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Rec Amt \$102.00 Aud Amt \$5.00

INDX  
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BRANDY MACUMBER, COUNTY RECORDER  
MADISON COUNTY IOWA

CHEK

**Arbor Park Plat 5 Subdivision**

**PREPARER INFORMATION:** Andrew Barden, City and Zoning Clerk, 124 W Court Ave, Winterset 50273 (515)462-1422

**TAXPAYER INFORMATION:** Corkrean Development 65 W Jefferson Winterset, Iowa 50273

**RETURN DOCUMENT TO:** Andrew Barden, City and Zoning Clerk, 124 W Court Ave, Winterset 50273

**GRANTOR:** See attached    **GRANTEE:** See attached

**LEGAL DESCRIPTION:** (if applicable)  
See page: See attached

**Document or instrument of associated documents previously recorded:**  
(if applicable)

**PLAT AND CERTIFICATE  
FOR  
ARBOR PARK PLAT 5  
AN ADDITION TO THE CITY OF WINTERSET,  
MADISON COUNTY, IOWA**

I, Andrew Barden, Zoning Administrator of the City of Winterset, Iowa, do hereby certify that the Plat to which this certificate is attached is a plat of a subdivision known and designated as Arbor Park Plat 5, an Addition to the City of Winterset, Madison County, Iowa; and, that the real estate comprising said plat is described as follows:

**A part of Lot 14, C & C Allen's Addition, an official plat in the City of Winterset, Madison County, Iowa, and more particularly described as follows: Beginning at the Northeast corner of Arbor Park Plat 4 an official plat in said City of Winterset; thence North 89°47'27" West along the Northerly line of said Arbor Park Plat 4, a distance of 419.32 feet; thence North 89°50'05" West continuing along said Northerly line, 66.00 feet; thence South 00°09'55" West continuing along said Northerly line, 29.33 feet; thence North 89°21'07" West continuing along said Northerly line, 129.72 feet to the Northwest corner of said Arbor Park Plat 4, said point also being on the Westerly line of said Lot 14; thence North 00°12'21" East along the Westerly line, 333.52 feet; thence North 05°30'02" East continuing along said Westerly line, 51.37 feet to the Southwest corner of Lot 1, Woodland Hills Plat 1, an official plat in said City of Winterset; thence South 89°47'27" East along the Southerly line of said Lot 1 and Easterly extension thereof, 610.46 feet, said Easterly extension also being the Westerly line of Parcel "G" of said Lot 14, as shown on the Plat of Survey recorded in Book 2, Page 389; ; thence south 00°14'14" West continuing along said Westerly line, 356.28 feet to the point of beginning and containing 5.11 acres (222,777 square feet). The property is subject to any and all easements of record.**

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 Arbor Park Plat 5, an Addition to the City of Winterset, Madison County, Iowa;
- 2) Consent of Mortgagee, Farmers & Merchants State Bank;
- 3) Attorney's Opinion;

- 4) Certificate of Treasurer;
- 5) Auditor's Approval;
- 6) Ground Water Statement;
- 7) Land Disturbing Activities;
- 8) Deed of Restrictions;
- 9) Resolution of Winterset City Council;

all of which are duly certified in accordance with the Winterset Zoning Ordinance.

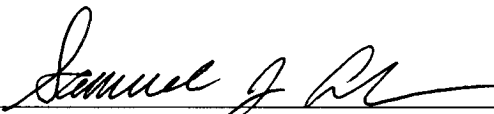
Dated this 5<sup>th</sup> day of June, 2023.

  
\_\_\_\_\_  
Andrew Barden, Zoning Administrator

STATE OF IOWA, MADISON COUNTY, ss:

On this 5<sup>th</sup> day of June, 2023, before me, the undersigned, a Notary Public in and for the said State, personally appeared, Andrew Barden, 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  
ARBOR PARK PLAT 5  
TO THE CITY OF WINTERSET, MADISON COUNTY, IOWA**

**KNOW ALL MEN BY THESE PRESENT:**

That Corkrean Development, Inc., does hereby certify that they are the sole owners and proprietors of the following-described real estate:

