



Document 2022 2976

Book 2022 Page 2976 Type 06 044 Pages 14

Date 10/12/2022 Time 12:00:38PM

Rec Amt \$72.00 Aud Amt \$5.00

DOV# 381

LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

INDX  
ANNO  
SCAN  
CHEK

---

Type of Document

## Prairie Shade Subdivision

**PREPARER INFORMATION:**

Zoning Office for Steven R. & Patricia J. Weeks,

Contact: Mark Smith, attorney for Steven R. & Patricia J. Weeks, 515-462-3731

**TAXPAYER INFORMATION:**

Steven R. & Patricia J. Weeks

608 E. Court Ave

Winterset, IA 50273

**RETURN DOCUMENT TO:**

Steven R. & Patricia J. Weeks

608 E. Court Ave

Winterset, IA 50273

Or

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

Farmers & Merchants Bank Building

PO Box 230

Winterset, IA 50273

**GRANTOR:**

**GRANTEE:**

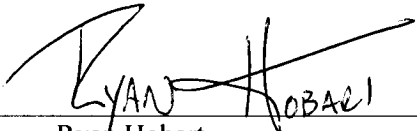
**PLAT AND CERTIFICATE  
FOR PRAIRIE SHADE SUBDIVISION,  
MADISON COUNTY, IOWA**

I, Ryan Hobart, 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 Prairie Shade Subdivision, and that the real estate comprising said plat is described as follows:

**The South Twenty (20) Acres of the East Half (½) of the Northeast Quarter (¼),  
EXCEPT the South Ten (10) rods of the West Sixteen (16) rods thereof, of Section  
Eight (8), in Township Seventy-four (74) North, Range Twenty-eight (28) West of  
the 5<sup>th</sup> P.M., Madison County, Iowa.**

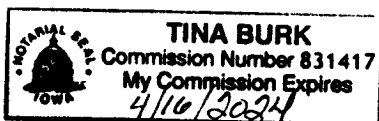
I do further certify that attached hereto are true and correct copies of the following documents which have been submitted in connection with said plat:


1. Dedication of Plat;
  2. Attorney's Opinion;
  3. Certificate from County Treasurer;
  4. Consent of County Auditor to subdivision name;
  5. Agreement with County Engineer;
  6. Madison County Soil and Water Conservation District Land Disturbing Activity Affidavit;
  7. Ground Water Statement;
  8. Resolution of the Board of Supervisors of Madison County, Iowa, approving said plat;
  - 9. LAWFUL FENCE AFFIDAVIT**
- all of which are duly certified in accordance with the Madison County Zoning Ordinance.

  
\_\_\_\_\_  
Ryan Hobart

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 26<sup>th</sup> day of September 2022, by Ryan Hobart.



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

**DEDICATION OF PLAT  
OF  
PRAIRIE SHADE SUBDIVISION  
MADISON COUNTY, IOWA**

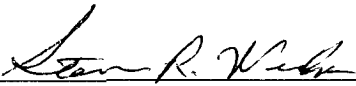
KNOW ALL MEN BY THESE PRESENTS:

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

**The South Twenty (20) Acres of the East Half (1/2) of the Northeast Quarter (1/4),  
EXCEPT the South Ten (10) rods of the West Sixteen (16) rods thereof, of Section  
Eight (8), in Township Seventy-four (74) North, Range Twenty-eight (28) West of  
the 5<sup>th</sup> P.M., Madison County, Iowa.**

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 owners of said  
real estate.

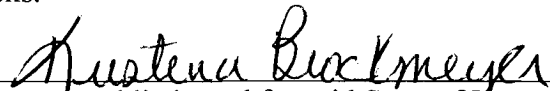
DATED this 24 day of June, 2022.

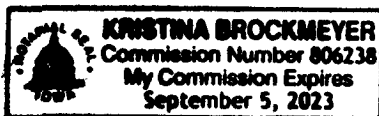
  
\_\_\_\_\_  
Steven R. Weeks

  
\_\_\_\_\_  
Patricia J. Weeks

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 24 day of June,  
2022, by Steven R. Weeks and Patricia J. Weeks.

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



**ATTORNEY'S OPINION FOR FINAL PLAT  
PRAIRIE SHADE 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 June 16, 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, Prairie Shade Subdivision, Madison County, Iowa.

