

**PLAT AND CERTIFICATE
FOR CLARK TOWER SUBDIVISION PLAT II, PHASE II
MADISON COUNTY, IOWA**

I, C. J. Nicholl, 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 Clark Tower Subdivision Plat II, Phase II, and that the real estate comprising said plat is described as follows:

See Legal Description Attached.

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. Attorney's Opinion;
2. Contract Holder's Consent to Plat;
3. Mortgage Holder's Consent to Plat;
4. Dedication of Plat;
5. Certificate from County Treasurer;
6. Resolution of the City of Winterset;
7. Declaration of Covenants, Conditions and Restrictions;
8. Resolution of the Board of Supervisors of Madison County, Iowa, approving said plat;
9. Agreement with County Engineer; and
10. Ground Water Statement;
11. Madison County Soil and Water Conservation District Land Disturbing Activity Affidavit.

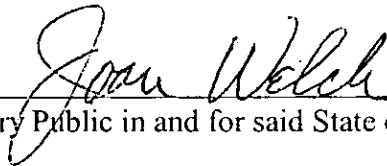
all of which are duly certified in accordance with the Madison County Zoning Ordinance.



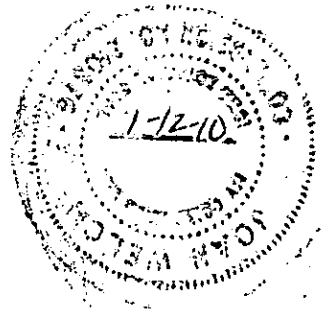
C. J. Nicholl, Zoning Administrator of Madison
County, Iowa

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 4th day of January,
2008, by C.J. Nicholl.



Notary Public in and for said State of Iowa



LEGAL DESCRIPTION

That part of the Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter and the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 18, Township 75 North, Range 27 West of the Fifth Principal Meridian, Madison County, Iowa, described as follows:

Commencing at the northeast corner of the Southeast Quarter of the Northwest Quarter of said Section 18;
thence on an assumed bearing of South 00 degrees 16 minutes 40 seconds East along the easterly line of the Southeast Quarter of the Northwest Quarter of said Section 18 a distance of 682.86 feet to the point of beginning;
thence South 80 degrees 27 minutes 16 seconds East 502.14 feet;
thence South 05 degrees 46 minutes 12 seconds West 969.90 feet to the northeast corner of Lot 6 of Clark Tower Subdivision Plat II Phase I, recorded in Book 2007, Page 973, Madison County Recorder's Office, Madison County, Iowa;
thence North 64 degrees 38 minutes 15 seconds West along the northerly line of said Lot 6 a distance of 634.21 feet to the northwest corner of said Lot 6;
thence North 05 degrees 02 minutes 59 seconds East along the easterly line of Lot 9 and Lot 10 of said Clark Tower Subdivision Plat II Phase I 219.02 feet to the northeast corner of said Lot 10;
thence North 86 degrees 22 minutes 00 seconds West along the northerly line of said Lot 10 a distance of 129.52 feet to the southeast corner of Lot 2 of said Clark Tower Subdivision Plat II Phase I;
thence North 03 degrees 38 minutes 00 seconds East along the easterly line of said Lot 2 a distance of 33.00 feet to the northeasterly line of said Lot 2;
thence northwesterly along said northeasterly line 38.67 feet along a non-tangential curve concave northeasterly, said curve has a radius of 50.00 feet, a central angle of 44 degrees 18 minutes 52 seconds, a chord 37.71 feet in length bearing North 64 degrees 12 minutes 34 seconds West;
thence northwesterly along said northeasterly line 55.23 feet along a non-tangential curve concave southwesterly, said curve has a radius of 66.00 feet, a central angle of 47 degrees 56 minutes 52 seconds, a chord 53.63 feet in length bearing North 66 degrees 01 minutes 34 seconds West to the east line of said Lot 2;
thence North 00 degrees 00 minutes 00 seconds East along said east line 479.67 feet to the southerly line of Clark Tower Subdivision recorded in Book 2001, Page 2798-A, Madison County Recorder's Office, Madison County, Iowa;
thence North 88 degrees 45 minutes 09 seconds East along said southerly line 321.27 feet;
thence South 80 degrees 27 minutes 16 seconds East along said southerly line 45.69 feet to the point of beginning.

