



Document 2023 48

Book 2023 Page 48 Type 06 044 Pages 17

Date 1/12/2023 Time 9:54:33AM

Rec Amt \$87.00 Aud Amt \$5.00

INDX
ANNO
SCAN

BRANDY MACUMBER, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

Type of Document

Haven Crest Subdivision

PREPARER INFORMATION:

Zoning Office for William J. Conner,

Contact: Katheryn Thorson, attorney for William J. Conner, 515-242-2484

TAXPAYER INFORMATION:

William J. Conner

3198 140th St.

Cumming, IA 50061

RETURN DOCUMENT TO:

William J. Conner

3198 140th St.

Cumming, IA 50061

Or

Brown Winick Law

C/O Katheryn Thorson

666 Grand Ave Suite 2000 Ruan Center

Des Moines, IA 50309

GRANTOR:

GRANTEE:

**PLAT AND CERTIFICATE
FOR HAVEN CREST SUBDIVISION
MADISON COUNTY, IOWA**

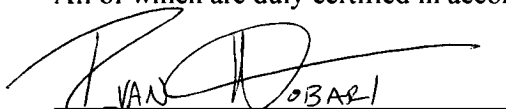
I, Ryan Hobart, Zoning Administrator of Madison County, Iowa, do hereby certify that the plat to which this certificate is attached is a plat of a subdivision known and designated as Haven Crest Subdivision, and that the real estate comprising said plat is described as follows:

THE NORTHEAST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP SEVENTY-SEVEN (77) NORTH, RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., MADISON COUNTY, IOWA, EXCEPT PARCEL "A" LOCATED THEREIN, CONTAINING 9.017 ACRES, AS SHOWN IN PLAT OF SURVEY FILED IN BOOK 2, PAGE 711 ON AUGUST 2, 1996, 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 which have been submitted in connection with said plat


1. Owner's Consent to Plat
2. Attorney's Opinion
3. Mortgagee's Consent to Plat
4. Certificate from County Treasurer
5. Consent of County Auditor to subdivision name
6. Owner's Private Roads Affidavit
7. Land Disturbing Activities Affidavit
8. Ground Water Statement
9. Resolution of the Board of Supervisors of Madison County, Iowa approving said plat
10. Owner's Fence Affidavit
11. Waiver of Covenants, Conditions and Restrictions Affidavit

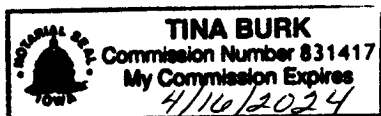
All of which are duly certified in accordance with the Madison County Zoning Ordinance.


Ryan Hobart

State of Iowa, County of Madison

This Plat and Certificate was acknowledge before me on this 6th day of December 2022, by Ryan Hobart.


Notary Public in and for said State of Iowa



Preparer/Return to: Katheryn J. Thorson, 666 Grand Ave, Ste. 2000, Des Moines, IA 50309 515.242.2433

OWNER'S CONSENT TO PLAT

William J. Conner, as owner of the below described Plat and record title owner of the Real Estate, consents to the platting of the Real Estate legally described as:

The NE ¼ NE ¼ of Section 27, Township 77 North, Range 26 West of the 5th P.M., Except Parcel "A" as shown in the Plat of Survey recorded in Book 2, Page 711, Madison County, Iowa. Said Property contains 30.62 acres including 0.37 acres of public right-of-way (the "Real Estate").

This consent is given by the undersigned as owner of the Real Estate, and is given to demonstrate that the plat to be known as:

Haven Crest, a minor final plat in Madison County, Iowa (the "Plat"),

has been prepared with the undersigned's free consent and in accordance with the undersigned's desire as owner of the Real Estate. By giving this consent, the undersigned further acknowledges and consents to any easements noted therein.


OWNER:
William J. Conner

By: William J. Conner
Print Name: William J. Conner
Its: _____

STATE OF IOWA)
) SS:
COUNTY OF MADISON)

This instrument was acknowledged before me on the 10th day of December, 2022, by William J. Conner.

