



Document 2023 469

Book 2023 Page 469 Type 06 009 Pages 42

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BRANDY MACUMBER, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

Prepared By: Mark L. Smith, POB 230, Winterset, IA 50273 Telephone No.: 515-462-3731

Return To: Mark L. Smith, POB 230, Winterset, IA 50273

AFFIDAVIT EXPLANATORY OF TITLE

STATE OF IOWA :
 :SS
COUNTY OF MADISON :

I, Mark L. Smith, a practicing attorney in Madison County, Iowa after first being duly sworn upon oath, depose and state as follows:

- 1. This is an Affidavit concerning the following described real estate:

See Attached Legal Description

- 2. On June 15, 2018, a document was filed entitled “Declaration of Covenants of the Mueller Lane Neighborhood Association” in Book 2018, Page 1887 of the Recorder’s Office of Madison County, Iowa.

- 3. This document contained 2 scrivener errors and was missing an attachment.

- 4. In Article IX, it stated that “These amended Declaration of Covenants of The Mueller Lane Neighborhood Association replace and are in substitution of The Declaration of Covenants of Mueller Lane Neighborhood Association dated 15 Day of June, 2018.” That was the date it was signed not the document it was amending and should have stated, “These amended Declaration of Covenants of The Mueller Lane Neighborhood Association replace and are in substitution of The Declaration of Covenants of Mueller Lane Neighborhood Association dated April 24, 2008.”

5. Next, in that same Article it states “herein attached fourteen (14) signed ballots” and then does not attach the ballots. It should have stated “herein attached thirteen (13) signed ballots” which I attach to this Affidavit.
6. These covenants that were filed on June 15, 2018, in Book 2018, Page 1887 extend the Covenants for the subdivision for 21 years from the date of their recording or until June 15, 2039.
7. I give this Affidavit to clear any perceived cloud on title and to ensure the amended covenants are extended and enforceable through June 15, 2039.

Mark L. Smith

Mark L. Smith

Subscribed and sworn to before me by the said Mark L. Smith on this 7 day of March, 2023.

Kim Leonard

Notary Public in and for the State of Iowa



LEGAL DESCRIPTION:

That part of the southeast quarter (SE1/4) of section three (3), and the northwest quarter (NW1/4) of the southwest quarter (SW1/4) of section two (2), all in Township Seventy-six (76) north, range twenty-seven (27) west of the 5th P.M. Madison County, Iowa described as follows:

Beginning at the southeast corner of said Section Three (3); thence on an assumed bearing of South 90 degrees 00 minutes 00 seconds West along the south line of the Southeast Quarter (SE1/4) of said Section Three (3) a distance of 2466.02 feet; thence North 16 degrees 13 minutes 46 seconds East 784.16 feet; thence North 42 degrees 15 minutes 30 seconds East 440.36 feet; thence North 22 degrees 25 minutes 10 seconds West 559.78 feet; thence South 83 degrees 52 minutes 12 seconds West 443.23 feet; thence North 06 degrees 47 minutes 25 seconds East 431.09 feet; thence North 40 degrees 09 minutes 01 seconds West 80.04 feet; thence North 00 degrees 12 minutes 50 seconds West 266.05 feet; thence 78 degrees 38 minutes 50 seconds East 572.97 feet; thence North 51 degrees 31 minutes 57 seconds East 114.49 feet; thence South 83 degrees 49 minutes 05 seconds East 675.38 feet; thence South 86 degrees 18 minutes 08 seconds East 373.57 feet; thence South 67 degrees 17 minutes 52 seconds East 827.67 feet; thence South 63 degrees 23 minutes 10 seconds East 771.24 feet; thence South 11 degrees 02 minutes 00 seconds East 405.87 feet to the south line of the Northwest Quarter (NW1/4) of the Southwest Quarter of said Section Two (2); thence South 89 degrees 26 minutes 30 seconds West along said south line a distance of 608.26 feet to the northeast corner of the Southeast Quarter (SE) of the Southeast Quarter of said Section Three (3); thence South 00 degrees 30 minutes 10 seconds West along the east line of said Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) a distance of 1322.28 feet to the southeast corner of said Section Three (3) and the point of beginning.

Ballot for Owner of Lot number 1

For the amendment proposal of the Declaration of
Covenants of the Mueller Lane Neighborhood
Association at the Annual Meeting of
November 7, 2017.

Proposed changes to amend the Covenants of the
Mueller Lane Neighborhood Association as presented
to the members of the Association for the following
Articles and Sections.