**The South Twenty (20) Acres of the East Half (½) of the Northeast Quarter (¼), EXCEPT the South Ten (10) rods of the West Sixteen (16) rods thereof, of Section Eight (8), in Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5<sup>th</sup> P.M., Madison County, Iowa.**

In my opinion, merchantable title to the above-described property is in the name of the Steven R. Weeks and Patricia J. Weeks, as Joint Tenants with Full Rights of Survivorship and Not as Tenants in Common, subject to the following:

1. The following Easements are shown of record:
  - a. An Easement is shown to Standard Oil Company, dated April 28, 1941, and filed August 27, 1941, in Deed Record 75, Page 487 of the Recorder's Office of Madison County, Iowa, for the right to lay, maintain, inspect, operate, replace, change or remove pipeline for the transportation of oil, gas, gasoline, or other petroleum products, with the right of ingress and egress to the same. This Easement is assigned multiple times. The last assignment of conveyance is shown to Buckeye Pipe Line Transportation LLC filed August 16, 2011, in Book 2011, Page 2173 in the Recorder's Office of Madison County, Iowa, and they would be the current owner of this Easement. There is also a showing of a Memorandum of Right of First Refusal in which if Buckeye Pipe Line Transportation LLC ever sells this Easement, BP Products North America, Inc., shall be granted a first right of refusal. This Memorandum of Right of First Refusal is filed January 30, 2012, in Book 2012, Page 286 of the Recorder's Office of Madison County, Iowa.
  - b. A Limited Easement is shown to Southern Iowa Rural Water Association, dated August 8, 2000, and filed October 5, 2000, in Book 144, Page 164 of the Recorder's Office of Madison County, Iowa, for a waterline and all

necessary appurtenances thereto.

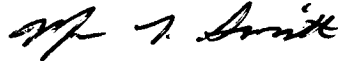
2. A Warranty Deed is shown to W.H. Anderson dated November 12, 1947, and filed December 3, 1947, in Deed Record 82, Page 503 of the Recorder's Office of Madison County, Iowa, from Union Central Life Insurance Company, in which Union Central Life Insurance Company reserves unto itself an undivided one-half interest in all oil, gas, and other hydrocarbons and minerals on the property. A Notice of Intent to Reserve these mineral rights was filed November 9, 2021, in Book 2021, Page 4641 of the Recorder's Office of Madison County, Iowa, by Ameritus Life Insurance Company, who is a successor in interest to the Union Central Life Insurance Company.
3. Taxes payable in the fiscal year beginning July 1, 2021, are shown as:

First half paid in the amount of \$830.

Second half paid in the amount of \$830.

Respectfully submitted,

JORDAN, OLIVER & WALTERS, P.C.



Mark L. Smith, Title Guaranty No. 10074

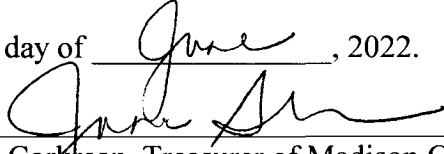
**CERTIFICATE OF THE COUNTY TREASURER  
OF MADISON COUNTY, IOWA**

---

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

**The South Twenty (20) Acres of the East Half (½) of the Northeast Quarter (¼), EXCEPT the South Ten (10) rods of the West Sixteen (16) rods thereof, of Section Eight (8), in Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5<sup>th</sup> P.M., Madison County, Iowa.**

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

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

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

PRAIRIE SHADE SUBDIVISION

For property located at:

**The South Twenty (20) Acres of the East Half ( $\frac{1}{2}$ ) of the Northeast Quarter ( $\frac{1}{4}$ ),  
EXCEPT the South Ten (10) rods of the West Sixteen (16) rods thereof, of  
Section Eight (8), in Township Seventy-four (74) North, Range Twenty-eight  
(28) West of the 5<sup>th</sup> P.M., Madison County, Iowa.**

And owned by: Steven R.  
Weeks and Patricia J. Weeks

Has been approved on the 5<sup>th</sup> day of July, 2022.

Auditor, Madison County, Iowa.

