degrees 04 minutes 39 seconds East, 52.16 feet; thence South 85 degrees 48 minutes 48 seconds West, 371 .39 feet to the West line of said Section 2; thence North 00 degrees 02 minutes 20 seconds West, 948.66 feet to the Point of Beginning, having an area of 34.12 Acres including 4.53 Acres of Road Easement.

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 proprietors, Bradley W. Sweeney and Quendy Sweeney, Trustees, or their successors in trust, under the Bradley W. Sweeney Living Trust dated October 14,2015; and Quendy Sweeney and Bradley W. Sweeney, Trustees, or their successors in trust, under the Quendy Sweeney Living Trust dated October 14, 2015.

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 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 said plat, known as Sweeney Acres 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 Sweeney Acres 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.

DATED at Winterset, Iowa this 24 day of May 2022.

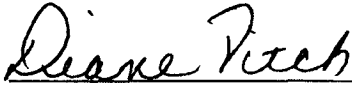
Madison County Board of Supervisors



Phil Clifton, Chairman

Aye

Nay



Diane Fitch, Supervisor

Aye


Nay



Heather Stancil, Supervisor

Aye

Nay

Attest:   
Shelley Kaster  
Madison County Auditor



Document 2022 1579

Book 2022 Page 1579 Type 06 044 Pages 36  
Date 5/27/2022 Time 10:41:10AM  
Rec Amt \$182.00 Aud Amt \$5.00

INDX  
ANNO  
SCAN

LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

CHEK

### SWEENEY ACRES - FINAL PLAT

#### SURVEY LEGEND

#### INDEX LEGEND

- ( ) - Recorded Distance/Bearing
- Road Easement
- Section line
- x-x- Fence line
- Building Setback Line  
(50' Front and Back)  
(25' Sides)

#### Monuments

- ▲ - Found section corner
- - Set 1/2" red plastic capped rebar, #17532
- - Set 12" landscape spike w/ brass washer, #17532

BASIS OF BEARINGS IS IA RCS ZONE 8

LOCATION: N 1/2 OF NW 1/4 OF SECTION 2  
T 74N, R 26W, MADISON COUNTY, IOWA

OWNERS: BRADLEY W SWEENEY LIVING TRUST  
3206 280TH ST., TRURO IA 50257  
&  
QUENDY S SWEENEY LIVING TRUST  
3206 280TH ST., TRURO IA 50257

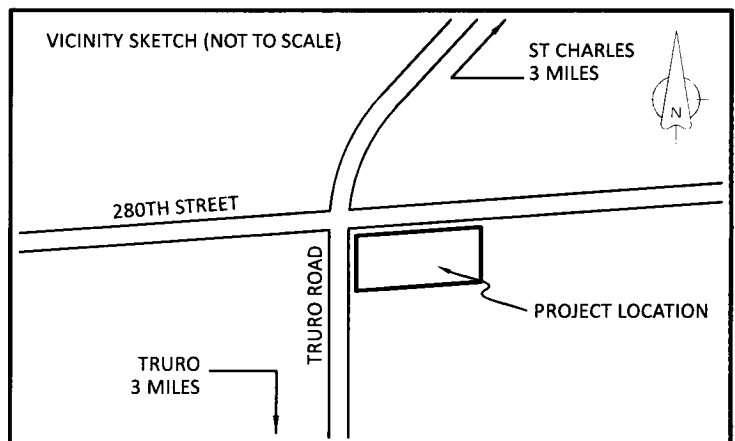
SUBDIVIDER: (OWNER)

PREPARED BY CHAD A. DANIELS  
DANIELS LAND SURVEYING, 22470 18TH LANE, NEW VIRGINIA IA 50210  
RETURN TO: 515-577-2583

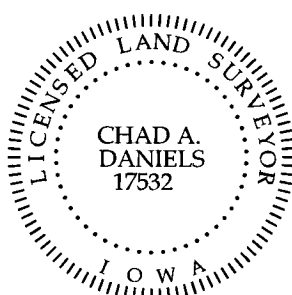
#### DESCRIPTION:

That part of the North Half of the Northwest Quarter of Section 2, Township 74 North, Range 26 West of the 5th P.M., Madison County, Iowa, described as follows;  
Beginning at the Northwest corner of said Section 2; thence North 85 degrees 48 minutes 48 seconds East, 1479.30 feet along the North line of said Section 2; thence South 00 degrees 24 minutes 08 seconds East, 897.90 feet; thence South 56 degrees 52 minutes 50 seconds West, 40.59 feet; thence South 59 degrees 34 minutes 04 seconds East, 222.88 feet; thence South 82 degrees 31 minutes 08 seconds East, 82.79 feet; thence South 28 degrees 43 minutes 28 seconds East, 56.14 feet; thence South 53 degrees 59 minutes 46 seconds West, 262.37 feet; thence South 84 degrees 37 minutes 35 seconds West, 480.52 feet; thence North 00 degrees 26 minutes 40 seconds East, 273.73 feet; thence North 49 degrees 03 minutes 30 seconds West, 415.97 feet; thence South 58 degrees 49 minutes 04 seconds West, 452.39 feet; thence South 20 degrees 04 minutes 39 seconds East, 52.16 feet; thence South 85 degrees 48 minutes 48 seconds West, 377.39 feet to the West line of said Section 2; thence North 00 degrees 02 minutes 20 seconds West, 948.66 feet to the Point of Beginning, having an area of 34.12 Acres including 4.53 Acres of Road Easement.