Said tract contains 15.10 acres.

**DEDICATION OF PLAT
OF
CLARK TOWER SUBDIVISION PLAT II, PHASE II
MADISON COUNTY, IOWA**

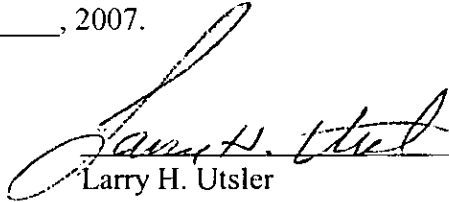
KNOW ALL MEN BY THESE PRESENT:

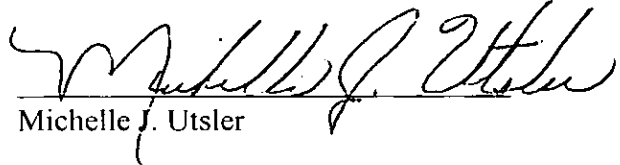
That Larry H. Utsler and Michelle J. Utsler, husband and wife, do certify that they are the sole owners and proprietors of the following-described real estate:

See Legal Description Attached

That the subdivision of the above-described real estate, as shown by the final plat of Clark Tower Subdivision Plat II Phase II Madison County, Iowa, is with the free consent and in accordance with the owners' desires as owners of said real estate.

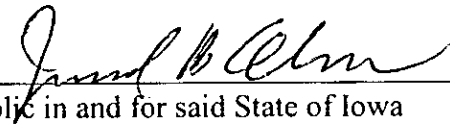
Dated this 19 day of Sept, 2007.

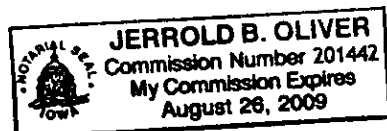

Larry H. Utsler


Michelle J. Utsler

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 19 day of Sept, 2007, by Larry H. Utsler and Michelle J. Utsler.


Notary Public in and for said State of Iowa



LEGAL DESCRIPTION

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thence North 88 degrees 45 minutes 09 seconds East along said southerly line 321.27 feet;
thence South 80 degrees 27 minutes 16 seconds East along said southerly line 45.69 feet to the point of beginning.

Said tract contains 15.10 acres.

CONSENT OF CONTRACT HOLDER

Anchored Walls, Inc., Seller, in a certain Real Estate Contract made and entered into, by and between Seller and Larry H. Utsler and Michelle J. Ustler, Buyers, dated August 18, 1998, and filed August 19, 1998, in Deed Record 139, Page 454 of the Recorder's Office of Madison County, Iowa, does hereby consent to the platting and subdivision of the following described real estate:

See Legal Description Attached

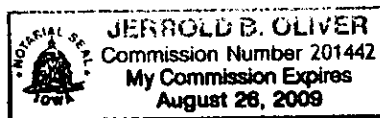
Dated this 19 day of Sept, 2007.

Anchored Walls, Inc.
By Larry H. Utsler President
Larry H. Utsler, President

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 19 day of Sept, 2007 by Larry H. Utsler, President of Anchored Walls, Inc.

Jerrold B. Oliver
Notary Public in and for said State



LEGAL DESCRIPTION

That part of the Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter and the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 18, Township 75 North, Range 27 West of the Fifth Principal Meridian, Madison County, Iowa, described as follows:

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Said tract contains 15.10 acres.