By Shelley Kast

**AGREEMENT**

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

NOW THEREFORE IT IS AGREED AS FOLLOWS:

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

**The South Twenty (20) Acres of the East Half (1/2) of the Northeast Quarter (1/4), EXCEPT the South Ten (10) rods of the West Sixteen (16) rods thereof, of Section Eight (8), in Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5<sup>th</sup> P.M., Madison County, Iowa.**

hereby agree that all private roads located within Prairie Shade 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: 6-22, 2022.

PROPRIETORS OF PRAIRIE SHADE SUBDIVISION

Steven R. Weeks  
Steven R. Weeks

Mike Hackett 6-27-22  
Mike Hackett, Madison County Engineer

Patricia J. Weeks  
Patricia J. Weeks



Prepared by: Mark L. Smith, PO BOX 230, Winterset, IA 50273 515/462-3731  
Return to: Mark L. Smith, PO BOX 230, Winterset, IA 50273 515/462-3731

---

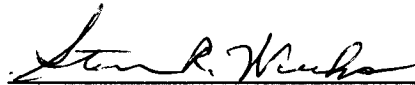
**AFFIDAVIT**

**STATE OF IOWA** :  
: ss  
**MADISON COUNTY** :

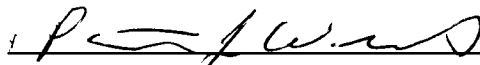
We, Steven R. Weeks and Patricia J. Weeks, first being duly sworn on oath state that this Affidavit concerns the chain of title to the following described real estate:

The South Twenty (20) Acres of the East Half (½) of the Northeast Quarter (¼), EXCEPT the South Ten (10) rods of the West Sixteen (16) rods thereof, of Section Eight (8), in Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5<sup>th</sup> P.M., Madison County, Iowa.

We further state that there is a lawful fence surrounding the boundary lines of the above described real estate.



Steven R. Weeks



Patricia J. Weeks

Subscribed and sworn to before me on this 23 day of September, 2022.



Notary Public in and for the State of Iowa



**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, Steven R. Weeks and Patricia J. Weeks, being first duly sworn on oath, do solemnly swear to affirm that:

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

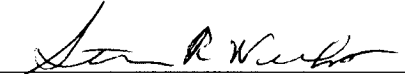
**The South Twenty (20) Acres of the East Half (½) of the Northeast Quarter (¼), EXCEPT the South Ten (10) rods of the West Sixteen (16) rods thereof, of Section Eight (8), in Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5<sup>th</sup> P.M., Madison County, Iowa.**


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.

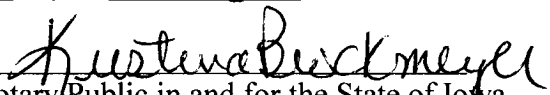
We assume responsibility for all land disturbing activities conducted on this property by us or other people entities we represent. This authority covers only the land and land disturbing activity described above.

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

  
\_\_\_\_\_  
Steven R. Weeks

  
\_\_\_\_\_  
Patricia J. Weeks

Subscribed and sworn to before me on this 29 day of June, 2022.

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



**ZO-RESOLUTION-10-11-22A  
APPROVING FINAL PLAT  
OF PRAIRIE SHADE 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 Prairie Shade Subdivision; and

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

**The south Twenty (20) Acres of the East Half (1/2) of the Northeast Quarter (1/4), EXCEPT the South Ten (10) rods of the West Sixteen (16) rods thereof, of Section Eight (8), in Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.**

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, Steven R. Weeks and Patricia J. Weeks; and

WHEREAS, said plat was accompanied by a complete abstract of title and an opinion from an attorney at law showing that title in fee simple is in said proprietor and that the platted land is free from encumbrance, and 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 Prairie Shade 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 Prairie Shade 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 1<sup>st</sup> day of October 2022.