CURRENT ZONING CLASSIFICATION - A (Agriculture)  
PROPOSED WATER SERVICE - RURAL WATER  
PROPOSED SANITARY SERVICE - INDIVIDUAL SYSTEMS



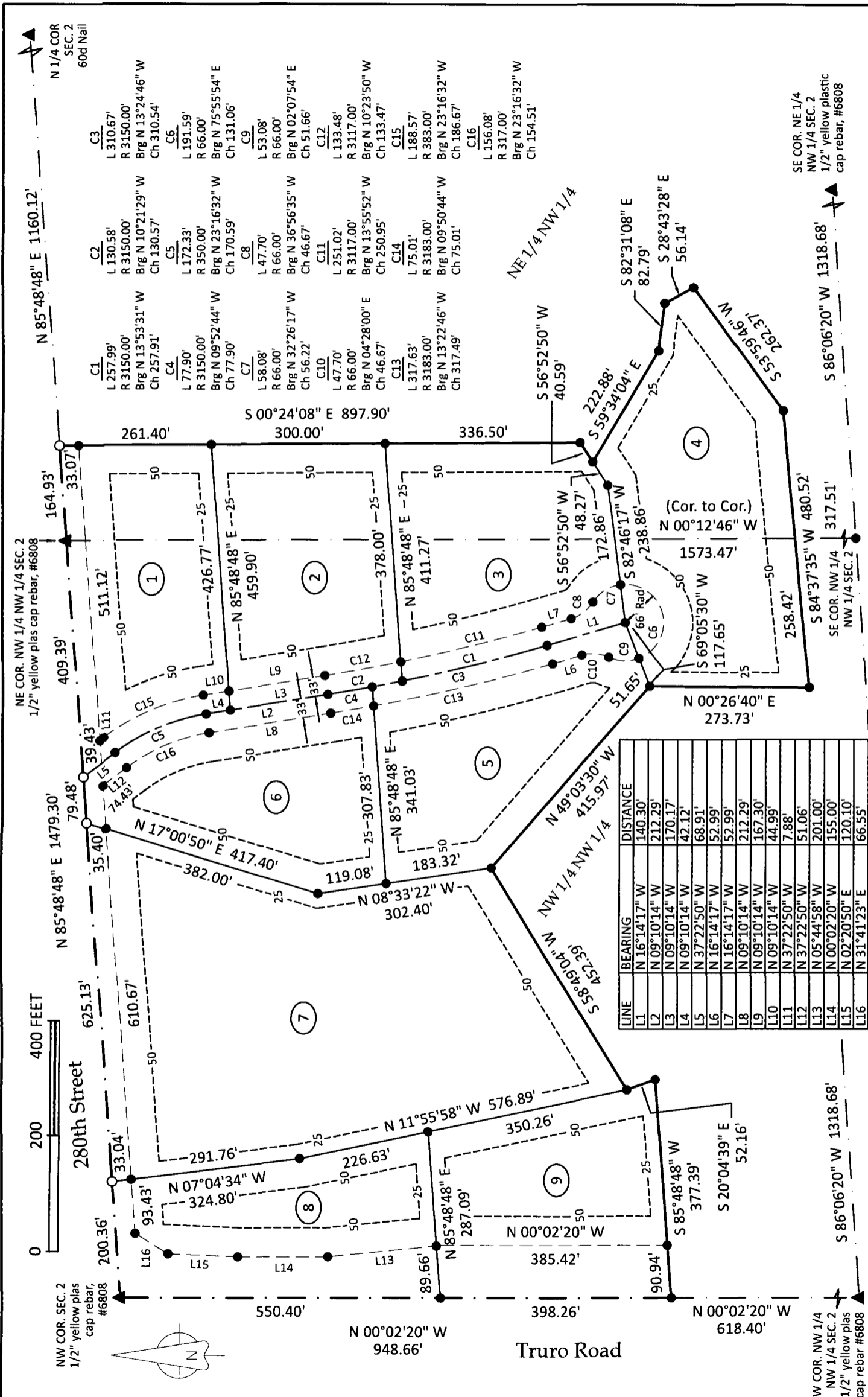
TRACT:	AREA BY TRACT:		
	NET (AC):	R.O.W. (AC):	TOTAL (AC):
LOT 1	2.39	0.61	3.00
LOT 2	2.77	0.23	3.00
LOT 3	2.85	0.34	3.19
LOT 4	3.90	0.15	4.05
LOT 5	2.62	0.38	3.00
LOT 6	2.55	0.45	3.00
LOT 7	8.41	0.47	8.88
LOT 8	1.93	1.07	3.00
LOT 9	2.17	0.83	3.00
TOTAL	29.59	4.53	34.12



I hereby certify that this surveying document was prepared by me and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Signed *Chad A. Daniels* Date *10 May 22*  
Chad A. Daniels Date

Iowa License No. 17532  
My license renewal date is 12-31-2022  
Page No.'s covered by this seal: 1 and 2



LINE	BEARING	DISTANCE
L1	N 16°14'17" W	140.30'
L2	N 09°10'14" W	212.29'
L3	N 09°10'14" W	170.17'
L4	N 09°10'14" W	42.12'
L5	N 37°22'50" W	68.91'
L6	N 16°14'17" W	52.99'
L7	N 16°14'17" W	52.99'
L8	N 09°10'14" W	212.29'
L9	N 09°10'14" W	167.30'
L10	N 09°10'14" W	44.99'
L11	N 37°22'50" W	7.88'
L12	N 37°22'50" W	51.06'
L13	N 05°44'58" W	201.00'
L14	N 00°02'20" W	155.00'
L15	N 02°20'50" E	120.10'
L16	N 31°41'23" E	66.55'

N 1/4 COR  
SEC. 2  
60d Nail

SE COR. NE 1/4  
NW 1/4 SEC. 2  
1/2" yellow plastic  
cap rebar, #6808

SW COR. NW 1/4  
NW 1/4 SEC. 2  
1/2" yellow plastic  
cap rebar #6808