Tina Burk
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA





666 Grand Avenue - Suite 2000 | Ruan Center | Des Moines, Iowa 50309
515-242-2400 888-282-3515 | brownwinick.com

Writer's Direct E-Mail Address: katheryn.thorson@brownwinick.com

December 2, 2022

**ATTORNEY'S TITLE OPINION PURSUANT TO
CHAPTER 354 OF THE CODE OF IOWA**

Madison County
c/o Ryan Hobart, Madison County Zoning Administrator
201 W. Court Avenue
Winterset, IA 50273

To Whom It May Concern:

This is to certify that the undersigned attorney at law has examined the abstract of title as continued by Madison County Abstract Co. No. 26772623 to November 20, 2022 at 8:00 a.m. covering the property described on Exhibit "A" attached hereto which shall be platted and known as "Haven Crest" and I report that merchantable title to said property is held by:

William J. Conner

Title is held subject to the following:

1. Easement & Soil Conservation Agreements.

- a. Entry No. 11 shows an Easement for construction, operation, maintenance and inspection of certain water impoundment and flowage improvements over the N1/2 of the NE ¼ of Section 27, and the W ½ of the NW ¼ of Section 26 in favor of Madison County Soil Conservation District of Winterset, Iowa, its successors and assigns, recorded in Book 93, Page 290.
- b. The Abstract shows that the Real Estate may be subject to certain soil conservation agreements. Entry No. 10 and Entry No. 99, as recorded in Book 26, Page 549 of the County records, show the establishment of the Badger Creek Watershed Soil Conservation Subdistrict. Entry No. 105, as recorded in Book 33, Page 488 of the County Records shows that the Real Estate may be subject to a cost sharing agreement for the maintenance of permanent soil conservation practices. Entry No. 106, as recorded in Book 2004, Page 3908 of the County Records shows a resolution of the Madison County Soil Conservation District which requires erosion control plans for certain projects. Entry No. 107 as recorded in Book 2006 page 5157 of the County Records shows a resolution of

the Madison County Soil and Conservation District requiring certain set back requirements within the watershed.

2. **Mortgage**. Entry No. 114 shows a Mortgage to Kirk Kirkegaard, Trustee of the Kirk Kirkegaard Trust UTA dated March 10, 2010 as last amended and restated, dated November 18, 2014 and filed November 18, 2014 at Book 2014, Page 2918.
3. **Real Estate Taxes**. Entry No. 119 of Abstract No. 26772623 shows that all real estate taxes assessed for Parcel No. 071012722012000 as all paid except that the real estate payable in the fiscal year beginning July 1, 2022, paid in two installments as the first half being unpaid and delinquent in the amount of \$150 and the second half unpaid in the amount of \$150. The same entry shows no special assessments certified by Treasurer.
4. **Searches**. The abstract shows that searches have been made for personal liens for the past ten years unless otherwise noted, including searches against:

i. William J. Conner

and said searches reveal nothing.

This title opinion is rendered for platting purposes as above described and, accordingly, no reference has been made to any public utility easements.

BROWN, WINICK, GRAVES, GROSS,
AND BASKERVILLE, P.L.C.



Katheryn J. Thorson
666 Grand Ave., Ste. 2000
Des Moines, IA 50309
Telephone: 515-242-2484
Email: katheryn.thorson@brownwinick.com

EXHIBIT A

THE NORTHEAST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP SEVENTY-SEVEN (77) NORTH, RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., MADISON COUNTY, IOWA, EXCEPT PARCEL "A" LOCATED THEREIN, CONTAINING 9.017 ACRES, AS SHOWN IN PLAT OF SURVEY FILED IN BOOK 2, PAGE 711 ON AUGUST 2, 1996, IN THE OFFICE OF THE RECORDER OF MADISON COUNTY, IOWA.

Preparer/Return to: Kathryn J. Thorson, 666 Grand Ave, Ste. 2000, Des Moines, IA 50309 515.242.2484


CERTIFICATE OF TREASURER OF MADISON COUNTY, IOWA

State of Iowa)
) ss:
County of Madison)

I, Jana Corkrean, Treasurer of Madison County, Iowa, having examined the records of my office, in accordance with the provisions of Section 354.11 of the Code of Iowa pertaining to real property described as Haven Crest, a minor final plat in Madison County, Iowa, which is to be platted into a subdivision in Madison County, Iowa, do hereby certify that the same is free from all certified taxes, special assessments, and special rates and charges; nor are there any taxes due for William J. Conner, the record titleholder of said real estate.

