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BRANDY MACUMBER, COUNTY RECORDER
MADISON COUNTY IOWA

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Type of Document

BVG Estates Subdivision

PREPARER INFORMATION:

Zoning Office for BVG Estates Subdivision, Jacqueline MacDonald, Executor of Bette L. Van Gundy's Estate (904)238-4707

Contact: Kyle A. Weber, attorney for BVG Estates Subdivision, (515) 462-3731

TAXPAYER INFORMATION:

Bette L. Van Gundy
2292 Village Lane
St. Charles, IA 50240

RETURN DOCUMENT TO:

Bette L. Van Gundy
2292 Village Lane
St. Charles, IA 50240

Or

Jordan, Oliver, Walters & Smith
c/o Kyle A. Weber
101 1/2 W. Jefferson
PO Box 230
Winterset, IA 50273

GRANTOR:

GRANTEE:

**PLAT AND CERTIFICATE
FOR
BVG ESTATES SUBDIVISION**

I, Ryan Hobart, Zoning Administrator of the 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 BVG Estates Subdivision; and, that the real estate comprising said plat is described as follows:

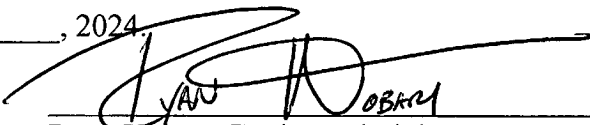
Parcel "J" located in the Southwest Quarter (¼) of Section Thirty-five (35), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 67.72 acres, as shown in Plat of Survey filed in Book 2023, Page 2606 on October 23, 2023, in the Office of the Recorder 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 BVG Estates 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 Zoning Ordinance.

Dated this 28TH day of AUGUST, 2024.



Ryan Hobart, Zoning Administrator

STATE OF IOWA, MADISON COUNTY, ss:

On this 28th day of August, 2024, 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.

Tina Burk

Notary Public in and for the State of Iowa



**DEDICATION OF PLAT
OF
BVG ESTATES SUBDIVISION**

KNOW ALL MEN BY THESE PRESENT:

That Jacqueline P. MacDonald, Executor of the Estate of Bette L. Van Gundy, does hereby certify that the Estate of Bette L. Van Gundy is the sole owner and proprietor of the following-described real estate:

Parcel "J" located in the Southwest Quarter (1/4) of Section Thirty-five (35), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 67.72 acres, as shown in Plat of Survey filed in Book 2023, Page 2606 on October 23, 2023, 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 BVG Estates Subdivision is with the free consent and in accordance with the owners' desire as owners of said real estate.

Dated this 3rd day of July, 2024.

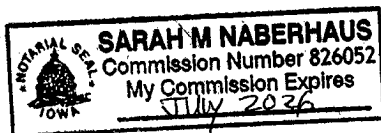
Estate of Bette L. Van Gundy

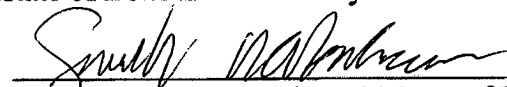
By  . Executor

Jacqueline P. MacDonald, Executor

STATE OF IOWA, COUNTY OF Madison

This instrument was acknowledged before me on this 3rd day of July, 2024, by Jacqueline P. MacDonald, Executor of the Estate of Bette L. Van Gundy.




Notary Public in and for said State of Iowa

**ATTORNEY'S OPINION FOR FINAL PLAT
BVG ESTATES SUBDIVISION
MADISON COUNTY, IOWA**

I, Kyle A. Weber, an attorney at law licensed to practice under the laws of the State of Iowa, have examined the abstract of title in one (1) part, last certified to June 11, 2024, at 8:00 A.M., by Madison County Abstract Company purporting to show the chain of title to the following described real estate, which is the real property contained in Final Plat, BVG Estates Subdivision, Madison County, Iowa.

Parcel "J" located in the Southwest Quarter (¼) of Section Thirty-five (35), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 67.72 acres, as shown in Plat of Survey filed in Book 2023, Page 2606 on October 23, 2023, in the Office of the Recorder of Madison County, Iowa.