**ATTORNEY'S OPINION FOR
CLARK TOWER SUBDIVISION PLAT II, PHASE II
MADISON COUNTY, IOWA**

I, Jerrold B. Oliver, an attorney at law licensed to practice under the laws of the State of Iowa, have examined the abstract of title in three (3) part, last certified to August 7, 2007, 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 Clark Tower Subdivision Plat II Phase II, Madison County, Iowa:

See Legal Description Attached

In my opinion, merchantable title to the above described property is in the names of Larry H. Utsler and Michelle J. Utsler as Joint Tenants with Full Rights of Survivorship and Not as Tenants in Common, free and clear of all liens and encumbrances, except a mortgage to Farm Credit Services of the Midlands, FLCA in the principal amount of \$110,000.00, dated March 16, 1994, and filed April 15, 1994, in Mortgage Record 171, Page 734 of the Recorder's Office of Madison County, Iowa, and a Real Estate Contract from Anchored Walls, Inc., Sellers, to Larry H. Utsler and Michelle J. Utsler, Buyers, dated August 18, 1998, and filed August 19, 1998, in Deed Record 139, Page 454 of the Recorder's Office of Madison County, Iowa.


The abstract shows the following easements:

- a. Entry No. 108 of Part A of the abstract shows an Easement to Iowa Power and Light Company, its successors and assigns dated May __, 1947, and filed June 17, 1947, in Deed Record 82, Page 356 in the Recorder's Office of Madison County, Iowa.

- b. Entry No. 9 of Part C of the abstract shows an Easement to the State of Iowa dated March 16, 1928, and filed March 17, 1928, in Deed Record 57, Page 556 of the Recorder's Office of Madison County, Iowa.
- c. Entry No. 13 of Part C of the abstract shows an Easement to the State of Iowa date and filed August 10, 1931, in Deed Record 66, Page 574 of the Recorder's Office of Madison County, Iowa.
- d. Entry No. 16 of Part C of the abstract shows an Easement to the State of Iowa dated October 31, 1935, and filed November 8, 1935, in Deed Record 72, Page 174 of the Recorder's Office of Madison County, Iowa.
- e. Entry No. 19 of Part C of the abstract shows an Easement to Iowa Power and Light Company, its successors and assigns dated May ____, 1947, and filed May 29, 1947, in Deed Record 82, Page 357 of the Recorder's Office of Madison County, Iowa.
- f. Entry No. 61 of Part C of the abstract shows an Easement to Madison County, Iowa, dated May 3, 1963, and filed May 31, 1963, in Deed Record 93, Page 118 of the Recorder's Office of Madison County, Iowa.
- g. Entry No. 71 of Part C of the abstract shows an Easement to Midwest Power Systems, Inc, an Iowa Corporation, its successors and assigns dated March 8, 1994, and filed March 14, 1994, in Deed Record 132, Page 574 of the Recorder's Office of Madison County, Iowa.
- i. Entry No. 86 of Part C of the abstract to Warren Water, Inc., its successors and assigns dated March 25, 1998, and filed May 21, 1998, in Deed Record 140, Page 137 of the Recorder's Office of Madison County, Iowa.

Respectfully submitted,

JORDAN, OLIVER & WALTERS, P.C.

By 

Jerrold B. Oliver

Farmers & Merchants Bank Bldg.

P.O. Box 230

Winterset, Iowa 50273

Telephone: (515) 462-3731

ATTORNEYS FOR LARRY H. UTSLER AND
MICHELLE J. UTSLER

LEGAL DESCRIPTION

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thence North 88 degrees 45 minutes 09 seconds East along said southerly line 321.27 feet;
thence South 80 degrees 27 minutes 16 seconds East along said southerly line 45.69 feet to the point of beginning.

Said tract contains 15.10 acres.

**CONSENT TO PLATTING
BY FARM CREDIT SERVICES OF THE MIDLANDS, FLCA**

Farm Credit Services of America, FLCA f/k/a Farm Credit Services of the Midlands, ^{FLCA} does

hereby consent to the platting and subdivision of the following-described real estate:

See Legal Description Attached

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 dated March 16, 1994, and filed April 15, 1994, in Mortgage Record 171, Page 734 of the Recorder's Office of Madison County, Iowa.

Dated this 18th day of September, 2007.



