

**PLAT AND CERTIFICATE  
FOR CONSTABLE ACRES,  
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 Constable Acres, and that the real estate comprising said plat is described as follows:

Parcel "G" in the Northeast Quarter ¼ of the Northeast Quarter ¼ of Section Twenty-three (23), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., 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. Attorney's Opinion;
2. Consent to Plat;
3. Certificate from County Treasurer;
4. Resolution of the Board of Supervisors of Madison County, Iowa, approving said plat;
5. Agreement with County Engineer; and
6. Ground Water Statement;
7. Madison County Soil and Water Conservation District Land Disturbing Activity Affidavit;
8. Consent of County Auditor to subdivision name.

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

*C. J. Nicholl*

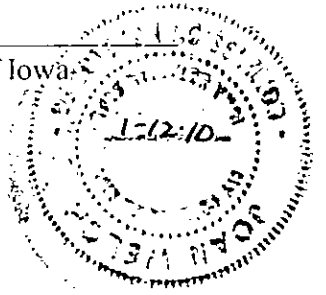
C. J. Nicholl, Zoning Administrator of Madison  
County, Iowa

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 9 day of July,  
2008, by C.J. Nicholl.

*Joan Welch*

Notary Public in and for said State of Iowa



**DEDICATION OF PLAT  
OF  
CONSTABLE ACRES SUBDIVISION**

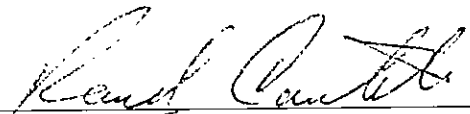
KNOW ALL MEN BY THESE PRESENTS:

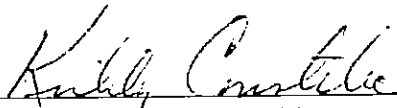
That Randy Constable and Kimberly Constable, husband and wife, do hereby certify that they are the sole owners and proprietors of the following-described real state:

Parcel "G" in the Northeast Quarter ¼ of the Northeast Quarter ¼ of Section Twenty-three (23), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5<sup>th</sup> P.M., Madison County, Iowa

That the subdivision of the above-described real estate as shown by the final plat of Constable Acres is with the free consent and in accordance with the owners' desire as owners of said real estate.

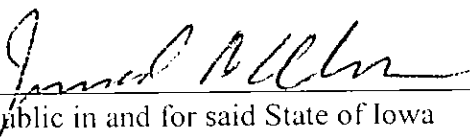
DATED this 5 day of May, 2008.

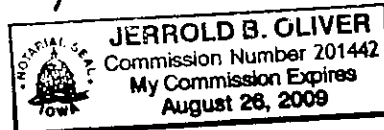
  
\_\_\_\_\_  
Randy Constable

  
\_\_\_\_\_  
Kimberly Constable

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 5 day of May, 2008, by Randy Constable and Kimberly Constable.

  
\_\_\_\_\_  
Notary Public in and for said State of Iowa



**ATTORNEY'S OPINION FOR FINAL PLAT,  
CONSTABLE ACRES**

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 one (1) part, last certified to April 7, 2008, 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 Final Plat, Constable Acres, Madison County, Iowa:

Parcel "G" in the Northeast Quarter  $\frac{1}{4}$  of the Northeast Quarter  $\frac{1}{4}$  of Section Twenty-three (23), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa

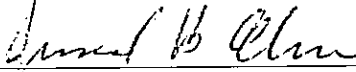
In my opinion, merchantable title to the above described property is in the names of Randy K. Constble and Kimberly J. Constable as Joint Tenants with Full Rights of Survivorship and Not as Tenants in Common, free and clear of all liens and encumbrances.

We call to your attention the following easements which appear in the abstract:

- a. Entry No. 3 shows an Easement from W.N. Williams and Melissa Williams to Continental Construction Corporation, recorded October 22, 1930, in Deed Record 70 on Page 83 for pipeline purposes.
- b. Entry No. 22 shows a Limited Easement from H. Lee Saveraid and Neta M. Lachenmyer to Southern Iowa Rural Water Association, recorded October 5, 2000, in Deed Record 144 on Page 192 for water pipeline purposes and necessary appurtenances, with rights of ingress and egress.