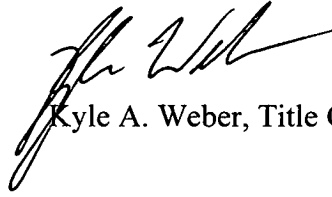
In my opinion, merchantable title to the above-described property is in the name of the Estate of Bette L. Van Gundy, free and clear of all liens and encumbrances, except:

1. Entry No. 68 of Continuation of Abstract No. 21623 shows an Easement in favor of Madison County, dated September 25, 1936, filed January 6, 1937, in Deed Rec. 72, Page 327, in the Recorder's Office of Madison County, Iowa, for road purposes. The legal description used to describe the location of this easement is too broad to determine if it affects the real estate under examination.

2. Entry No. 134 of Continuation of Abstract No. 3574264 shows a Limited Easement in favor of Southern Iowa Rural Water Association, its successors and assigns, dated August 11, 1994, filed February 12, 2008, in Book 2008, Page 462, in the Recorder's Office of Madison County, Iowa, for the purposes of constructing, operating, and maintaining water pipelines and any necessary appurtenances thereto. You should familiarize yourself with this Easement as it may to some extent affect the use of the real estate under examination.

Respectfully submitted,

JORDAN, OLIVER & WALTERS, P.C.

A handwritten signature in black ink, appearing to read 'Kyle A. Weber', written in a cursive style.

Kyle A. Weber, Title Guaranty No. 10987

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

I, Amanda DeVoss, 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:

BVG ESTATES SUBDIVISION

Parcel "J" located in the Southwest Quarter (¼) of Section Thirty-five (35), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 67.72 acres, as shown in Plat of Survey filed in Book 2023, Page 2606 on October 23, 2023, in the Office of the Recorder of Madison County, Iowa.

Owned by: Estate of Bette L. Van Gundy

DATED at Winterset, Iowa, this 9 day of July, 2024.



Amanda DeVoss, Treasurer of Madison County,
Iowa

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

BVG ESTATES SUBDIVISION

For property located at:

Parcel "J" located in the Southwest Quarter (¼) of Section Thirty-five (35), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 67.72 acres, as shown in Plat of Survey filed in Book 2023, Page 2606 on October 23, 2023, in the Office of the Recorder of Madison County, Iowa.

And owned by: Estate of Bette L. Van Gundy

Has been approved on the 8th day of July, 2024.

Auditor, Madison County, Iowa.

By 
Shelley D. Kaster, Auditor

AGREEMENT

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

NOW THEREFORE IT IS AGREED AS FOLLOWS:

1. The proprietors of BVG Estates Subdivision, a Plat of the following described real estate:

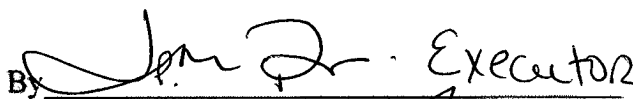
Parcel "J" located in the Southwest Quarter (¼) of Section Thirty-five (35), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 67.72 acres, as shown in Plat of Survey filed in Book 2023, Page 2606 on October 23, 2023, in the Office of the Recorder of Madison County, Iowa.,


hereby agree that all private roads located within BVG Estates Subdivision are private roads and are not being dedicated to Madison County, Iowa. Said proprietors consent and agree that such roads shall not be maintained in any manner by Madison County, Iowa, or the Madison County Engineer's Department.

Date: July 3, 2024.

PROPRIETORS OF BVG Estates Subdivision

Estate of Bette L. Van Gundy

By  Executor
Jacqueline P. MacDonald, Executor

By 
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 we make herein, I, Jacqueline P. MacDonald, Executor of the Estate of Bette L. Van Gundy, 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 "J" located in the Southwest Quarter (¼) of Section Thirty-five (35), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 67.72 acres, as shown in Plat of Survey filed in Book 2023, Page 2606 on October 23, 2023, in the Office of the Recorder of Madison County, Iowa.,

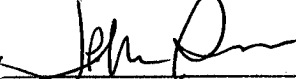
As owners or occupants of the land described above, we are aware that we must establish and maintain soil conservation practices as necessary to meet the soil loss limits established by the Madison County Soil and Water Conservation District, pursuant to sections 161A.43, and 161A.44, Code of Iowa.