Farm Credit Services of America, FLCA f/k/a Farm Credit Services of the Midlands, FLCA

By Ruth Neubert Assistant Corporate Secretary

STATE OF IOWA, COUNTY OF Wapello

This instrument was acknowledged before me on this 18th day of September 2007 by Ruth Neubert as Assistant Corporate Secretary of Farm Credit Services of America, FLCA f/k/a Farm Credit Services of the Midlands, FLCA



Julie Sandeen
Notary Public in and for said State

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

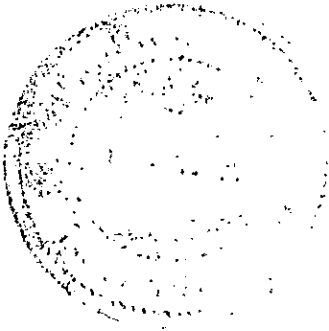
I, G. JoAnn Collins, do hereby certify that I am the duly elected and acting Treasurer of Madison County, Iowa; that I have examined the records in my office, and that there are no unpaid taxes forming a lien against the following-described real estate, to-wit:

See Legal Description Attached

DATED at Winterset, Iowa, this 20th day of September, 2007.



G. JoAnn Collins, Treasurer of Madison County,
Iowa



LEGAL DESCRIPTION

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Said tract contains 15.10 acres.

**DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS
FOR
CLARK TOWER SUBDIVISION PLAT II, PHASE II**

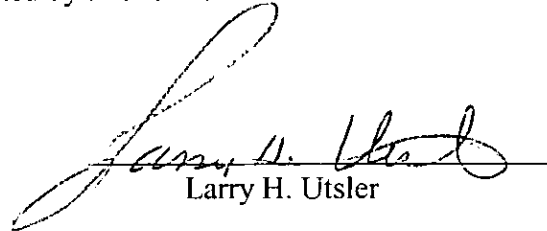
THIS DECLARATION is made on the date set forth below by **Larry H. Utsler and Michelle J. Utsler**, husband and wife, hereinafter referred to as **Declarant**;

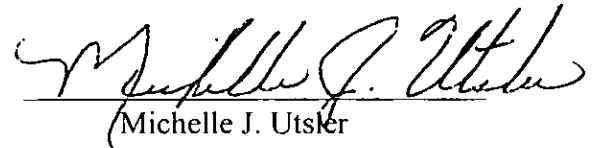
WITNESSETH:

WHEREAS, Declarant is the owner of certain real estate in Madison County, Iowa located in the
SEE ATTACHED LEGAL DESCRIPTION

NOW THEREFORE, Declarant hereby declares that all properties within the above described real estate shall be held, sold and conveyed subject to the easements, conditions, covenants and restrictions set forth in the Declaration of Covenants, Conditions and Restrictions filed for Clark Tower Subdivision Plat II, Phase I and all of such Covenants, Conditions and Restrictions shall apply as if set forth fully at length and are hereby incorporated by this reference.

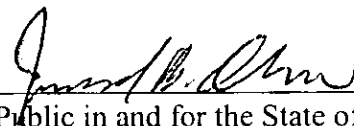
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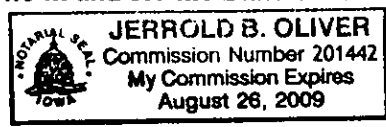

Larry H. Utsler


Michelle J. Utsler

STATE OF IOWA :
:SS
COUNTY OF MADISON :

On this 19th day of September, 2007, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Larry H. Utsler and Michelle J. Utsler, to me known to me personally known, who being by me duly sworn, did say that they are the persons named in the within and foregoing instrument, and that the instrument was executed by them as their voluntary act and deed.


Notary Public in and for the State of Iowa



LEGAL DESCRIPTION

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Said tract contains 15.10 acres.

**RESOLUTION APPROVING
FINAL PLAT OF
CLARK TOWER SUBDIVISION PLAT II, PHASE II
MADISON COUNTY, IOWA**

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 Clark Tower Subdivision Plat II, Phase II; and

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

See Exhibit "A" Attached

Subject to 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, Larry H. Utsler and Michelle J. Utsler; and

WHEREAS, said plat was accompanied by an opinion from an attorney at law showing that title in fee simple is in said proprietors and that the platted land is free from encumbrance, except as noted therein and certified statement from the Treasurer of Madison County, Iowa, that said platted land is free from taxes; and

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 Clark Tower Subdivision Plat II, Phase II prepared in connection with said plat and subdivision is hereby approved.

