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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 (S½) of the Southeast Quarter (SE¼0 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 do further certify that attached hereto are true and correct copies of the following documents which have been submitted in connection with said plat:

- !) 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 <u>27</u> day of <u>Jebr.</u>, 2001.

Jean Thompson, Zoning Administrator for Madison county

DEDICATION OF PLAT OF DAWN'S ACRES

KNOW ALL MEN BY THESE PRESENTS:

That we, David L. Hammond and Dawn R. Hammon, husband and wife, do hereby certify that we are the owners and proprietors of the following-described real estate:

South Half (S½) of the Southeast Quarter (SE¾0 of the Southeast Quarter (SE¾) of Section Twenty-one (21), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

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

A building setback line of fifty (50) feet from all streets, roads and private drives is hereby provided.

DATED this 12 day of December 2000.

David L. Hammond

Dawn R. Hammond

STATE OF IOWA

:ss

COUNTY OF MADISON

On this 12th day of 12000, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared David L. Hammond and Dawn R. Hammond, to me known to be the identical persons named in and who executed the within and foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Sheila Kirkland Notary Public in and for the State of Iowa

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 (SE¼0 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

CONSENT TO PLATTING BY BANK OF AMERICA

Bank of America does hereby consent to the platting and subdivision of the followingdescribed real estate:

South Half (S½) of the Southeast Quarter (SE¼0 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.

In accordance with the ordinances of the State of Iowa. The undersigned holds a mortgage against said real estate dated January 4, 2001, in the amount of \$58,646.00, and filed for record January 17, 2001, at Book 2001, Page 159, in the Office of the Madison County Recorder.

Dated this 12th day of February, 2001.

:SS

BANK (OF AMI	ERICA		
	7		,	
By M	w	Jan	<u></u>	
Mike	Parle,	Assistant	Vice	President
	_			

On this day of February, 2001 before me, the undersigned, a Notary Public in and for said State, personally appeared Mike Palle to me personally known, who being by me duly sworn, did say that he/she is the Assistance of the corporation executing the within and foregoing instrument; that the seal affixed thereto is the seal of said corporation; that the instrument was signed and sealed on behalf of the corporation by authority of its Board of Directors; and that Mike Palle , as officer, acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by hi/her voluntarily executed.

WENDY STRICKLAND-BUSBY
Cammission # 1262792
Notary - Justic - California
Orange County
My Comm. Expires May 5, 2004

STATE OF CALIFORNIA

Motary Public in and for said State

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 (SE¼0 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

Becky McDonald, Treasurer of Madison Courty, 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 (SE¼0 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 2 day of Library, 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 (S½) of the Southeast Quarter (SE¼0 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.

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

Dated at Winterset, Iowa, this 22

____, 2000

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 (S½) of the Southeast Quarter (SE¼0 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.

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 Jebrus

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:

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

South Half (S½) of the Southeast Quarter (SE¼0 of the Southeast Quarter (SE1/4) 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.

day of flecember, 2000.

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, Mayor Pro-Tem

Kelli Bregar City Clerk

FOR DEDICATION,
RESOLUTION &
CERTIFICATES SEE
RECORD 2001, PAGE 716

FILED NO. 716A BOOK 2001 PAGE 716A 2001 FEB 28 AM 8: 07

MICKI UTSLER RECORDER MADISON COUNTY, 10WA NV COR S1/2 SE1/4 SEC 21-74-26 (FD 1/2'REBAR) RICHARD SCHAMERHORN AND SHIRLEY IRENE SCHAMERHORN VIRGIL NURMAN SMITH AND MARILYN SMITH \$1/4 COR \$EC 21-74-26 (FD 1/2"REBAR SW1/4 SE1/4 these standard symbols will be found in the drawing. tound section or aliquot corner set 5/8'rebar orange cap #13427 GEI #5041) N 00.05.35. A~ 627.83. £8.759 358'835 328,920 DAWN'S ACRES LOT LOT8 N1/2 SE1/4 SE1/4 CITY LIMITS OF TRURD LOT 1 AREA GROSS=9.89 ACRES R.O.W.=0.30 ACRES NET=9.59 ACRES N 86°31'54" E- 1308,80" LOT 2 AREA
GROSS=9.89 ACRES
R.D.W.=0.30 ACRES
NET=9.59 ACRES N 86.37'21' E- 1308.39' S 86*42'49" W- 1307.98" FRANK F. AND LOIS M. WITT site VALLEY VIEW PAUL R. AND DONNA M. BOND 1 MILE DAVID L. AND DAVN.R. HAMMOND 3201 VALLEYVIEV AVENUE TRURD, IA. 50257 (515) 765-4706 I HEREBY CERTIFY THAT THIS LAND SERVETING I PREPARED AND THE RELATED SERVEY VORK VAS BY HE DR UDER HY JURECT PERSONAL SEPERVISI I MA A DALL LEGASED LAND SERVETIR UNDER THE THE STATE OF DAYA MY LICENSE RENEWAL DATE IS NAME CRAIG S. BOLDHAN WNER/DEVELOPER R.O.W. 331.01 COUNTY ROAD ALLS WITHIN THE TWO MILE s 00°00'21" W SE COR SEC 21-74-26 (FI) 1/2'REBAR 2 00°00'21" V- 662.02 NE CDR S1/2 SE1/4 SEC 21-74-26 (FD 1/2*REBAR #6808) EX. FIELD ENTRANCE DECEMBER THE SOUTH HALF (S1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION TVENTY-DUE (21) IN TUMESHIP SEVENTY-FOUR (74) NORTH, RANGE TVENTY-SIX (26) VEST OF THE STH P.M., MADISON COUNTY, IDVA DRIVEVAY LEGAL DESCRIPTION- BOOK 115 PAGE HAROLD O. AND CHARLOTTE M. WRIGHT 31, 2000 BOLDMAN LAND SURVEYING P.C. P.I. BIX 66 VINTERSET, IA 50273 (515) 462-9242 ZUNING- AGRICULTURAL SETBACKS REQUESTED BY UTILITIES PROJECT NO. 00-075 9/26/00 g' 100' 200' WATER-WARREN RURAL WATER
GAS- PROPANE
ELECTRIC- ALLIANT ENERGY
SEVER- PRIVATE SEPTIC
TELEPHONE- 1-35 TELEPHONE FRONT YARD-50 FEET REAR YARD-50 FEET SIDE YARD- 15 FEET FINAL DATE OWNER 2/20/01 Dave Hammond 1"=100" BOLDMAN

LAND SURVEYING, P.C.
P.D. BOX 66

VINTERSET, JA. 50273

C5157462-9242 PLAT