**A part of Lot 14, C & C Allen's Addition, an official plat in the City of Winterset, Madison County, Iowa, and more particularly described as follows: Beginning at the Northeast corner of Arbor Park Plat 4 an official plat in said City of Winterset; thence North 89°47'27" West along the Northerly line of said Arbor Park Plat 4, a distance of 419.32 feet; thence North 89°50'05" West continuing along said Northerly line, 66.00 feet; thence South 00°09'55" West continuing along said Northerly line, 29.33 feet; thence North 89°21'07" West continuing along said Northerly line, 129.72 feet to the Northwest corner of said Arbor Park Plat 4, said point also being on the Westerly line of said Lot 14; thence North 00°12'21" East along the Westerly line, 333.52 feet; thence North 05°30'02" East continuing along said Westerly line, 51.37 feet to the Southwest corner of Lot 1, Woodland Hills Plat 1, an official plat in said City of Winterset; thence South 89°47'27" East along the Southerly line of said Lot 1 and Easterly extension thereof, 610.46 feet, said Easterly extension also being the Westerly line of Parcel "G" of said Lot 14, as shown on the Plat of Survey recorded in Book 2, Page 389; ; thence south 00°14'14" West continuing along said Westerly line, 356.28 feet to the point of beginning and containing 5.11 acres (222,777 square feet). The property is subject to any and all easements of record.**

That the subdivision of the above described real estate, as shown by the Final Plat of Arbor Park Plat 5 is with the free consent and in accordance with the owners' desires as owners of said real estate.

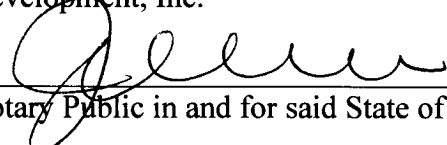
Dated this 18<sup>th</sup> day of May, 2023.

CORKREAN DEVELOPMENT, INC.

By   
Peter J. Corkrean, President

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 18 day of May, 2023, by Peter J. Corkrean as President of Corkrean Development, Inc.

  
Notary Public in and for said State of Iowa



**CONSENT TO PLATTING  
BY FARMERS & MERCHANTS STATE BANK**

Farmers & Merchants State Bank does consent to the platting and subdivision of the following-described real estate:

**A part of Lot 14, C & C Allen's Addition, an official plat in the City of Winterset, Madison County, Iowa, and more particularly described as follows: Beginning at the Northeast corner of Arbor Park Plat 4 an official plat in said City of Winterset; thence North 89°47'27" West along the Northerly line of said Arbor Park Plat 4, a distance of 419.32 feet; thence North 89°50'05" West continuing along said Northerly line, 66.00 feet; thence South 00°09'55" West continuing along said Northerly line, 29.33 feet; thence North 89°21'07" West continuing along said Northerly line, 129.72 feet to the Northwest corner of said Arbor Park Plat 4, said point also being on the Westerly line of said Lot 14; thence North 00°12'21" East along the Westerly line, 333.52 feet; thence North 05°30'02" East continuing along said Westerly line, 51.37 feet to the Southwest corner of Lot 1, Woodland Hills Plat 1, an official plat in said City of Winterset; thence South 89°47'27" East along the Southerly line of said Lot 1 and Easterly extension thereof, 610.46 feet, said Easterly extension also being the Westerly line of Parcel "G" of said Lot 14, as shown on the Plat of Survey recorded in Book 2, Page 389; ; thence south 00°14'14" West continuing along said Westerly line, 356.28 feet to the point of beginning and containing 5.11 acres (222,777 square feet). The property is subject to any and all easements of record,**

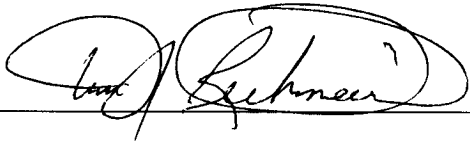
in accordance with the ordinances of Madison County, Iowa, and the laws of the State of Iowa.

The undersigned holds a mortgage against said real estate as follows:

A Mortgage Corkrean Development, Inc. to Farmers & Merchants State Bank, dated November 10, 2016, and filed December 5, 2016, in Book 2016, Page 3713 of the Recorder's Office of Madison County, Iowa, which secures credit in the amount of \$1,200,000.00.

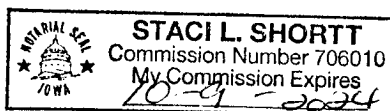
Dated this 19<sup>th</sup> day of May, 2023.


FARMERS & MERCHANTS STATE BANK

By 

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 19<sup>th</sup> day of May, 2023 by Tim J. Rothmeier as Vice President of Farmers & Merchants State Bank.