Article II, Section 5, Residences Approved (13-0)

X **APPROVE**

 DISAPPROVE

 Leo Henley
Owner Signature

Ballot for Owner of Lot number

4

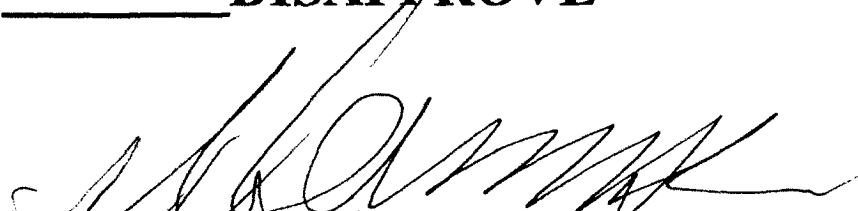
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Articles and Sections.

Article II, Section 5, Residences

X **APPROVE**

 DISAPPROVE


Owner Signature

a
Ballot for Owner of Lot number 5


**For the amendment proposal of the Declaration of
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Article II, Section 5, Residences

X **APPROVE**

 DISAPPROVE


Owner Signature

Ballot for Owner of Lot number 6

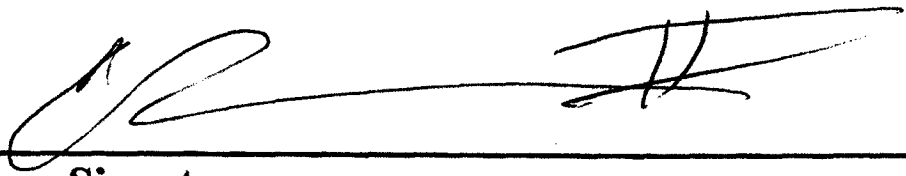
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Article II, Section 5, Residences

APPROVE

DISAPPROVE



Owner Signature

Ballot for Owner of Lot number

7A

**For the amendment proposal of the Declaration of
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Articles and Sections.**

Article II, Section 5, Residences

APPROVE

DISAPPROVE



Owner Signature

Ballot for Owner of Lot number 7B

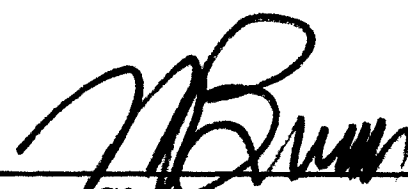
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Article II, Section 5, Residences

X **APPROVE**

 DISAPPROVE

 **Owner Signature** *Mike Brennan*

Ballot for Owner of Lot number

9

For the amendment proposal of the Declaration of
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Article II, Section 5, Residences

APPROVE

DISAPPROVE



Owner Signature

Ballot for Owner of Lot number

10

For the amendment proposal of the Declaration of
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Article II, Section 5, Residences

APPROVE

DISAPPROVE



Owner Signature

Ballot for Owner of Lot number

11

**For the amendment proposal of the Declaration of
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Article II, Section 5, Residences

 X **APPROVE**

 DISAPPROVE

 Mike Carlson
Owner Signature

Ballot for Owner of Lot number

12

**For the amendment proposal of the Declaration of
Covenants of the Mueller Lane Neighborhood
Association at the Annual Meeting of
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Article II, Section 5, Residences

X **APPROVE**

 DISAPPROVE


Owner Signature

Ballot for Owner of Lot number

13

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Article II, Section 5, Residences

X **APPROVE**

 DISAPPROVE


Owner Signature

Ballot for Owner of Lot number

14

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Article II, Section 5, Residences

APPROVE

DISAPPROVE



Owner Signature

Ballot for Owner of Lot number

4

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Article II, Section 6, Setbacks

APPROVE

DISAPPROVE



Owner Signature

Ballot for Owner of Lot number 6

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Article II, Section 6, Setbacks

X **APPROVE**

 DISAPPROVE


Owner Signature

Ballot for Owner of Lot number

7A

**For the amendment proposal of the Declaration of
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Article II, Section 6, Setbacks

APPROVE

DISAPPROVE



Owner Signature

Ballot for Owner of Lot number

7B

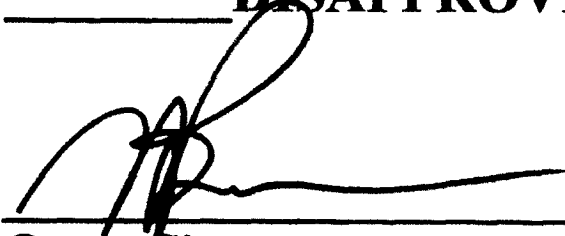
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Article II, Section 6, Setbacks

