



Document 2022 3663

Book 2022 Page 3663 Type 06 044 Pages 14

Date 12/16/2022 Time 8:29:57AM

Rec Amt \$72.00 Aud Amt \$5.00

INDX
ANNO
SCAN

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

Type of Document

Clayton Acres Subdivision

PREPARER INFORMATION:

Zoning Office for Dennis G. Clayton,

Contact: Mark Smith, attorney for Dennis G. Clayton, 515-462-3731

TAXPAYER INFORMATION:

Dennis G. Clayton

2387 130th St.

Van Meter, IA 50261

RETURN DOCUMENT TO:

Dennis G. Clayton

2387 130th St.

Van Meter, IA 50261

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
CLAYTON ACRES SUBDIVISION**

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 Clayton Acres Subdivision; and, that the real estate comprising said plat is described as follows:

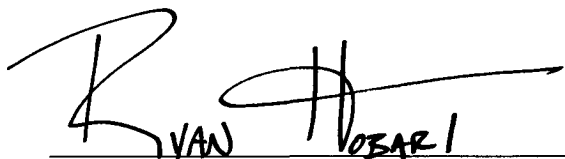
Parcel "B", a part of Parcel "A" located in the East Half (½) of the Southeast Quarter (¼) of Section Seventeen (17), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 38.47 acres, as shown in Plat of Survey filed in Book 2003, Page 1406 on March 13, 2003, and corrected in Affidavit filed in Book 2003, Page 3470 on June 16, 2003, in the Office of the Recorder of Madison County, Iowa.

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

- 1) Dedication of Plat of Clayton Acres Subdivision;
- 2) Attorney's Opinion;
- 3) Certificate of Treasurer;
- 4) Auditor's Approval;
- 5) Ground Water Statement;
- 6) Agreement with County Engineer;
- 7) Land Disturbing Activity;
- 8) Resolution of Board of Supervisors;
- 9) Fence Affidavit;

all of which are duly certified in accordance with the Madison County Subdivision Ordinances.

Dated this 5TH day of DECEMBER, 2022.

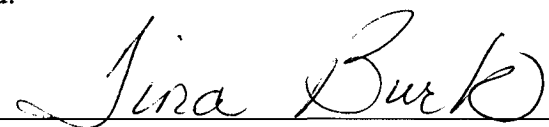


Ryan Hobart, Zoning Administrator

STATE OF IOWA, MADISON COUNTY, ss:

On this 5th day of December, 2022, before me, the undersigned, a Notary Public in and for the said State, personally appeared, Ryan Hobart, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.





Notary Public in and for the State of Iowa

**DEDICATION OF PLAT
OF
CLAYTON ACRES SUBDIVISION**

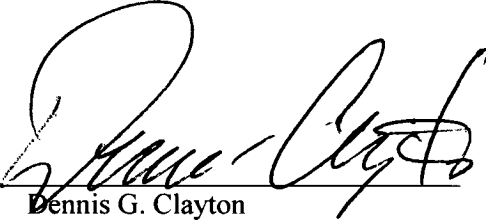
KNOW ALL MEN BY THESE PRESENT:

That Dennis G. Clayton, does hereby certify that he is the sole owner and proprietor of the following-described real estate:

Parcel "B", a part of Parcel "A" located in the East Half (½) of the Southeast Quarter (¼) of Section Seventeen (17), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 38.47 acres, as shown in Plat of Survey filed in Book 2003, Page 1406 on March 13, 2003, and corrected in Affidavit filed in Book 2003, Page 3470 on June 16, 2003, in the Office of the Recorder of Madison County, Iowa.

That the subdivision of the above described real estate, as shown by the Final Plat of Clayton Acres Subdivision is with the free consent and in accordance with the owner's desire as owner of said real estate.

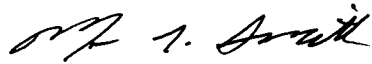
Dated this 22 day of October, 2022.



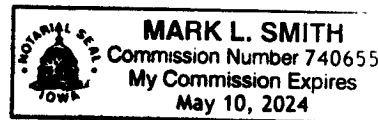
Dennis G. Clayton

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 21st day of October, 2022, by Dennis G. Clayton.



Notary Public in and for said State of Iowa



**ATTORNEY'S OPINION FOR FINAL PLAT
CLAYTON 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 October 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, Clayton Acres Subdivision, Madison County, Iowa.

Parcel "B", a part of Parcel "A" located in the East Half (½) of the Southeast Quarter (¼) of Section Seventeen (17), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 38.47 acres, as shown in Plat of Survey filed in Book 2003, Page 1406 on March 13, 2003, and corrected in Affidavit filed in Book 2003, Page 3470 on June 16, 2003, in the Office of the Recorder of Madison County, Iowa.