  
Notary Public in and for said State

**ATTORNEY'S OPINION FOR FINAL PLAT  
ARBOR PARK PLAT 5  
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 May 15, 2023, 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, Arbor Park Plat 5 Subdivision, Madison County, Iowa.

**A part of Lot 14, C & C Allen's Addition, an official plat in the City of Winterset, Madison County, Iowa, and more particularly described as follows: Beginning at the Northeast corner of Arbor Park Plat 4 an official plat in said City of Winterset; thence North 89°47'27" West along the Northerly line of said Arbor Park Plat 4, a distance of 419.32 feet; thence North 89°50'05" West continuing along said Northerly line, 66.00 feet; thence South 00°09'55" West continuing along said Northerly line, 29.33 feet; thence North 89°21'07" West continuing along said Northerly line, 129.72 feet to the Northwest corner of said Arbor Park Plat 4, said point also being on the Westerly line of said Lot 14; thence North 00°12'21" East along the Westerly line, 333.52 feet; thence North 05°30'02" East continuing along said Westerly line, 51.37 feet to the Southwest corner of Lot 1, Woodland Hills Plat 1, an official plat in said City of Winterset; thence South 89°47'27" East along the Southerly line of said Lot 1 and Easterly extension thereof, 610.46 feet, said Easterly extension also being the Westerly line of Parcel "G" of said Lot 14, as shown on the Plat of Survey recorded in Book 2, Page 389; ; thence south 00°14'14" West continuing along said Westerly line, 356.28 feet to the point of beginning and containing 5.11 acres (222,777 square feet). The property is subject to any and all easements of record.**

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

1. Entry No. 92 shows an Open End Mortgage from Corkrean Development, Inc., By Peter Corkrean, President and Sarah Nigg, Vice President, to Farmers & Merchants State Bank dated November 10, 2016, and filed December 5, 2016, in Book 2016, Page 3713 of the Recorder's Office of Madison County, Iowa, to secure credit in the amount of \$1,200,000.00. This Mortgage is a third lien against the real estate under examination.

2. The following Easement is shown of record:

a. Entry No. 6 shows an Easement from Mary C. Ryner and William A. Ryner, Wife and Husband, to and with Wilbur T. Riser and Helen Riser, Husband and Wife, which grants to Mr. and Mrs. Riser an easement for the purpose of installing, maintaining, repairing and

replacing or servicing a waterline from the main waterline of the City of Winterset to the Riser property. The said Ryners have the right to tap any waterline previously installed or hereinafter installed by Risers to establish a cattle watering station. The easement also provides for the sharing of costs of the water. It also provides that Risers shall have the right to enter upon the easement for the purpose of repairing, replacing, maintaining or servicing the waterline and shall reimburse Ryners for any damages to lands or crops. This Easement provides that it shall be a permanent easement and shall extend to the parties, their successors and assigns and shall be treated as a covenant running with the land. You should determine the provisions and location of this Easement.

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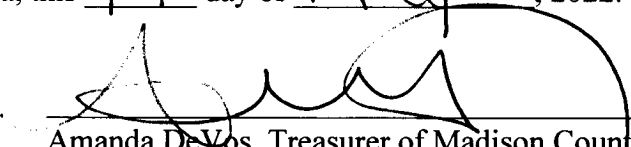
I, Amanda DeVos, do hereby certify that I am the duly elected and acting Treasurer of Madison County, Iowa; that I have examined the records in my office, and that there are no unpaid taxes forming a lien against the following-described real estate, to-wit:

**ARBOR PARK PLAT 5 SUBDIVISION**

**A part of Lot 14, C & C Allen's Addition, an official plat in the City of Winterset, Madison County, Iowa, and more particularly described as follows: Beginning at the Northeast corner of Arbor Park Plat 4 an official plat in said City of Winterset; thence North 89°47'27" West along the Northerly line of said Arbor Park Plat 4, a distance of 419.32 feet; thence North 89°50'05" West continuing along said Northerly line, 66.00 feet; thence South 00°09'55" West continuing along said Northerly line, 29.33 feet; thence North 89°21'07" West continuing along said Northerly line, 129.72 feet to the Northwest corner of said Arbor Park Plat 4, said point also being on the Westerly line of said Lot 14; thence North 00°12'21" East along the Westerly line, 333.52 feet; thence North 05°30'02" East continuing along said Westerly line, 51.37 feet to the Southwest corner of Lot 1, Woodland Hills Plat 1, an official plat in said City of Winterset; thence South 89°47'27" East along the Southerly line of said Lot 1 and Easterly extension thereof, 610.46 feet, said Easterly extension also being the Westerly line of Parcel "G" of said Lot 14, as shown on the Plat of Survey recorded in Book 2, Page 389; ; thence south 00°14'14" West continuing along said Westerly line, 356.28 feet to the point of beginning and containing 5.11 acres (222,777 square feet). The property is subject to any and all easements of record.**

Owned by: Corkrean Development, Inc.