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 RANDY CONSTABLE  
AND KIMBERLY CONSTABLE

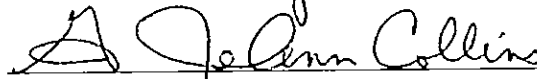
**CERTIFICATE OF THE COUNTY TREASURER  
OF MADISON COUNTY, IOWA**

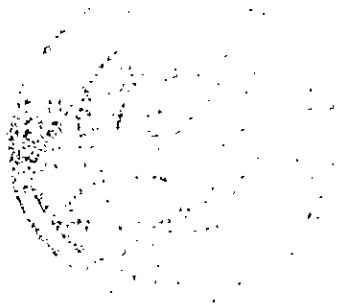
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I, G. JoAnn Collins, do hereby certify that I am the duly elected and acting Treasurer of Madison County, Iowa; that I have examined the records in my office, and that there are no unpaid taxes forming a lien against the following-described real estate,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

Parcel "G" in the Northeast Quarter  $\frac{1}{4}$  of the Northeast Quarter  $\frac{1}{4}$  of Section Twenty-three (23), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5<sup>th</sup> P.M., Madison County, Iowa

DATED at Winterset, Iowa, this 10<sup>th</sup> day of May, 2008.

  
\_\_\_\_\_  
G. JoAnn Collins, Treasurer of Madison County,  
Iowa



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

Constable Acres

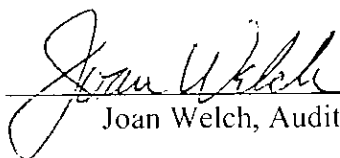
For property located at:

Parcel "G" in the Northeast Quarter  $\frac{1}{4}$  of the Northeast Quarter  $\frac{1}{4}$  of Section Twenty-three (23), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5<sup>th</sup> P.M., Madison County, Iowa

And owned by: Randy Constable and Kimberly Constable

Has been approved on the 6 day of May, 2008.

By the Auditor, Madison County, Iowa.

  
\_\_\_\_\_  
Joan Welch, Auditor

**RESOLUTION APPROVING FINAL PLAT  
OF CONSTABLE ACRES  
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 Constable Acres; and

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

Parcel "G" in the Northeast Quarter  $\frac{1}{4}$  of the Northeast Quarter  $\frac{1}{4}$  of Section Twenty-three (23), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5<sup>th</sup> P.M., 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 proprietors, Randy Constable and Kimberly Constable; 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, 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 Constable Acres should be approved by the Board of Supervisors, Madison County, Iowa.

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

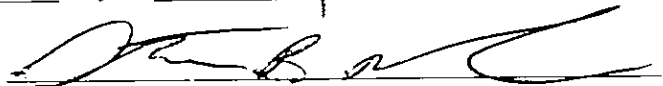
1. That said plat, known as Randy Constable and Kimberly Constable prepared in connection



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 8<sup>th</sup> day of July, 2008.



Steve Raymond, Chairman, Board of Supervisors,  
Madison County, Iowa

ATTEST:

  
\_\_\_\_\_  
Madison County Auditor

**AGREEMENT**

This Agreement, made and entered into, by and between, the proprietors of Constable Acres and Todd Hagan, Madison County Engineer.

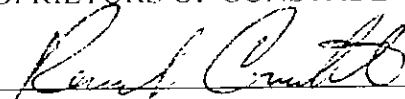
NOW THEREFORE IT IS AGREED AS FOLLOWS:

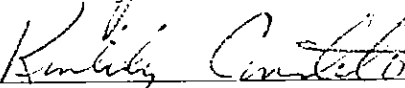
1. The proprietors of Constable Acres, a Plat of the following described real estate:

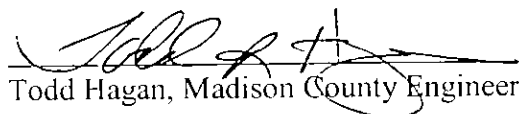
Parcel "G" in the Northeast Quarter ¼ of the Northeast Quarter ¼ of  
Section Twenty-three (23), Township Seventy-four (74) North, Range  
Twenty-eight (28) West of the 5<sup>th</sup> P.M., Madison County, Iowa

hereby agree that all private roads located within Constable Acres 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 OF CONSTABLE ACRES

  
\_\_\_\_\_  
Randy Constable

  
\_\_\_\_\_  
Kimberly Constable

  
\_\_\_\_\_  
Todd Hagan, Madison County Engineer 5/16/08

6-1-08

**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, we, Randy Cosntable and Kimberly Constable being first duly sworn on oath, do solemnly swear to affirm that:

We do not plan to engage in land disturbing activities upon the following described real estate:

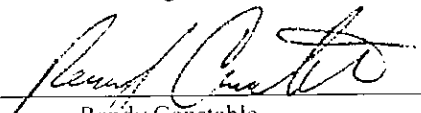
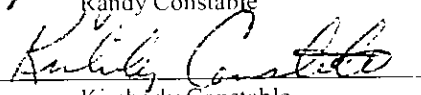
Parcel "G" in the Northeast Quarter ¼ of the Northeast Quarter ¼ of Section Twenty-three (23), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5<sup>th</sup> P.M., Madison County, Iowa

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.

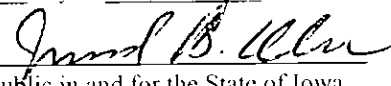
We are aware that loss limit regulations prohibit sediment from leaving the site in excess of 5 tons per acre per year. The land disturbing activities described above will be conducted in a manner that will insure compliance with the soil loss limit regulations.

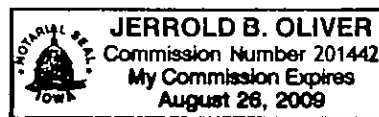
We assume responsibility for all land disturbing activities conducted on this property by us or other people entities we represent. This authority covers only the land and land disturbing activity described above .

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

  
\_\_\_\_\_  
Randy Constable  
  
\_\_\_\_\_  
Kimberly Constable

Subscribed and sworn to before me on this 5 day of May, 2008.

  
\_\_\_\_\_  
Notary Public in and for the State of Iowa



Prepared by: Jerrold B. Oliver, PO BOX 230, Winterset, IA 50273 515/462-3731  
Return to: Jerrold B. Oliver, PO BOX 230, Winterset, IA 50273 515/462-3731

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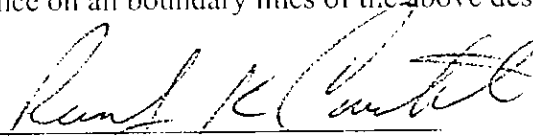
**AFFIDAVIT**

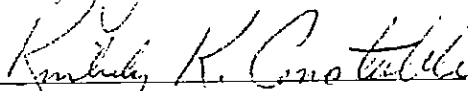
**STATE OF IOWA** :  
: SS  
**MADISON COUNTY** :

We, Randy K. Constable and Kimberly K. Constable, first being duly sworn on oath state that this Affidavit concerns the chain of title to the following described real estate:


Parcel "G" in the Northeast Quarter ¼ of the Northeast Quarter ¼ of Section Twenty-three (23), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa

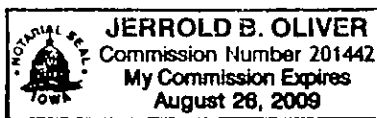
We further state that there is a lawful fence on all boundary lines of the above described real estate.