2. The requirement of the Subdivision Ordinance of the City of Winterset, that certain improvements be constructed in connection with said plat is hereby waived.

3. 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 17th day of December, 2007.

CITY OF WINTERSET, IOWA

By James C. Olson
James C. Olson, Mayor

ATTEST:

Mark Nitchals
Mark Nitchals, City Administrator



LEGAL DESCRIPTION

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thence South 80 degrees 27 minutes 16 seconds East 502.14 feet;
thence South 05 degrees 46 minutes 12 seconds West 969.90 feet to the northeast corner of Lot 6 of Clark Tower Subdivision Plat II Phase I, recorded in Book 2007, Page 973, Madison County Recorder's Office, Madison County, Iowa;
thence North 64 degrees 38 minutes 15 seconds West along the northerly line of said Lot 6 a distance of 634.21 feet to the northwest corner of said Lot 6;
thence North 05 degrees 02 minutes 59 seconds East along the easterly line of Lot 9 and Lot 10 of said Clark Tower Subdivision Plat II Phase I 219.02 feet to the northeast corner of said Lot 10;
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thence North 03 degrees 38 minutes 00 seconds East along the easterly line of said Lot 2 a distance of 33.00 feet to the northeasterly line of said Lot 2;
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thence North 00 degrees 00 minutes 00 seconds East along said east line 479.67 feet to the southerly line of Clark Tower Subdivision recorded in Book 2001, Page 2798-A, Madison County Recorder's Office, Madison County, Iowa;
thence North 88 degrees 45 minutes 09 seconds East along said southerly line 321.27 feet;
thence South 80 degrees 27 minutes 16 seconds East along said southerly line 45.69 feet to the point of beginning.

Said tract contains 15.10 acres.

**RESOLUTION APPROVING FINAL PLAT
OF CLARK TOWER SUBDIVISION PLAT II, PHASE II
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 Clark Tower Subdivision Plat II, Phase II; and

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

SEE LEGAL DESCRIPTION ATTACHED

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, Larry H. Utsler and Michelle J. Utsler; 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 proprietors and that the platted land is free from encumbrance except a Real Estate Contract and a mortgage held by Farm Credit Services of the Midlands, FLCA, and 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 Clark Tower Subdivision Plat II, Phase II 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 Clark Tower Subdivision Plat II, Phase II 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 23rd day of October, 2007.



Bob Weeks, Chairman, Board of Supervisors,
Madison County, Iowa

ATTEST:



Joan Welch
Madison County Auditor

LEGAL DESCRIPTION

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AGREEMENT

This Agreement, made and entered into, by and between, the proprietors of Clark Tower Subdivision Plat II and Todd Hagan, Madison County Engineer.

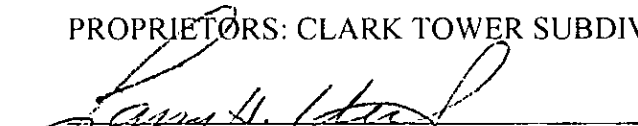
NOW THEREFORE IT IS AGREED AS FOLLOWS:

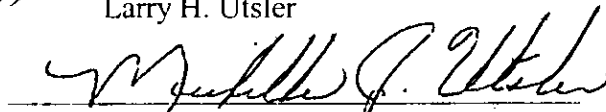
1. The proprietors of Clark Tower Subdivision Plat II, Phase II, a Plat of the following described real estate:

SEE LEGAL DESCRIPTION ATTACHED

hereby agree that all private roads located within Clark Tower Subdivision Plat II, Phase II 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.