DATED at Winterset, Iowa, this 19 day of May, 2022.

  
\_\_\_\_\_  
Amanda DeVos, Treasurer of Madison County, Iowa



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

ARBOR PARK PLAT 5 SUBDIVISION

For property located at:

**A part of Lot 14, C & C Allen's Addition, an official plat in the City of Winterset, Madison County, Iowa, and more particularly described as follows: Beginning at the Northeast corner of Arbor Park Plat 4 an official plat in said City of Winterset; thence North 89°47'27" West along the Northerly line of said Arbor Park Plat 4, a distance of 419.32 feet; thence North 89°50'05" West continuing along said Northerly line, 66.00 feet; thence South 00°09'55" West continuing along said Northerly line, 29.33 feet; thence North 89°21'07" West continuing along said Northerly line, 129.72 feet to the Northwest corner of said Arbor Park Plat 4, said point also being on the Westerly line of said Lot 14; thence North 00°12'21" East along the Westerly line, 333.52 feet; thence North 05°30'02" East continuing along said Westerly line, 51.37 feet to the Southwest corner of Lot 1, Woodland Hills Plat 1, an official plat in said City of Winterset; thence South 89°47'27" East along the Southerly line of said Lot 1 and Easterly extension thereof, 610.46 feet, said Easterly extension also being the Westerly line of Parcel "G" of said Lot 14, as shown on the Plat of Survey recorded in Book 2, Page 389; ; thence south 00°14'14" West continuing along said Westerly line, 356.28 feet to the point of beginning and containing 5.11 acres (222,777 square feet). The property is subject to any and all easements of record.**

And owned by: Corkrean Development, Inc.

Has been approved on the 19<sup>th</sup> day of May, 2023.

Auditor, Madison County, Iowa.

By Shelley D. Kaster  
Shelley D. Kaster, Auditor

**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, Corkrean Development, Inc., 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:

**A part of Lot 14, C & C Allen's Addition, an official plat in the City of Winterset, Madison County, Iowa, and more particularly described as follows: Beginning at the Northeast corner of Arbor Park Plat 4 an official plat in said City of Winterset; thence North 89°47'27" West along the Northerly line of said Arbor Park Plat 4, a distance of 419.32 feet; thence North 89°50'05" West continuing along said Northerly line, 66.00 feet; thence South 00°09'55" West continuing along said Northerly line, 29.33 feet; thence North 89°21'07" West continuing along said Northerly line, 129.72 feet to the Northwest corner of said Arbor Park Plat 4, said point also being on the Westerly line of said Lot 14; thence North 00°12'21" East along the Westerly line, 333.52 feet; thence North 05°30'02" East continuing along said Westerly line, 51.37 feet to the Southwest corner of Lot 1, Woodland Hills Plat 1, an official plat in said City of Winterset; thence South 89°47'27" East along the Southerly line of said Lot 1 and Easterly extension thereof, 610.46 feet, said Easterly extension also being the Westerly line of Parcel "G" of said Lot 14, as shown on the Plat of Survey recorded in Book 2, Page 389; ; thence south 00°14'14" West continuing along said Westerly line, 356.28 feet to the point of beginning and containing 5.11 acres (222,777 square feet). The property is subject to any and all easements of record.**

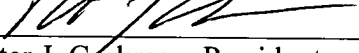
As owner or occupant of the land described above, we are aware that we must establish and maintain soil conservation practices as necessary to meet the soil loss limits established by the Madison County Soil and Water Conservation District, pursuant to sections 161A.43, and 161A.44, Code of Iowa.

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.

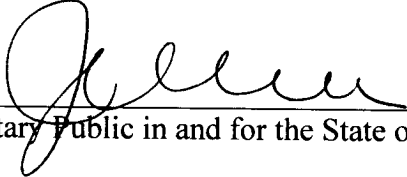
We assume responsibility for all land disturbing activities conducted on this property by us or other people entities we represent. This authority covers only the land and land disturbing activity described above.