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.

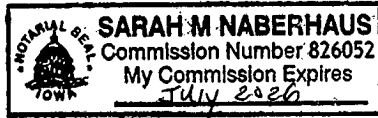
We are the owners of the land, and have full authority to enter into this agreement.

Estate of Bette L. Van Gundy

By  - *Executor*

Jacqueline P. MacDonald, Executor

Subscribed and sworn to before me by Jacqueline P. MacDonald, Executor of the Estate of Bette L. Van Gundy, on this 3rd day of July, 2024.



Sarah M. Naberhaus
Notary Public in and for the State of Iowa

ZO – Resolution – 10/08/24 A
RESOLUTION APPROVING FINAL PLAT
OF BVG ESTATES 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 BVG Estates Subdivision and

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

Parcel "J" located in the Southwest Quarter (¼) of Section Thirty-five (35), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 67.72 acres, as shown in Plat of Survey filed in Book 2023, Page 2606 on October 23, 2023, 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, Estate of Bette L. Van Gundy.

WHEREAS, said plat was accompanied by a complete abstract of title and an opinion from an attorney at law showing that title in fee simple is in said proprietor and that the platted land is free from encumbrance, and a Certified statement from the Treasurer of Madison County, Iowa, that said platted land is free from taxes.

WHEREAS, the Board of Supervisors, Madison County, Iowa, finds that said plat conforms to the provisions of the Zoning Ordinance of Madison County, Iowa, and that the plat, papers and documents presented therewith should be approved by the Board of Supervisors, and that said plat, known as BVG Estates Subdivision should be approved by the Board of Supervisors, Madison County, Iowa.

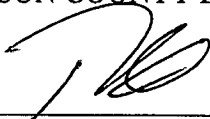
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors, Madison County, Iowa:

1. That said plat, known as BVG Estates 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 _____ day of _____, 2024.

MADISON COUNTY BOARD OF SUPERVISORS

By  Aye Nay
Phil Clifton, Chairman

By  Aye Nay
Diane Fitch, Supervisor

By  Aye Nay
Heather Stancil, Supervisor

ATTEST:


Shelley D. Kaster, Madison County Auditor

Prepared by: Kyle A. Weber, PO BOX 230, Winterset, IA 50273 515/462-3731
Return to: Kyle A. Weber, PO BOX 230, Winterset, IA 50273 515/462-3731

AFFIDAVIT


STATE OF IOWA :
: ss
MADISON COUNTY :

I, Jacqueline P. MacDonald, Executor of the Estate of Bette L. Van Gundy, first being duly sworn on oath state that this Affidavit concerns the chain of title to the following described real estate:

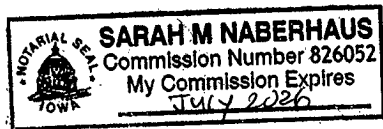
Parcel "J" located in the Southwest Quarter (¼) of Section Thirty-five (35), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 67.72 acres, as shown in Plat of Survey filed in Book 2023, Page 2606 on October 23, 2023, in the Office of the Recorder of Madison County, Iowa.,

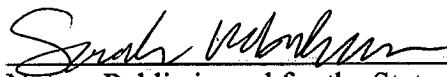
We further state that there is a lawful fence surrounding the boundary lines of the above described real estate.

ESTATE OF BVG ESTATES SUBDIVISION

By  - Executor
Jacqueline P. MacDonald, Executor

Subscribed and sworn to before me by Jacqueline P. MacDonald, Executor of the Estate of Bette L. Van Gundy, on this 3rd day of July, 2024.




Notary Public in and for the State of Iowa

BVG ESTATES

0 300 600 FEET

