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R.M.F. \$ 1.00

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BOOK 2001 PAGE 716

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**PLAT AND CERTIFICATE
FOR
DAWN'S ACRES, MADISON COUNTY, IOWA**

MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

I, Jean Thompson, 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 Dawn's Acres and that the real estate comprising said plat is described as follows:

South Half (S $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty-one (21), Township Seventy-four (74) North, Range Twenty-six (26) 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) **Dedication of Plat of Dawn's Acres;**
- 2) **Attorney's Opinion;**
- 3) **Certificate of County Treasurer of Madison County, Iowa;**
- 4) **Certificate of County Recorder of Madison County, Iowa;**
- 5) **Certificate of Clerk of the District Court of Madison County, Iowa;**
- 6) **Resolution of the Board of Supervisors of Madison County, Iowa, approving said plat;**
- 7) **Resolution of the City Council of the City of Truro, Iowa, waiving said city's right to review the preliminary and final plat of Dawn's Acres Subdivision.**
- 8) **Consent to Platting by Bank of America N.A.;**

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

Dated this 27 day of Febr., 2001.



Jean Thompson, Zoning Administrator for Madison county

TITLE OPINION OF ATTORNEY AT LAW


I, Lewis H. Jordan, do hereby state that I am an attorney at law practicing in Winterset, Madison County, Iowa; and, that I have examined an abstract of title to the following-described real estate:

South Half (S½) of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section Twenty-one (21), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

I further state that the name of the proprietors of said Plat are:: **David L. Hammond and Dawn R. Hammond.**

I further state that there are no mortgages, liens or other encumbrances on the above-described land except for a Mortgage executed by David L. Hammond and Dawn R. Hammond, husband and wife, to Bank of America, N.A., which Mortgage is dated January 4, 2001, and filed for record January 17, 201, at Mortgage Record 2001, Page 159.

Dated this 2nd day of February, 2001.



Lewis H. Jordan

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

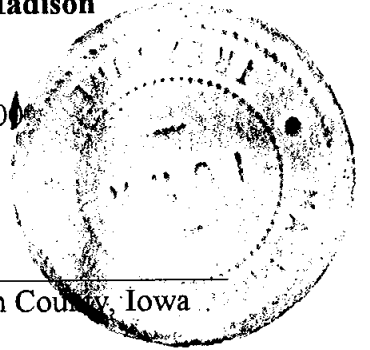
I, Becky McDonald, do hereby certify that I am the duly elected and acting Treasurer of Madison County, Iowa; that I have examined the records in my office, and that there are no unpaid taxes forming a lien against the following-described real estate, to-wit:

South Half (S½) of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section Twenty-one (21), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

Dated at Winterset, Iowa, this 22 day of January, 2000

Becky McDonald

Becky McDonald, Treasurer of Madison County, Iowa



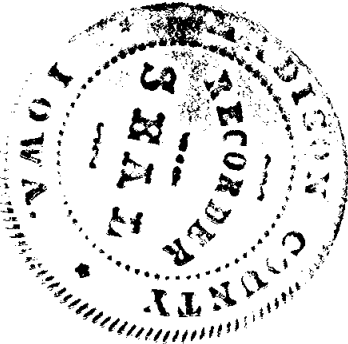
**CERTIFICATE OF THE COUNTY RECORDER
OF MADISON COUNTY, IOWA**

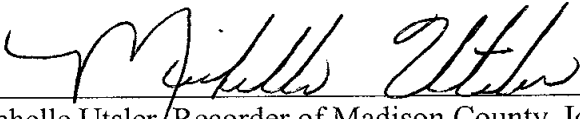
I, Michelle Utsler, do hereby certify that I am the duly elected and acting Recorder of Madison County, Iowa; that David L. Hammond and Dawn R. Hammond, Husband and Wife, are the fee simple owners and record title holders of the following-described real estate, to-wit:

South Half (S½) of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section Twenty-one (21), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

And that said real estate is free and clear of all liens and encumbrances, except for a mortgage held by Bank of America, N.A. against said real estate and filed for record January 17, 2001, at Mortgage Record 2001, Page 159.