APPROVE

DISAPPROVE



*Mike
Bramar*

Owner Signature

Ballot for Owner of Lot number

9

**For the amendment proposal of the Declaration of
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Article II, Section 6, Setbacks

APPROVE

DISAPPROVE

J. H. Crow

Owner Signature

approved

Ballot for Owner of Lot number 10

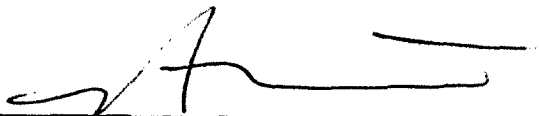
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Article II, Section 6, Setbacks

 1 **APPROVE**

 DISAPPROVE



Owner Signature

Ballot for Owner of Lot number

11

For the amendment proposal of the Declaration of
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Article II, Section 6, Setbacks

X **APPROVE**

 DISAPPROVE

Mike Carlson

Owner Signature

Ballot for Owner of Lot number 12

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Article II, Section 6, Setbacks

X **APPROVE**

 DISAPPROVE


Owner Signature

Ballot for Owner of Lot number 13

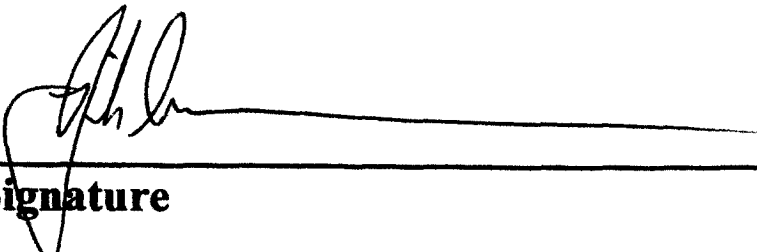
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Article II, Section 6, Setbacks

X **APPROVE**

 DISAPPROVE


Owner Signature

Ballot for Owner of Lot number

14

**For the amendment proposal of the Declaration of
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Article II, Section 6, Setbacks

APPROVE

DISAPPROVE



Owner Signature

Ballot for Owner of Lot number 1

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November 7, 2017.

Proposed changes to amend the Covenants of the
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to the members of the Association for the following
Articles and Sections.

Article VII, Use Restriction

Approved

12-1

~~_____~~ **APPROVE**

_____ **DISAPPROVE**

_____ **Owner Signature**

Bob Henry

Ballot for Owner of Lot number

2

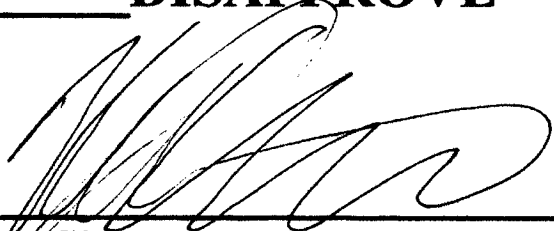
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Article VII, Use Restriction

X **APPROVE**

 DISAPPROVE


Owner Signature

Ballot for Owner of Lot number

4

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Article VII, Use Restriction

X **APPROVE**

 DISAPPROVE


Owner Signature

Ballot for Owner of Lot number

6

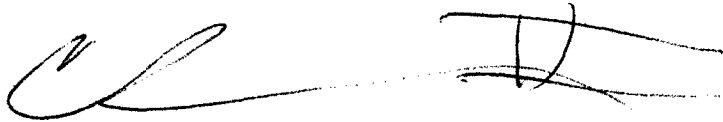
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Article VII, Use Restriction

X **APPROVE**

 DISAPPROVE



Owner Signature

Ballot for Owner of Lot number 7A

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Article VII, Use Restriction

APPROVE

DISAPPROVE



Owner Signature

Ballot for Owner of Lot number

9

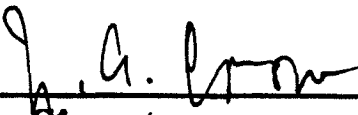
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Article VII, Use Restriction

APPROVE

DISAPPROVE



Owner Signature

Ballot for Owner of Lot number

10

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Article VII, Use Restriction

 APPROVE

 ✓ **DISAPPROVE**



Owner Signature

Ballot for Owner of Lot number 11

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Article VII, Use Restriction

X **APPROVE**

 DISAPPROVE

Mike Carlson
Owner Signature

Ballot for Owner of Lot number

12

**For the amendment proposal of the Declaration of
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Article VII, Use Restriction

X **APPROVE**

 DISAPPROVE


Owner Signature

Ballot for Owner of Lot number

14

**For the amendment proposal of the Declaration of
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**Proposed changes to amend the Covenants of the
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Article VII, Use Restriction

X **APPROVE**

 DISAPPROVE



Owner Signature