In my opinion, merchantable title to the above-described property is in the name of the Dennis G. Clayton, free and clear of all liens and encumbrances, except:

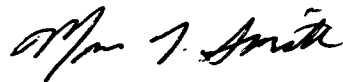
1. The following Easements are shown of record:
 - a. Entry No. 18 shows an Easement granted to Warren Water, Inc., its successors and assigns, dated January 4, 2001, and filed January 31, 2001, in Book 2001, Page 334 of the Recorder's Office of Madison County, Iowa, for waterline and all necessary appurtenances thereto.
 - b. Entry No. 41 shows an Overhead Electric Line Easement granted to Midamerican Energy Company, its successors and assigns, dated October 27, 2003, and filed November 19, 2003, in Book 2003, Page 6915 of the Recorder's Office of Madison County, Iowa, for an overhead electric transmission line and all necessary appurtenances thereto.

c. Entry No. 44 shows an Easement granted to Warren Water District, its successors and assigns, dated September 1, 2004, and filed December 14, 2004, in Book 2004, Page 5890 of the Recorder's Office of Madison County, Iowa, for a waterline and all necessary appurtenances thereto.

d. Entry No. 28 shows the Plat of Survey for the real estate under examination, dated March 12, 2003, and filed March 13, 2003, in Book 2003, Page 1406 of the Recorder's Office of Madison County, Iowa. At Entry No. 40 an Affidavit is shown filed by the Surveyor on June 16, 2003, in Book 2003, Page 3470 of the Recorder's Office of Madison County, Iowa. This Affidavit simply corrects a scrivener's error in the Plat of Survey. You should familiarize yourself with this Plat of Survey as it is a good source of information regarding boundary lines, dimensions, road frontages and for a general view of the real estate under examination.

Respectfully submitted,

JORDAN, OLIVER & WALTERS, P.C.

A handwritten signature in black ink, appearing to read "Mark L. Smith". The signature is written in a cursive style with a horizontal line through the middle of the letters.

Mark L. Smith, Title Guaranty No. 10074

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

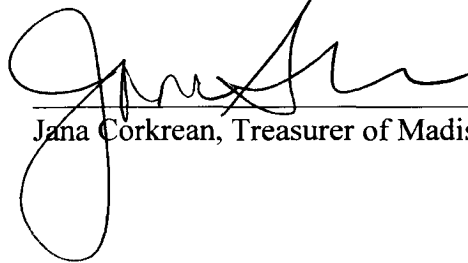
I, Jana Corkrean, do hereby certify that I am the duly elected and acting Treasurer of Madison County, Iowa; that I have examined the records in my office, and that there are no unpaid taxes forming a lien against the following-described real estate, to-wit:

CLAYTON ACRES SUBDIVISION

Parcel "B", a part of Parcel "A" located in the East Half (½) of the Southeast Quarter (¼) of Section Seventeen (17), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 38.47 acres, as shown in Plat of Survey filed in Book 2003, Page 1406 on March 13, 2003, and corrected in Affidavit filed in Book 2003, Page 3470 on June 16, 2003, in the Office of the Recorder of Madison County, Iowa.

Owned by: Dennis G. Clayton.

DATED at Winterset, Iowa, this 31 day of October, 2022.



Jana Corkrean, Treasurer of Madison County, Iowa

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

CLAYTON ACRES SUBDIVISION

For property located at:

Parcel "B", a part of Parcel "A" located in the East Half (½) of the Southeast Quarter (¼) of Section Seventeen (17), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 38.47 acres, as shown in Plat of Survey filed in Book 2003, Page 1406 on March 13, 2003, and corrected in Affidavit filed in Book 2003, Page 3470 on June 16, 2003, in the Office of the Recorder of Madison County, Iowa.

And owned by: Dennis G. Clayton

Has been approved on the 25th day of October, 2022.

Auditor, Madison County, Iowa.

By 
Shelley D. Kaster, Auditor

AGREEMENT

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

NOW THEREFORE IT IS AGREED AS FOLLOWS:

1. The proprietor of Clayton Acres Subdivision, a Plat of the following described real estate:

Parcel "B", a part of Parcel "A" located in the East Half (½) of the Southeast Quarter (¼) of Section Seventeen (17), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 38.47 acres, as shown in Plat of Survey filed in Book 2003, Page 1406 on March 13, 2003, and corrected in Affidavit filed in Book 2003, Page 3470 on June 16, 2003, in the Office of the Recorder of Madison County, Iowa.

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

Date: October 22, 2022.