Dated at Winterset, Iowa, this 2nd day of February, 2001.





Michelle Utsler, Recorder of Madison County, Iowa

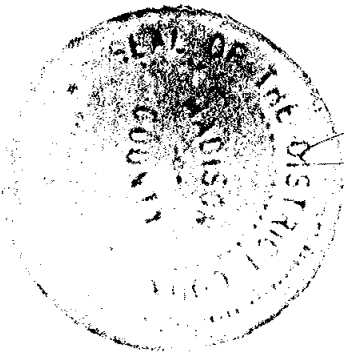
**CERTIFICATE OF THE CLERK OF THE DISTRICT COURT
OF MADISON COUNTY, IOWA**

I, Janice Weeks, do hereby certify that I am the duly elected and acting Clerk of the District Court of Madison County, Iowa, that I have examined the records in my office, and that the following-described real estate, to-wit:

South Half (S $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty-one (21), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

Is free from all judgments, attachments, mechanic's or other liens.

Dated at Winterset, Iowa, this 22nd day of Jan, 2000.



A handwritten signature in black ink, appearing to read "Janice Weeks", written over a horizontal line.

Janice Weeks, Clerk of the District Court
Of Madison County, Iowa

**RESOLUTION APPROVING FINAL PLAT
OF DAWN'S 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 proposed subdivision known as Dawn's Acres; and

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

South Half (S $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty-one (21), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th 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, David L. Hammond and Dawn R. Hammond, husband and wife; and


WHEREAS, said plat was accompanied by a complete abstract of title and an opinion from the attorney at law showing that title is fee simple is in said proprietors and that the platted land is free from encumbrance, except for a mortgage to Bank of America N.A.> against said real estate and certified statements from the Treasurer of Madison County, Iowa, that said platted land is free from taxes, and the Clerk of the District Court of Madison County, Iowa, that said land is free from all judgments, attachments, mechanic's or other liens, and the Recorder of Madison County, Iowa, that title in fee simple is in said proprietors, and that it is free from encumbrance except for the mortgage to Bank of America N.A.> against said real estate; and

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 Dawn's 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:

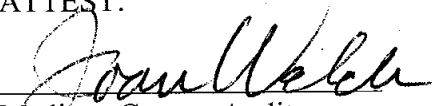
- 1) That said plat, known as Dawn's Acres prepared in connection with said plat and subdivision is hereby approved.
- 2) That the Zoning Administrator of Madison County, Iowa, is hereby directed to certify this Resolution which shall be affixed to said Plat to the County Recorder of Madison County, 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 27 day of February, 2001.



Chairman, Board of Supervisors, Madison County, Iowa

ATTEST:



Madison County Auditor

AGREEMENT

THIS AGREEMENT made and entered into be and between the proprietors of Dawn's Acres, and Todd Hagen, Madison County Engineer:

NOW THEREFORE IT IS AGREED AS FOLLOWS:

- 1) The Proprietors of Dawn's Acres, a Plat of the following-described real estate:

South Half (S½) of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section Twenty-one (21), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

Hereby agree that all private roads located within Dawn's 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.

Dated this 12th day of December, 2000.




David L. Hammond



Dawn R. Hammond

PROPRIETORS OF DAWN'S ACRES



Todd Hagen, Madison County Engineer

RESOLUTION NO. 185

BE IT RESOLVED by the City Council of the City of Truro, Iowa that the City recognizes its right to review the preliminary and final plat of Dawn's Acres Subdivision in accordance with current Madison County, Iowa Zoning Ordinances. The City hereby waives the right to review the preliminary and final plat of Dawn's Acres Subdivision.

Passed and approved this 5th day of February, 2001.

Ayes: Brownlee
Morris
Schultz
Arzani

Nays:

Julie Morris

Julie Morris, Mayor Pro-Tem

Kelli Bregar
Kelli Bregar, City Clerk