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

CORKREAN DEVELOPMENT, INC.

By   
Peter J. Corkrean, President

Subscribed and sworn to before me by Peter J. Corkrean, President of Corkrean Development, Inc. on this 18 day of May, 2023.

  
Notary Public in and for the State of Iowa



**DEED OF RESTRICTIONS  
ARBOR PARK PLAT 5  
AN ADDITION TO THE CITY OF WINTERSET,  
MADISON COUNTY, IOWA**

That Corkrean Development, Inc. an Iowa corporation, is now the fee simple owner and record titleholder of the following-described real estate, to-wit:

**A part of Lot 14, C & C Allen's Addition, an official plat in the City of Winterset, Madison County, Iowa, and more particularly described as follows: Beginning at the Northeast corner of Arbor Park Plat 4 an official plat in said City of Winterset; thence North 89°47'27" West along the Northerly line of said Arbor Park Plat 4, a distance of 419.32 feet; thence North 89°50'05" West continuing along said Northerly line, 66.00 feet; thence South 00°09'55" West continuing along said Northerly line, 29.33 feet; thence North 89°21'07" West continuing along said Northerly line, 129.72 feet to the Northwest corner of said Arbor Park Plat 4, said point also being on the Westerly line of said Lot 14; thence North 00°12'21" East along the Westerly line, 333.52 feet; thence North 05°30'02" East continuing along said Westerly line, 51.37 feet to the Southwest corner of Lot 1, Woodland Hills Plat 1, an official plat in said City of Winterset; thence South 89°47'27" East along the Southerly line of said Lot 1 and Easterly extension thereof, 610.46 feet, said Easterly extension also being the Westerly line of Parcel "G" of said Lot 14, as shown on the Plat of Survey recorded in Book 2, Page 389; ; thence south 00°14'14" West continuing along said Westerly line, 356.28 feet to the point of beginning and containing 5.11 acres (222,777 square feet). The property is subject to any and all easements of record,**

which real estate is being platted as Arbor Park Plat 5, an Addition to the City of Winterset, Madison County, Iowa.

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

- 1) All lots in said Plat shall be used in a manner consistent with the Winterset Zoning Ordinance, the above-described real estate being located in R-2, one and two family residential district. No structure shall be erected on any lot except a single-family residential dwelling structure, a one- to three-car garage and certain accessory buildings provided that accessory buildings other than garages may not be erected in excess of 400 square feet in area.

One story dwellings shall contain a minimum of 1100 total square feet of finished ground floor area. Two story dwellings shall contain a minimum of 1200 total square feet of finished area on the main and second levels. Also, a townhouse consisting of two residential units, may be constructed on any lot. No construction shall start on any such dwelling until the plans have been approved by the developer. No mobile homes, manufactured homes, double-wide homes or earth homes shall be erected or placed on any of the lots in said Arbor Park Plat 5 an Addition to the City of Winterset, Madison County, Iowa. Motor homes, camper trailers, boats, motorcycles, and other recreational vehicles shall not be stored on the premises unless the same are stored in a garage as permitted by these covenants.

2) No exposed tile foundation shall be permitted and all exposed exterior concrete wall material shall be painted or covered with brick or stone veneer.

3) Any dog run, trash receptable, or other outside structure of like nature, shall be properly screened by reasonable shrubbery or decorative fence or both.

4) No automotive, boat or other mechanical repair work may be performed at or any Lot and all hobby type activity of a similar nature shall be confined to the interior of buildings on the lot. No bulky or unsightly piece of machinery shall be kept on any lot at any time.

5) Satellite dishes must be permanently installed to be located so that no part of the dish is viewable from the front of the home it services.

6) All portions of a lot not occupied by structures, walkways, driveways, parking or landscaping shall be sodded with grass within ninety (90) days after completion of the residence thereon unless weather conditions make this requirement impossible to satisfy, in which event, they shall be sodded within sixty (60) days after weather conditions reasonably permit compliance with this requirement. At least two trees shall be planted by any lot owner.

7) No lot in the Plat shall be further subdivided, except that a lot may be divided and sold to or with adjoining lots to increase their size and a lot may also be divided in two for the purpose of placing a townhouse on the lot.

8) 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.

9) No building shall be erected on any building lot 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.

10) The titleholder of each lot, vacant or improved, shall keep his lot or lots free of weeds and debris, and shall not engage in an activity which is a nuisance.