PROPRIETORS OF CLAYTON ACRES


Dennis G. Clayton

 10/21/22
Mike Hackett, Madison County Engineer

**LAND DISTURBING ACTIVITIES
AFFIDAVIT**

STATE OF IOWA :
 :
 :
MADISON COUNTY :

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

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

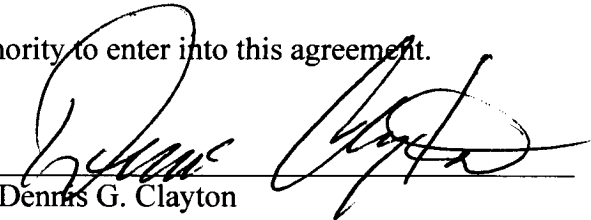
Parcel "B", a part of Parcel "A" located in the East Half (½) of the Southeast Quarter (¼) of Section Seventeen (17), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 38.47 acres, as shown in Plat of Survey filed in Book 2003, Page 1406 on March 13, 2003, and corrected in Affidavit filed in Book 2003, Page 3470 on June 16, 2003, in the Office of the Recorder of Madison County, Iowa.

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

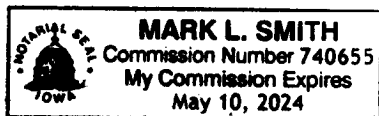
I am aware that loss limit regulations prohibit sediment from leaving the site in excess of 5 tons per acre per year. The land disturbing activities described above will be conducted in a manner that will insure compliance with the soil loss limit regulations.

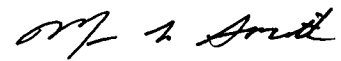
I assume responsibility for all land disturbing activities conducted on this property by us or other people entities we represent. This authority covers only the land and land disturbing activity described above.

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


Dennis G. Clayton

Subscribed and sworn to before me by Dennis G. Clayton on this 25th day of October, 2022.




Notary Public in and for the State of Iowa

ZO – Resolution 12-13-22A
RESOLUTION APPROVING FINAL PLAT
OF CLAYTON 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 Clayton Acres Subdivision; and

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

Parcel "B", a part of Parcel "A" located in the East Half (½) of the Southeast Quarter (¼) of Section Seventeen (17), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 38.47 acres, as shown in Plat of Survey filed in Book 2003, Page 1406 on March 13, 2003, and corrected in Affidavit filed in Book 2003, Page 3470 on June 16, 2003, in the Office of the Recorder of 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 proprietor, Dennis G. Clayton.

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 Clayton 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:

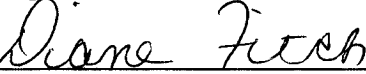
1. That said plat, known as Clayton Acres Subdivision, prepared in connection with said plat and subdivision is hereby approved.
2. The Zoning Administrator of Madison County, Iowa, is hereby directed to certify this resolution which shall be affixed to said plat to the County Recorder of Madison County, 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 13th day of December, 2022.

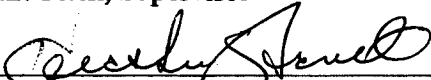
MADISON COUNTY BOARD OF SUPERVISORS

By 
Phillip Clifton, Chairman

Aye Nay

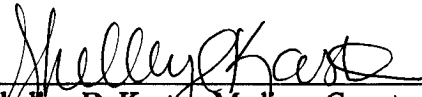
By 
Diane Fitch, Supervisor

Aye Nay

By 
Heather Stancil, Supervisor

Aye Nay

ATTEST:


Shelley D. Kaster, Madison County Auditor

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

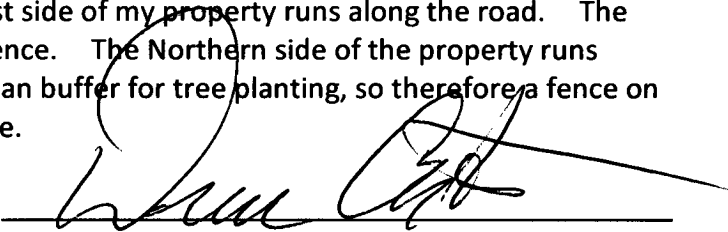
AFFIDAVIT

STATE OF IOWA :
: SS
MADISON COUNTY :

I, Dennis G. Clayton, first being duly sworn on oath state that this Affidavit concerns the chain of title to the following described real estate:

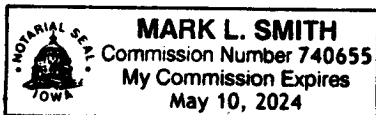
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I further state that the South and East side of my property runs along the road. The West side of the property has a compliant fence. The Northern side of the property runs along Clanton Creek, which is also CRP riparian buffer for tree planting, so therefore a fence on the North side is unnecessary, and unfeasible.


Dennis G. Clayton

Subscribed and sworn to before me on this 27 day of October
2022.