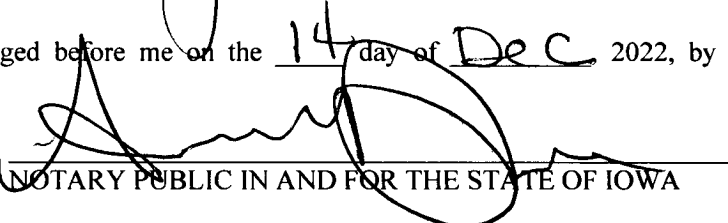
This property has one tax parcel, Parcel No. 071012722012000.

Dated at Winterset, Iowa, this 14 day of December, 2022.

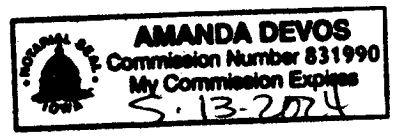


Jana Corkrean, Madison County Treasurer

This instrument was acknowledged before me on the 14 day of Dec 2022, by Jana Corkrean as Madison County Treasurer.



NOTARY PUBLIC IN AND FOR THE STATE OF IOWA



Preparer/Return to: Kathryn J. Thorson, 666 Grand Ave, Ste. 2000, Des Moines, IA 50309 515.242.2433

CERTIFICATE OF AUDITOR OF MADISON COUNTY, IOWA

State of Iowa)
) ss:
County of Madison)

I, Shelley D. Kaster, Auditor of Madison County, Iowa, having examined the records of my office, in accordance with the provisions of Section 354 of the Code of Iowa pertaining to real property described as

The NE ¼ NE ¼ of Section 27, Township 77 North, Range 26 West of the 5th P.M., Except Parcel "A" as shown in the Plat of Survey recorded in Book 2, Page 711, Madison County, Iowa. Said Property contains 30.62 acres including 0.37 acres of public right-of-way.

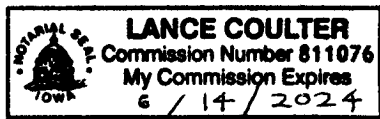
to be hereinafter designated as Haven Crest, a minor final plat in Madison County, Iowa, do hereby approve the name of this subdivision plat.

Dated at Winterset, Iowa, this 6th day of December, 2022.

Shelley D. Kaster
Shelley D. Kaster, Madison County Auditor

This instrument was acknowledged before me on the 5th day of Dec., 2022, by Shelley D. Kaster, as Madison County Auditor.

Lance Coulter
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA



Preparer/Return to: Katheryn J. Thorson, 666 Grand Ave, Ste. 2000, Des Moines, IA 50309 515.242.2433

OWNER'S PRIVATE ROADS AFFIDAVIT

William J. Conner, as and record title owner of the Real Estate, hereby states the following for the Real Estate legally described as:

The NE ¼ NE ¼ of Section 27, Township 77 North, Range 26 West of the 5th P.M., Except Parcel "A" as shown in the Plat of Survey recorded in Book 2, Page 711, Madison County, Iowa. Said Property contains 30.62 acres including 0.37 acres of public right-of-way (the "Real Estate").

The Real Estate contains all private roads and such private roads are not being dedicated to Madison County, Iowa, and the titleholders of the Real Estate consent and agree that such private roads shall not be maintained in any manner by Madison County, Iowa or the Madison County Engineer's Department.

OWNER:

William J. Conner
William J. Conner

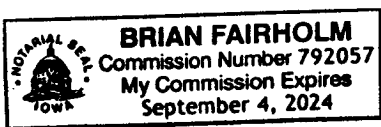
STATE OF IOWA)
) SS:
COUNTY OF MADISON)

This instrument was acknowledged before me on the 6 day of DECEMBER, 2022, by William J. Conner.

