

Preparer; Brett T. Osborn, 974 - 73<sup>rd</sup> Street, Suite 16, West Des Moines, IA 50265 (515) 223-6000  
When recorded, Return to: Brett T. Osborn, 974 - 73<sup>rd</sup> Street, Suite 16, West Des Moines, IA 50265 (515) 223-6000

**AFFIDAVIT EXPLANATORY OF TITLE**

STATE OF IOWA                    )  
  )ss  
COUNTY OF POLK                )

I, Brett T. Osborn, being first duly sworn on oath, depose and state as follows:

1. I am an attorney duly licensed and practicing law in West Des Moines, Polk County, Iowa.
2. I am acquainted with the chain of title to the following described real estate in Madison County, Iowa, to-wit:

THE NORTHEAST QUARTER (1/4) OF SECTION TWELVE (12), IN TOWNSHIP SEVENTY-SEVEN (77) NORTH, RANGE TWENTY-EIGHT (28) WEST OF THE 5<sup>TH</sup> P.M., MADISON COUNTY, IOWA, EXCEPT THAT PART THEREOF DEEDED FOR HIGHWAY PURPOSES

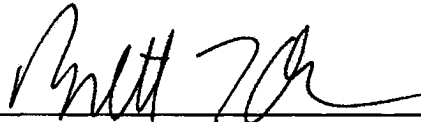
Locally known as: SCENIC RIDGE SUBDIVISION, LOCATED IN THE NORTHEAST QUARTER (1/4) OF SECTION TWELVE (12), IN TOWNSHIP SEVENTY-SEVEN (77) NORTH, RANGE TWENTY-EIGHT (28) WEST OF THE 5<sup>TH</sup> P.M., MADISON COUNTY, IOWA; (Scenic Ridge Subdivision consists of thirty-nine numbered lots)

3. I am familiar with the chain of title to the above described real estate by examination of title, pre-platting activities, platting activities, post-platting activities and independent research pertaining to the real estate and matters affecting title.
4. This Affidavit is given to clarify that the private roads contained within Scenic Ridge Subdivision are created by virtue of easement and the private roads within the subdivision are not an independent lot, although, references to a street lot have been made in the Declaration of Covenants and its Amendments. Although it was originally contemplated to have a dedicated street lot, regulations, zoning, and plat

approval required private streets by virtue of a roadway easement throughout the plat. All lots within the subdivision have adjoining lot lines and therefore own to the center of any roadway (typically) located upon the individual lots. This affidavit is general in nature and is not intended to and does not alter, change, or affect lot lines. Lot lines are as designated on the Plat Map.

5. The private streets are an association responsible element located upon each lot as designated on the plat map, subject to an easement for ingress and egress and used as a private street. Owners of the lots are responsible for maintenance of the ditches and remainder of the right of way as part of their lot.
6. I give this Affidavit Explanatory of Title to explain the status of title to the areas designated as streets on the final plat of Scenic Ridge Subdivision and to remove any cloud upon the title of the property described herein as well as all parcels affected by the roadway easements. This Affidavit shall be afforded all of the rights, presumptions, and conclusions provided by Iowa Code § 558.8 as an Affidavit Explanatory of Title by the owner of the real estate.

Further affiant sayeth naught.



BRETT T. OSBORN  
974 - 73<sup>rd</sup> Street, Suite 16  
West Des Moines, Iowa 50265  
Phone: 515-223-6000  
Fax: 515-223-6011  
Email: [bosborn@midwestlawgroup.com](mailto:bosborn@midwestlawgroup.com)  
Attorney for Scenic Ridge Subdivision

On this 9<sup>th</sup> day of March, 2026, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Brett T. Osborn, to me known to be the 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