  
Randy K. Constable

  
Kimberly K. Constable

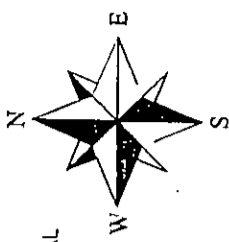
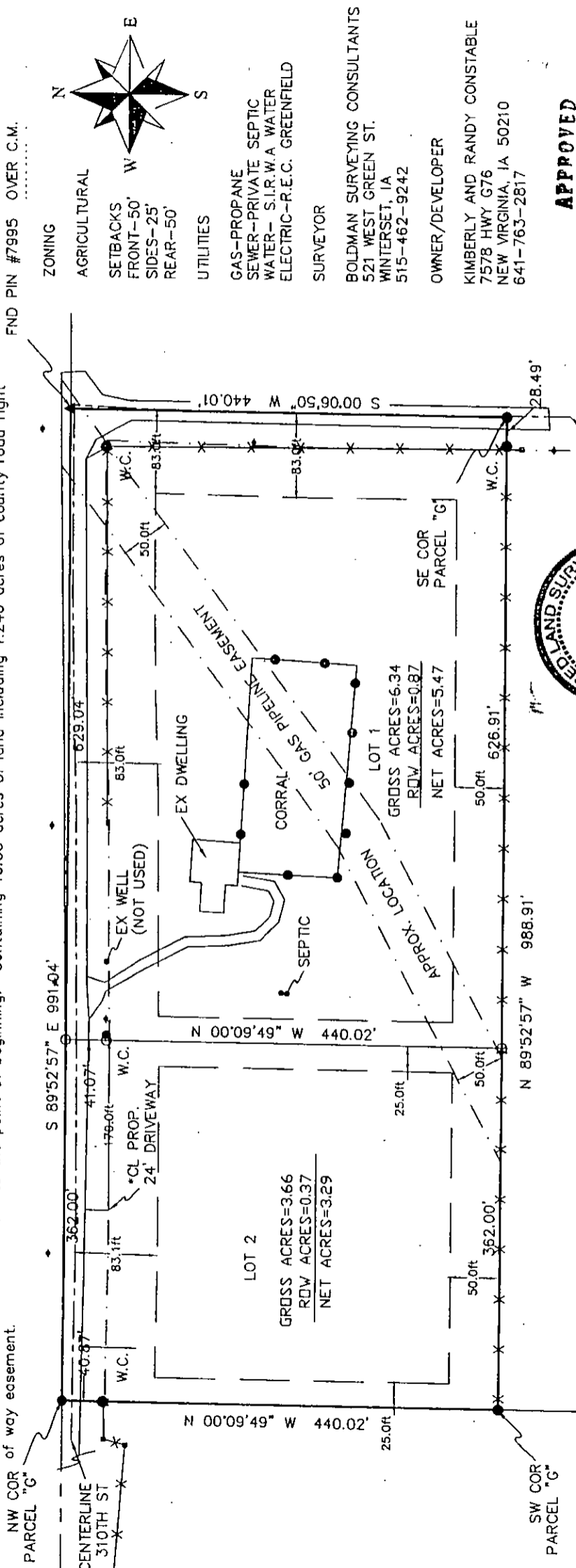
Subscribed and sworn to before me on this 24 day of June, 2008.

  
Notary Public in and for the State of Iowa



FINAL PLAT OF  
**CONSTABLE ACRES**

Being a part of the Northeast 1/4 of the Northeast 1/4 (NE 1/4 NE 1/4) of Section 23, Township 74 North, Range 28 West of the 5th P.M., Madison County, Iowa, described as follows: Beginning at an iron pin at the Northeast corner of said Section 23; thence S 00°06'50" W a distance of 440.01'; thence N 89°52'57" W a distance of 988.91'; thence N 00°09'49" W a distance of 440.02'; thence S 89°52'57" E a distance of 991.04' to the point of beginning. Containing 10.00 acres of land including 1.240 acres of county road right of way easement.



ZONING: AGRICULTURAL  
SETBACKS: FRONT-50', SIDES-25', REAR-50'  
UTILITIES: GAS-PROPANE, SEWER-PRIVATE SEPTIC, WATER-S.I.R.W.A WATER, ELECTRIC-R.E.C. GREENFIELD  
SURVEYOR: BOLDMAN SURVEYING CONSULTANTS, 521 WEST GREEN ST., WINTERSET, IA, 515-462-9242  
OWNER/DEVELOPER: KIMBERLY AND RANDY CONSTABLE, 7578 HWY G76, NEW VIRGINIA, IA 50210, 641-763-2817

**APPROVED**

JUL 13 2008

Final Plat

REQUESTED BY <i>Kim Constable</i>	BOLDMAN SURVEYING CONSULTANTS, LLC
SURVEYED 04/02/08	521 W. GREEN ST WINTERSET, IA 50273 (515)462-9242
SCALE 1"=100'	
PROJECT NO. 08011	DATE 05/23/08
	OWNER RANDY AND KIM CONSTABLE



- X — FENCE
- — — 33' R.O.W. EASEMENT LINE
- — — SETBACK LINE
- IRON PIN SET #13427
- IRON PIN FOUND #13427
- △ LAND CORNER PLACED
- ▲ LAND CORNER FOUND
- W.C. WITNESS CORNER

\*NOTE:  
OWNER WILL OBTAIN AN "APPLICATION FOR FIELD ENTRANCE OR DRIVEWAY" PRIOR TO CONSTRUCTION.

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 LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

SIGNATURE: *Craig S. Boldman*  
NAME: CRAIG S. BOLDMAN  
DATE: 7/15/2008  
MY LICENSE RENEWAL DATE IS: DECEMBER 31, 2008