11) These covenants are to run with the land and shall be binding on all parties and persons claiming through or under them, at which time said covenants shall be automatically extended for successive periods of ten (10) years, unless by a vote of the majority of the then owners of the lots, it is agreed to delete the said covenants in whole or in part. No new or additional covenants shall be added unless all of the owners of the lots in said Arbor Park Plat 5, an Addition to the City of Winterset, Madison County, Iowa, agree in writing to any such additional covenants, provided that as long as the Developer owns a lot or lots in Arbor Park Plat 5, the Developer shall have the right to add additional covenants to this Deed of Restrictions, amend such Deed of Restrictions or delete any portion of such Deed of Restrictions without the consent of any of the other owners in Arbor Park Plat 5. The easements shown at numbered paragraph 14 hereof are perpetual in nature and may not be deleted.

12) If any party 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 or lots in the subdivision 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.

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

14) Perpetual easements for ingress, egress, drainage and utility purposes are hereby granted to the City of Winterset, Iowa, Mid American Energy, Century Link, Mediacom, Farmers Electric Coop - Greenfield and their successors and assigns for the installation, operation, maintenance and repair thereof, as shown by the Engineer's Final Plat filed herewith.

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

16) No animals shall be kept or maintained on any of the lots in Arbor Park Plat 5, to the City of Winterset, Madison County, Iowa, except ordinary household pets.

17) Any person, partnership, corporation or other entity purchasing a vacant lot in

Arbor Park Plat 5, an Addition to the City of Winterset, Madison County, Iowa, shall commence construction of a residential dwelling withing twelve (12) months of the date of delivery of a deed to said purchaser from the developer. In the event such buyer has not commenced construction within said 12-month period, the developer shall have the right to repurchase said lot at the same price paid by the buyer plus interest at the rate of seven percent (7%) per annum from and after date of the Deed from developer to buyer; and upon developer exercising the option to repurchase the lot buyer shall promptly comply and furnish to developer an abstract showing merchantable title and a warranty deed.

18) "Developer" is defined as Corkrean Development, Inc., an Iowa Corporation.

Dated this 18<sup>th</sup> day of May, 2023.

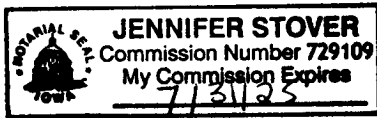
CORKREAN DEVELOPMENT, INC.

By [Signature]  
Peter Corkrean, President

STATE OF IOWA :  
:SS  
MADISON COUNTY :

This instrument was acknowledged before me on this 18 day of May, 2023, by Peter Corkrean, President of Corkrean Development, Inc.

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





**RESOLUTION NO. 2023-17**

**RESOLUTION APPROVING  
FINAL PLAT OF SURVEY FOR ARBOR PARK PLAT 5**

**WHEREAS** there was filed in the Office of the City Administrator of the City of Winterset, Madison County, Iowa, a registered land surveyor's plat of a proposed subdivision known as Arbor Park Plat 5, an Addition to the City of Winterset, Madison County, Iowa; and

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

A PART OF LOT 14, C & C ALLEN'S ADDITION, AN OFFICIAL PLAT IN THE CITY OF WINTERSET, MADISON COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF ARBOR PARK PLAT 4, SAID CITY OF WINTERSET; THENCE NORTH 00°12'21" EAST ALONG THE WESTERLY LINE OF SAID LOT 14, C & C ALLEN'S ADDITION, 333.52 FEET; THENCE NORTH 05°30'02" EAST CONTINUING ALONG SAID WESTERLY LINE, 51.37 FEET TO THE SOUTHWEST CORNER OF LOT 1, WOODLAND HILLS PLAT 1, AN OFFICIAL PLAT IN SAID CITY OF WINTERSET AND THE WESTERLY LINE OF PARCEL 'G' OF LOT 14, C & C ALLEN'S ADDITION AS SHOWN IN THE PLAT OF SURVEY RECORDED IN BOOK 2, PAGE 389; THENCE SOUTH 89°47'27" EAST ALONG THE ALONG THE SOUTH LINE OF SAID LOT 1 AND THE WESTERLY LINE OF SAID PARCEL 'G', 610.46 FEET; THENCE SOUTH 00°14'14" WEST CONTINUING ALONG SAID WESTERLY LINE, 356.28 FEET TO THE NORTHEAST CORNER OF SAID ARBOR PARK PLAT 4; THENCE NORTH 89°47'27" WEST ALONG THE NORTHERLY LINE OF SAID ARBOR PARK PLAT 4, 419.32 FEET; THENCE NORTH 89°50'05" WEST CONTINUING ALONG SAID NORTHERLY LINE, 66.00 FEET; THENCE SOUTH 00°09'55" WEST CONTINUING ALONG SAID NORTHERLY LINE, 29.33 FEET; THENCE NORTH 89°21'07" WEST CONTINUING ALONG SAID NORTHERLY LINE, 129.72 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.11 ACRES (222,777 SQUARE FEET). THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