PROPRIETORS: CLARK TOWER SUBDIVISION PLAT II, PHASE II


Larry H. Utsler


Michelle J. Utsler


Todd Hagan, Madison County Engineer

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**FARMERS &
MERCHANTS**
STATE BANK

www.fandmbankonline.com



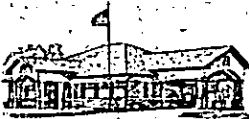
Winterset - Main Office

101 West Jefferson
P.O. Box 29
Winterset, Iowa 50273-0029
515-462-4242
Loan Dept: 515-462-4381



Winterset - Motor Bank

722 N. John Wayne Drive
Winterset, Iowa 50273-0029
515-462-1110



St. Charles Office

317 East Main
P.O. Box 105
St. Charles, Iowa 50240
641-396-2233
Toll Free: 888-243-2233



Orient Office

114 South Broad
P.O. Box 39
Orient, Iowa 50858
641-337-5418



Home Grown Banking for Today & Tomorrow.

September 20, 2007

Madison County Zoning
Attn: Jeff Nicholl
Court House
Winterset, IA 50273

RE: Irrevocable Letter of Credit in favor of Madison County Zoning
For the benefit of Michelle Utsler, Clark Tower Subdivision,
Plat 2 Phase I and II

Farmers & Merchants State Bank has established an Irrevocable Letter of Credit in the amount of \$53,000.00 for the benefit of the Madison County Zoning that is available if for any reason that Madison County Zoning feels there is a maintenance issue or failure on Mrs. Utsler to complete the necessary infrastructure and roadway improvements for Mrs. Utsler's project. If you desire to make a draw on this Letter of Credit, please contact a Bank Loan Officer or myself to initiate an advance.

Please note that this Irrevocable Letter of Credit is valid until January 1, 2009.

If you have any questions or concerns, please contact me at (515) 462-4381.

Sincerely,

Shane Pashek
Executive Vice President

SKP/klb

LAND DISTURBING ACTIVITIES

AFFIDAVIT

Pursuant to Section 161A.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 statements we make herein, we, Larry H. Utsler and Michelle J. Utsler, first being duly sworn under oath, do solemnly swear to affirm that:

We engaged in the following land disturbing activity:

Construction of private road.

The completion date of this private road will be August 31, 2008.

The land disturbing activity will occur on lands under our control, which lands are legally described as:

SEE DESCRIPTION ATTACHED

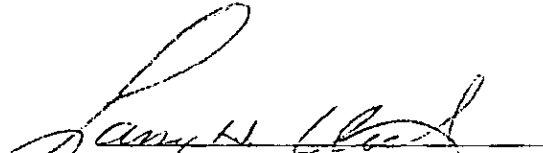
As owners or occupants of the land described above, we are aware that we must establish and maintain soil conservation practices as necessary to meet the soil loss limits established by the Madison County Soil and Water Conservation District, pursuant to Sections 161A.43, and 161A.44, Code of Iowa.

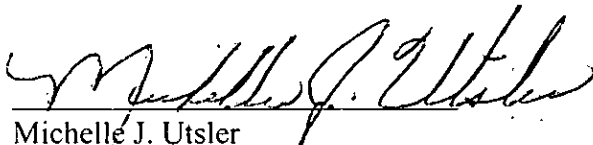
We are aware that the soil loss limit regulations prohibit sediment from leaving the site in excess of 5 tons per acre per year. The land disturbing activities described above will be conducted in a manner that will insure compliance with the soil loss limit regulation.

Upon filing this affidavit, we are given authority to start the land disturbing activity. I also assume responsibility for all land disturbing activities conducted on this property by ourselves or other people or entities we represent. This authority covers only the land and land disturbing activities

described above.

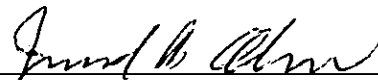
We, Larry H. Utsler and Michelle J. Utsler, are owners of the land, and have full authority to enter into this agreement and to comply with the representations contained herein.

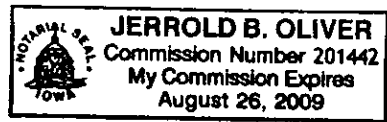

Larry H. Utsler


Michelle J. Utsler

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 19 day of Sept, 2007, by Larry H. Utsler and Michelle J. Utsler.


Notary Public in and for said State of Iowa



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DEAR STORM WATER DISCHARGER:

We are using the following contact person and address for correspondence relating to the storm water discharge general permit. If you prefer that correspondence be sent elsewhere, please make the appropriate changes below and return this form to us so that we can update our records.