Brian Fairholm
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

This Affidavit is accepted by the Madison County Engineer:
[Signature]

By:
Its:



LAND DISTURBING ACTIVITIES AFFIDAVIT

STATE OF IOWA :
 :SS
MADISON COUNTY :

Pursuant to Section 161A.64 of the Code of Iowa, in consideration for permission to engage in a land distributing 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, William J. Conner, 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:

THE NORTHEAST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP SEVENTY-SEVEN (77) NORTH, RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., MADISON COUNTY, IOWA, EXCEPT PARCEL "A" LOCATED THEREIN, CONTAINING 9.017 ACRES, AS SHOWN IN PLAT OF SURVEY FILED IN BOOK 2, PAGE 711 ON AUGUST 2, 1996, 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 of the 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 ensure compliance with the soil loss limit regulations.

I assume responsibility for all land disturbing activities conducted on this property by us or other entities that we represent during any time in which we own the property. 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.

OWNER:

William J. Conner
William J. Conner

STATE OF IOWA)
) SS:
COUNTY OF MADISON)

This instrument was subscribed and sworn to me on the 6th day of December, 2022, by William J. Conner.

Tina Burk



**ZO - RESOLUTION 1-10-23A
APPROVING PLAT OF
HAVEN CREST SUBDIVISION
MADISON COUNTY, IOWA**

WHEREAS, there was filed in the Office of the Zoning Administrator of Madison County, Iowa, a plat of a proposed subdivision known as Haven Crest Subdivision; and

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

THE NORTHEAST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP SEVENTY-SEVEN (77) NORTH, RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., MADISON COUNTY, IOWA, EXCEPT PARCEL "A" LOCATED THEREIN, CONTAINING 9.017 ACRES, AS SHOWN IN PLAT OF SURVEY FILED IN BOOK 2, PAGE 711 ON AUGUST 2, 1996, 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 desires of the proprietors, William J. Conner, 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 encumbrances, except for the Mortgage recorded of record in which the mortgagee has consent to said platting, 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 Haven Crest 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 Haven Crest, prepared in connection with said plat and subdivision is hereby approved.
2. The Zoning Administrator of Madison County, 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 10th day of January, 2023.

MADISON COUNTY BOARD OF SUPERVISORS

By [Signature]
Phillip Clifton, Chairman

Aye Nay

By Diane Fitch
Diane Fitch, Supervisor

Aye Nay

By [Signature]
Heather Stancil, Supervisor

Aye Nay

ATTEST:

[Signature]
Shelley D. Kaster, Madison County Auditor

Preparer/Return to: Katheryn J. Thorson, 666 Grand Ave, Ste. 2000, Des Moines, IA 50309 515.242.2433

OWNER'S FENCE AFFIDAVIT

William J. Conner, as record title owner of the Real Estate, hereby states the following for the Real Estate legally described as:

The NE ¼ NE ¼ of Section 27, Township 77 North, Range 26 West of the 5th P.M., Except Parcel "A" as shown in the Plat of Survey recorded in Book 2, Page 711, Madison County, Iowa. Said Property contains 30.62 acres including 0.37 acres of public right-of-way (the "Real Estate").

The Real Estate does not have a lawful fence surrounding the boundary lines of the above described real estate.

OWNER:

William J. Conner
William J. Conner

STATE OF IOWA)
) SS:
COUNTY OF MADISON)

This instrument was acknowledged before me on the 6th day of December 2022, by William J. Conner.