**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, Corkrean Properties, Inc., and Lender, Farmers & Merchants State Bank; and

**WHEREAS**, said plat was accompanied by an opinion from an attorney at law showing that title is in fee simple in said proprietors and that said platted land is free from encumbrance, except two mortgages held by Farmers & Merchants State Bank, and a certified statement from the Treasurer of Madison County, Iowa, that said platted land is free from taxes: and consents by the mortgage holder, Farmers & Merchants State Bank to such platting.

**WHEREAS** the Planning & Zoning Commission of the City of Winterset, Iowa, has reviewed said plat of survey and finds that the plat of survey conforms to the provisions of the land

use plan and is in compliance with the Ordinances of the City of Winterset, Madison County, Iowa, and recommends that the plat of survey should be approved by the City Council of the City of Winterset, Iowa.

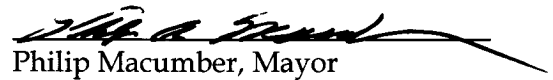
**WHEREAS**, the City Council of the City of Winterset, Madison County, Iowa, finds that said plat conforms to the provisions of the Ordinances of the City of Winterset, Madison County, Iowa, and that the plat, papers and documents presented therewith should be approved by the City of Council of the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

**NOW, THEREFORE, BE IT RESOLVED** by the City of Council of the City of Winterset, Madison County, Iowa:

1. Said plat, known as Arbor Park Plat 5, an Addition to the City of Winterset, Madison County, Iowa, prepared in connection with said plat and subdivision is hereby approved.

2. The City Administrator of the City of Winterset, 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 Winterset, Iowa, this 30<sup>th</sup> day of May 2023.

  
Philip Macumber, Mayor

ATTEST:

  
\_\_\_\_\_  
Andrew J. Barden, City Administrator

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Andrew J. Barden  
City Administrator  
124 W. Court Avenue  
Winterset IA 50273  
(515) 462-1422

CERTIFICATION OF FINAL PLAT OF SURVEY

I, the undersigned City Clerk of the City of Winterset, Iowa, hereby certifies that the following described documents attached hereto are true and authentic copies of the official records in the custody of the Office of the City Clerk of the City of Winterset, Iowa.

1. Final Plat of Survey for "Arbor Park plat 5" proprietor is Corkrean Properties
2. Resolution 2023-17 "A Resolution Approving Final Plat of Survey for Arbor Park Plat5"

Witness my hand and the City Seal this 5<sup>th</sup> Day of June 2023

  
\_\_\_\_\_  
Andrew J. Barden, City Clerk

SEAL:



# ARBOR PARK PLAT 5 FINAL PLAT

**INDEX LEGEND**  
 LOCATION: PT. LOT 14, C & C ALLEN'S ADDITION WINTERSET, IOWA  
 REQUESTOR: CORKREAN DEVELOPMENT  
 PROPRIETOR: 65 WEST JEFFERSON WINTERSET, IOWA 50273  
 SURVEYOR: LOUIS M. KELEHAN  
 CIVIL DESIGN ADVANTAGE  
 CIVIL DESIGN ADVANTAGE  
 4121 NW URBANDALE DRIVE  
 URBANDALE, IA 50322  
 PH: 515-368-4400

DATE	REVISIONS
06/05/23	SIGNED SUBMITTAL
02/23/23	REVISED
11/08/22	FIRST SUBMITTAL

Document 2023 1265  
 Book 2023 Page 1265 Type 06 044 Pages 20  
 Date 6/05/2023 Time 3:44:54PM  
 Rec Amt \$102.00 Aud Amt \$5.00  
 INDEX  
 ANNO  
 SCAN  
 CHEK