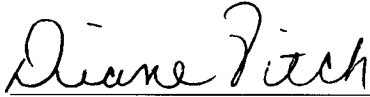
Madison County Board of Supervisors



Phillip Clifton, Chairman

Aye

Nay



Diane Fitch, Supervisor

Aye

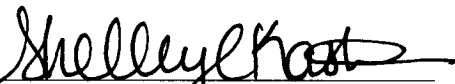
Nay



Heather Stancil, Supervisor

Aye

Nay

Attest: 

Shelley D. Kaster  
Madison County Auditor



Document 2022 2976

Book 2022 Page 2976 Type 06 044 Pages 14  
Date 10/12/2022 Time 12:00:38PM  
Rec Amt \$72.00 Aud Amt \$5.00

INDX  
ANNO  
SCAN  
CHEK

DOV# 381

LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

### PRAIRIE SHADE SUBDIVISION - FINAL PLAT

#### INDEX LEGEND

LOCATION: E 1/2 OF NE 1/4 OF SECTION 8  
T 74N, R 28W, MADISON COUNTY, IOWA

OWNER: STEVEN R & PATRICIA J WEEKS  
608 E COURT AVE., WINTERSET IA 50273

SURVEY FOR: (OWNER)

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

#### SURVEY LEGEND

- ( ) - Recorded Distance/Bearing
- 33' Road Easement
- - - Section line
- \* - \* - Fence line
- ⊠ Existing Driveway

#### Monuments

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

BASIS OF BEARINGS IS IA RCS ZONE 8

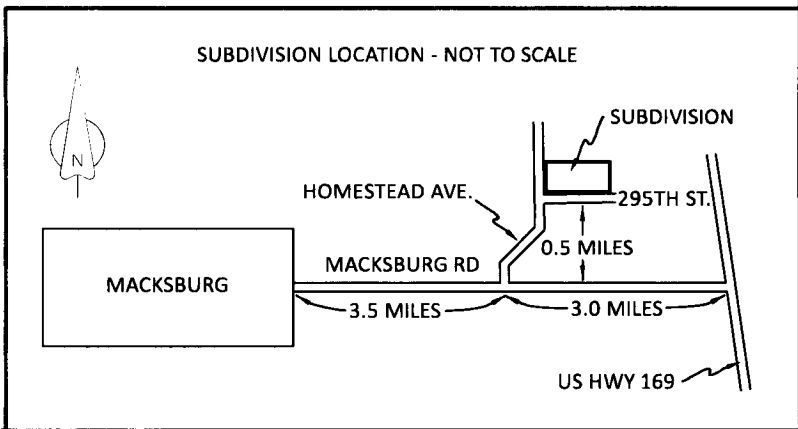
#### DESCRIPTION (BOOK 126 PAGE 593):

The South 20 Acres of the East Half ( 1/2 ) of the Northeast Quarter ( 1/4 ), except the South 10 rods of the West 16 rods thereof, of Section Eight (8), in Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.

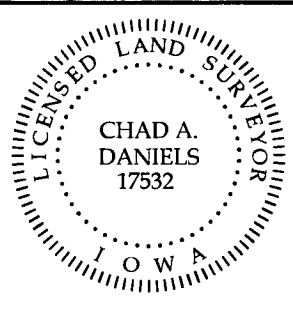
#### ADJACENT LANDOWNERS (NUMBERS IN A BOX):

- 1 - SHERYL A ARMENT REV TRUST ET AL, 2941 HOMESTEAD AVE., LORIMOR IA 50149
- 2 - MICHAEL & DIXIE ERDMAN, 1829 275TH ST., WINTERSET IA 50273
- 3 - STEVEN & PATRICIA WEEKS, 608 E COURT AVE., WINTERSET IA 50273
- 4 - SHANE BERRY, 1794 295TH ST., LORIMOR IA 50149
- 5 - CURT SANDAHL REV TRUST ET AL, 3043 HERITAGE AVE., LORIMOR IA 50149
- 6 - PAMELA KEMP, 10580 W 74TH PL, ARVADA CO 80005

CURRENT ZONING - A-1(AGRICULTURE)  
PROPOSED WATER - WARREN WATER  
PROPOSED SEWER - INDIVIDUAL SYSTEMS



TRACT:	AREA BY TRACT:		
	NET (AC):	R.O.W. (AC):	TOTAL (AC):
LOT 1	4.31	0.32	4.63
LOT 2	13.99	0.79	14.78
<b>TOTAL</b>	<b>18.30</b>	<b>1.11</b>	<b>19.41</b>



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 Professional Land Surveyor under the laws of the State of Iowa.

Signed Chad A. Daniels Date 9 SEP 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