Tina Burk
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

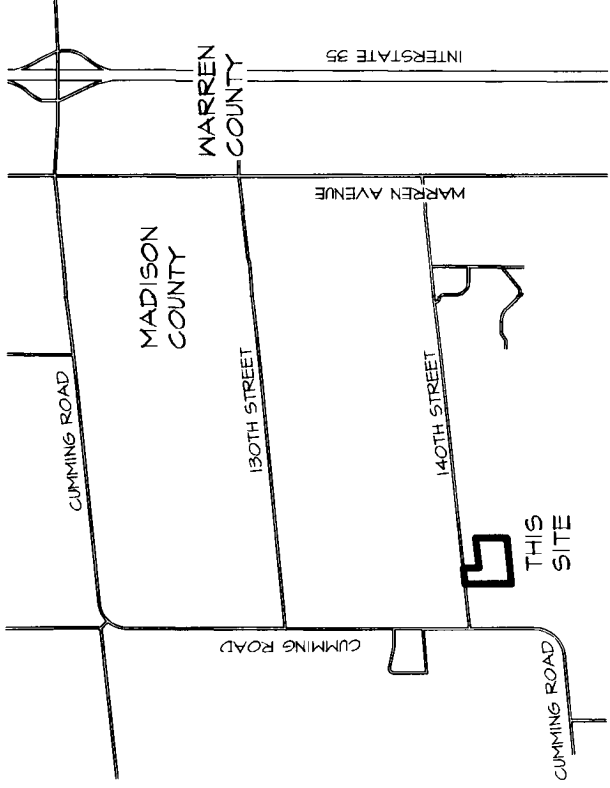


MINOR FINAL PLAT

HAVEN CREST

MADISON COUNTY, IOWA

INDEX LEGEND			
COUNTY:	MADISON		
SECTION	TOWNSHIP	RANGE	1/4 NE 1/4
ALIQUOT PART:	27	11	26 NE NE
PROPRIETOR (S):	WILLIAM J CONNER 3198 140TH ST CUMMING, IA 50061		
REQUESTED BY:	MIKE & SARA ANDERSON CIVIL ENGINEERING CONSULTANTS, INC ATTN: PATRICK J SHEPARD 2400 86TH STREET, SUITE 12, URBANDALE, IA 50322 & RETURN TO: PHONE: 515-276-4884		



VICINITY SKETCH

DRAWING INDEX

SHEET #	TITLE
1	COVER
2	MINOR FINAL PLAT

AREA TABLE

ALIQUOT PART	GROSS EASEMENT (ACRES)	PUBLIC R.O.W. EASEMENT (ACRES)	NET (ACRES)
NE1/4 NE1/4	30.62	0.37	30.25

ZONING:

A - AGRICULTURE

GENERAL NOTES:

- THE MINOR PLAT BEARINGS ARE BASED ON THE NAD 1983 IOWA STATE PLANE SOUTH ZONE GRID NORTH CALCULATED FROM THE IOWA DEPARTMENT OF TRANSPORTATION REAL TIME NETWORK.
- THE ALLOWABLE ERROR OF CLOSURE FOR BOUNDARY IS 1:10,000 AND THE ALLOWABLE ERROR OF CLOSURE FOR EACH LOT IS 1:5,000.
- THIS PARCEL MAY BE SUBJECT TO EASEMENTS OF RECORD. NO TITLE WORK WAS PROVIDED IN PREPARATION OF THIS SURVEY.
- MONUMENTS TO BE SET WITHIN ONE YEAR OF THE FINAL PLAT'S RECORDING DATE.

LEGEND

- FOUND CORNERS
- SET PROPERTY CORNER (5/8" I.R. W/RANGE CAP #12265 UNLESS OTHERWISE NOTED)
- — — — — PROPERTY BOUNDARY LINES
- — — — — PARCEL LINES
- — — — — EXISTING LOT OR TAX PARCEL LINES
- — — — — ORIGINAL PLAT LOT LINES
- — — — — EASEMENT LINES
- D. DEEDED BEARING & DISTANCE
- P. PREVIOUSLY RECORDED BEARING & DISTANCE
- M. MEASURED BEARING & DISTANCE
- I.R. IRON ROD
- .P. IRON PIPE
- BK. XXX, PG. XXX COUNTY RECORDER'S INDEXING BOOK
- P.J.E. PUBLIC UTILITY EASEMENT
- R.O.W. RIGHT-OF-WAY
- P.O.B. POINT OF BEGINNING
- ④ ADDRESS

Document 2023 48
 Book 2023 Page 48 Type 06 044 Pages 17
 Date 1/12/2023 Time 9:54:33AM
 Rec Amt \$87.00 Aud Amt \$5.00
 INDX ANNO SCAN CHEK
 BRANDY MACUMBER, COUNTY RECORDER
 MADISON COUNTY IOWA