Mail changes to: Storm Water Coordinator
Iowa Department of Natural Resources
502 E. 9th St.
Des Moines, IA 50319-0034

DNR Permit Number: IA - 12906 - 12699

Contact Person: LARRY UTSLER

Contact Address:

1718 4TH AVENUE

WINTERSET, IA 50273

Telephone: (515)462-3824



DEPARTMENT OF NATURAL RESOURCES

THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

JEFFREY R. VONK, DIRECTOR

December 19, 2006

LARRY UTSLER
1718 4TH AVENUE
WINTERSET, IA 50273

Re: Authorization of a Storm Water Discharge Associated With Construction Activity
Iowa Department of Natural Resources, NPDES General Permit No.2
DNR Authorization Number: IA - 12906 - 12699
Facility Name and Location: CLARK TOWER SUBDIVISION PLAT II, WINTERSET, IA

Dear LARRY UTSLER:

This letter is to acknowledge that a complete Notice of Intent to be covered under Iowa's NPDES Storm Water General Permit No. 2 has been received. Please use the DNR Authorization Number provided above for any future correspondence on this project. By making this Notice of Intent with the DNR, you are committing to meet the terms and conditions in General Permit No. 2. If you do not have a copy of General Permit No. 2 please call (515)281-6782 and request that a copy be sent to you.

In accordance with the terms and conditions in General Permit No. 2, a pollution prevention plan was to have been developed before the Notice of Intent was submitted to the department. The plan is to be implemented at the start of construction and updated accordingly. The pollution prevention plan and other records are to be kept on-site where the storm water discharge occurs. Unless otherwise requested, you do not need to provide a copy to the DNR.

When the construction project has reached final stabilization as defined in the permit, you must submit a Notice of Discontinuation to the DNR (refer to the summary guidance document). Final stabilization is not achieved for residential and commercial developments until all houses and buildings have been constructed and ground surrounding them has been finally stabilized.

If you have questions, please call me at 515-281-7017 or Ruth Rosdail at 515-281-6782.

Sincerely,

Joe Griffin
NPDES Section
Environmental Protection Division

Enclosure(s): Contact Information Sheet; Permit Authorization Sheet.

File No. CON 11 - 4 - 1 -- 12906
IDNR Field Office #5



THOMAS J. VILSACK, GOVERNOR
 SALLY J. PEDERSON, LT. GOVERNOR

JEFFREY R. VONK, DIRECTOR

DEPARTMENT OF NATURAL RESOURCES
 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
 NOTICE OF GENERAL PERMIT COVERAGE UNDER
 GENERAL PERMIT NO. 2

STORM WATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITY

This notice of general permit coverage for a storm water discharge associated with construction activity is issued pursuant to the authority of section 402 (b) of the Clean Water Act (U.S.C. 1342(b)), Iowa Code 455B.174, and subrule 567--64.4(2), Iowa Administrative Code. A Notice of Intent has been filed with the Iowa Department of Natural Resources that this storm water discharge complies with the terms and conditions of NPDES General Permit No. 2. Authorization is hereby issued to discharge storm water associated with industrial activity as defined in Part VIII of the Iowa Department of Natural Resources NPDES General Permit No. 2 in accordance with the terms and conditions set forth in the permit.

Owner: LARRY UTSLER
 1718 4TH AVENUE
 WINTERSET IA 50273
 (515)462-3824

Permit Coverage Issued To:
 CLARK TOWER SUBDIVISION PLAT II
 CLARK TOWER ROAD
 in WINTERSET, MADISON COUNTY
 located at

1/4 Section	Section	Township	Range	Latitude			Longitude		
				Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
SW,SE, NW, NE	18	75N	27W						

Coverage Provided Through: 12/19/2007
NPDES Permit Discharge Authorization Number: 12906 - 12699
Discharge Authorization Date: 12/19/2006

Project Description: CONSTRUCTION ACTIVITIES RELATED TO THE DEVELOPMENT OF A PRIVATE SUBDIVISION. 6.5 ACRES.