BRANDY MACUMBER, COUNTY RECORDER  
 MADISON COUNTY IOWA

4121 NW URBANDALE DRIVE  
 URBANDALE, IA 50322  
 PHONE: (515) 369-4400  
 ENGINEER: CIVIL DESIGN ADVANTAGE  
 WINTERSET, IOWA



## ARBOR PARK PLAT 5 FINAL PLAT

2201.026  
 1/1

**OWNER / DEVELOPER**  
 CORKREAN DEVELOPMENT, INC.  
 65 WEST JEFFERSON  
 WINTERSET, IOWA 50273

**ENGINEER / SURVEYOR**  
 CIVIL DESIGN ADVANTAGE  
 4121 NW URBANDALE DRIVE  
 URBANDALE, IOWA 50322

**ZONING**  
 R-2 SINGLE AND TWO-FAMILY RESIDENTIAL DISTRICT

**BULK REGULATIONS**  
 FRONT YARD SETBACK: 30'  
 MIN. SIDE YARD ON ONE SIDE: 5'  
 SUM OF SIDE YARDS: 15'  
 REAR YARD SETBACK: 30'

**DATE OF SURVEY**  
 FIELDWORK: JULY, 2020

**NOTES**  
 1. ANY SET MONUMENTATION SHOWN ON THIS PLAT WILL BE COMPLETED WITHIN ONE YEAR FROM THE DATE THIS PLAT WAS RECORDED.  
 2. THIS PLAT IS SUBJECT TO MINIMUM PROTECTION ELEVATIONS AND OTHER ELEVATION RESTRICTIONS NOT SHOWN ON THIS PLAT. REFER TO THE APPROVED PROJECT ENGINEERING DOCUMENTS FOR ANY ELEVATION RESTRICTIONS.  
 3. STREET LOT 'A' TO BE DEDICATED TO THE CITY OF WINTERSET AND SHALL BE USED AS PUBLIC STREET RIGHT OF WAY.

**LEGEND**  
 SECTION CORNER AS NOTED  
 1/2" REBAR, YELLOW CAP #18660  
 (UNLESS OTHERWISE NOTED)  
 MEASURED BEARING & DISTANCE  
 RECORDED BEARING & DISTANCE  
 PUBLIC UTILITY EASEMENT  
 DECEDED BEARING & DISTANCE  
 P.U.E.  
 CURVE ARC LENGTH  
 LOT ADDRESS  
 CENTERLINE  
 SECTION LINE  
 EASEMENT LINE  
 BUILDING SETBACK LINE  
 PLAT BOUNDARY

**CURVE DATA**

CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD
C1	90°02'38"	63.00'	99.01'	N45°11'14"E	89.13'
C2	19°02'28"	96.00'	31.90'	S09°41'09"W	31.76'
C3	27°32'54"	96.00'	46.16'	S32°58'50"W	45.71'
C4	8°55'52"	96.00'	14.96'	N42°17'22"E	14.95'
C5	27°32'54"	96.00'	46.16'	S03°31'44"W	45.71'
C6	5°47'45"	96.00'	9.71'	N49°39'10"E	9.71'
C7	15°54'22"	96.00'	28.65'	S02°15'22"W	28.57'
C8	33°11'31"	31.50'	18.25'	S73°36'48"W	17.99'
C9	13°13'51"	63.50'	14.66'	S63°37'58"W	14.63'
C10	43°59'04"	63.50'	48.75'	N87°45'35"W	47.56'
C11	37°25'46"	63.50'	41.48'	N47°03'09"W	40.75'
C12	37°25'46"	63.50'	41.48'	N09°37'24"W	40.75'
C13	37°25'46"	63.50'	41.48'	N27°48'22"E	40.75'
C14	31°44'24"	63.50'	35.18'	N62°23'08"E	34.73'
C15	64°31'43"	63.50'	71.52'	S69°28'28"E	67.80'
C16	0°36'56"	63.50'	0.68'	S30°54'20"E	0.68'
C17	53°11'35"	50.00'	46.42'	S63°11'39"E	44.77'
C18	90°02'38"	30.00'	47.15'	N45°11'14"E	42.44'
C19	1°55'54"	30.00'	1.01'	S01°07'52"W	1.01'
C20	31°56'48"	25.00'	13.94'	N74°14'09"E	13.76'

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

LOUIS M. KELEHAN, P.L.S.  
 LICENSE NUMBER 18660  
 EXPIRES 12/31/2025  
 PAGES OR SHEETS COVERED BY THIS SEAL:  
 THIS SHEET

6/5/23  
 DATE