PREPARED FOR/OWNER:

WILLIAM J CONNER
 3198 140TH ST
 CUMMING, IA 50061

PROFESSIONAL LAND SURVEYOR:

CIVIL ENGINEERING CONSULTANTS, INC.
 ATTN: PATRICK J SHEPARD, PLS
 2400 86TH STREET, SUITE 12
 URBANDALE, IA 50322
 PHONE: (515) 276-4884
 EMAIL: SHEPARD@CEGLAC.COM

LEGAL DESCRIPTION:

THE NE 1/4 NE 1/4 OF SECTION 27, TOWNSHIP 11 NORTH, RANGE 26 WEST OF THE 5TH P.M., EXCEPT PARCEL "A" AS SHOWN IN THE PLAT OF SURVEY RECORDED IN BOOK 2, PAGE 111, MADISON COUNTY, IOWA. SAID PROPERTY CONTAINS 30.62 ACRES INCLUDING 0.37 ACRES OF PUBLIC RIGHT-OF-WAY EASEMENT.

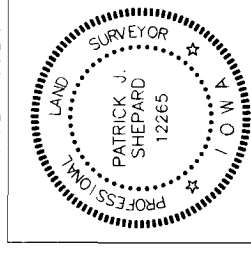
EASEMENT NOTES:

- THE PROPERTY WITHIN THIS PLAT IS A PART OF THE BADGER CREEK WATERSHED SUBDISTRICT THAT WAS CREATED TO CARRY OUT WATERSHED PROTECTION AND FLOOD PREVENTION PROGRAMS AS RECORDED ON JULY 1, 1960 IN BOOK 26, PAGE 549.
- THERE IS AN EASEMENT ON THIS PROPERTY GRANTED TO MADISON COUNTY SOIL CONSERVATION DISTRICT FOR CONSTRUCTION, OPERATION, MAINTENANCE AND INSPECTION OF CERTAIN WATER IMPOUNDMENT AND FLOWAGE IMPROVEMENTS AS RECORDED ON SEPTEMBER 11, 1964 IN BOOK 93 240, PAGE 95290 24.
- THE MADISON COUNTY SOIL & WATER CONSERVATION DISTRICT HAS ESTABLISHED THE FOLLOWING SETBACKS FOR THE BADGER CREEK WATERSHED AS RECORDED ON MARCH 23, 2018 IN BOOK 2018, PAGE 888:
 - 75 LINEAR FEET FROM THE TOP OF DAM ELEVATION AROUND THE POND PERIMETER
 - 75 LINEAR FEET FROM THE CONSTRUCTED BACK TOE OF DAM, SPLASH POOL, AND AUXILIARY SPILLWAY
 - 200 LINEAR FEET FROM THE HIGH BANK OF THE DOWNSTREAM WATER CHANNEL EXTENDING FROM THE PRINCIPAL SPILLWAY OUTLET PIPE TO THE EASEMENT BOUNDARY
 - 100 LINEAR FEET MEASURED FROM THE CENTERLINE OF THE WATERWAY FOR ALL WATER STRUCTURES
 - NO LAND DISTURBING ACT OR STRUCTURES MAY BE WITHIN SETBACK AREAS WITHOUT PRIOR APPROVAL FROM SAID DISTRICT

PURPOSE OF SURVEY:

THIS FINAL PLAT IS BEING PREPARED TO CREATE TWO RESIDENTIAL LOTS.

CERTIFICATION



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.
 PATRICK J. SHEPARD, IOWA LICENSE NO. 12265 DATE 12-19-22
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2023
 PAGES OR SHEETS COVERED BY THIS SEAL.

\$ 2



Civil Engineering Consultants, Inc.
 2400 86th Street, Unit 12, Des Moines, Iowa 50322
 515.276.4884 mail@ceglac.com



DATE	Dec. 19, 2022
DATE OF SURVEY	SEP. 28, 2022
DESIGNED BY	PJS
DRAWN BY	PJS

SHEET	1
OF	2
HAYDEN CREST MADISON COUNTY, IOWA	
COVER	