Notary Public in and for the State of Iowa



Document 2022 3663

Book 2022 Page 3663 Type 06 044 Pages 14
 Date 12/16/2022 Time 8:29:57AM
 Rec Amt \$72.00 Aud Amt \$5.00

INDX
 ANNO
 SCAN
 CHEK

LISA SMITH, COUNTY RECORDER
 MADISON COUNTY IOWA

MISCELLANEOUS ITEMS

OWNER/DEVELOPER:
 Dennis Clayton
 2387 - 130th Street
 Van Meter, Ia 50281
 515-402-2775

SURVEYOR:
 Boldman Surveying & Consulting
 521 West Green St
 Winterset, Ia 50273
 (515)482-8242

Zoning:
 Agricultural (A-1)
 Min Side yard-25' total of 50'
 Min Front yard-50' from existing right of way
 Min Rear yard-50'
 Min Lot width-150'
 Max Height-35'

UTILITIES:
 Water-Warren Water
 Sewer-Private septic
 Electric-Mid American
 Cable-Century Link

LEGEND OF SYMBOLS & ABBREVIATIONS

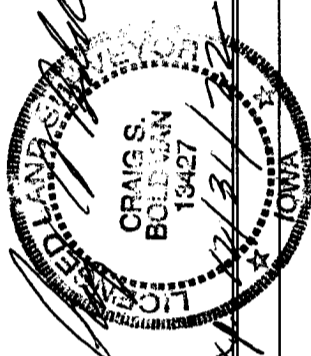
- BLACK CHAIN LINK FENCE
- 6' WOOD PRIVACY FENCE
- ROAD CENTERLINE
- DITCH
- BUILDING
- BUILDING SETBACK LINE (B.S.L.)
- OVERHEAD ELECTRIC
- CABLE
- PROPERTY BOUNDARY
- WATER LINE
- LOTLINE
- ELECTRIC METER
- TRAFFIC SIGN
- WATER METER PIT
- CABLE BOX
- SET 1/2" O.C.I.R. #13427
- FOUND Y.C.I.R. #6508
- FOUND O.C.I.R. #13427
- POWER POLE
- ELECTRIC TRANSFORMER
- FIRE HYDRANT
- Y.C.I.R.-YELLOW CAPPED IRON ROD
- O.C.I.R.-ORANGE CAPPED IRON ROD
- (XXXX)-RECORD DIMENSION

FLOOD NOTE

THE PROPERTY DESCRIBED ON THIS SURVEY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA (SFHA) AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND THE FEDERAL EMERGENCY RATE MAP IDENTIFIED AS COMMUNITY PLAN NO. 150087, MADISON COUNTY BEARING AN EFFECTIVE DATE OF JUNE 8, 2017.

PROJECT REVISION RECORD

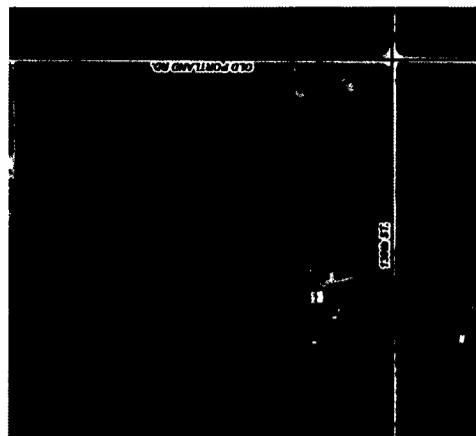
DATE	DESCRIPTION
10/27/22	FIRST DRAFT
	CLIENT COMMENTS
	CLIENT COMMENTS
	FIELD WORK
	DRAWN
	CHECKED BY
	FS & PG



LEGAL DESCRIPTION

Clayton Acres being all of Parcel "B" located in the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 17, Township 77 North, Range 27 West of the Eastern Range, Madison County, Iowa, more particularly described as follows: Beginning at the Northwest corner of the SE 1/4, SE 1/4, W 1/4 of said Section 17; thence S 07°11'31" W a distance of 829.07'; thence S 89°43'41" W a distance of 287.87'; thence S 07°10'34" W a distance of 487.93'; thence S 89°43'17" W a distance of 1057.28'; thence N 07°10'27" E a distance of 1318.85'; thence N 89°48'10" E a distance of 985.47'; thence N 39°41'53" E a distance of 321.21'; thence N 89°48'10" E a distance of 140.00'; thence S 07°11'21" W a distance of 250.00' to the point of beginning. Containing 38.473 acres including 1.182 acres of county road right of way easement.

VICINITY MAP - NOT TO SCALE



Submitted 10/12/22



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

Signature: _____ Date: _____
 Name: Craig S. Boldman, P.L.S. No. 13427
 Renewal date is December 31, 2022
 Paper or sheets covered by this seal: _____

FINAL PLAT
 CLAYTON ACRES
 MADISON COUNTY, IOWA

BOLDMAN SURVEYING & CONSULTING
 521 WEST GREEN ST
 WINTERSSET, IA 50273
 (515) 482-8242 C. (515) 971-8242
 www.boldmansurveying.com