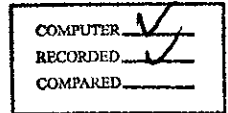


**PLAT AND CERTIFICATE
FOR OLD PORTLAND RIDGE PLAT 1
MADISON COUNTY, IOWA**



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 Old Portland Ridge Plat 1, and that the real estate comprising said plat is described as follows:

Parcel "A" located in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty-two (32), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, as shown in Plat of Survey filed in Book 3, Page 120 on September 10, 1997, in the office of the Recorder of 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 Old Portland Ridge Plat 1;
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. Agreement with County Engineer; and

8. Declaration of Covenants, Conditions and Restrictions.

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

Dated this 17th day of June, 2004



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

**DEDICATION OF PLAT
OF
OLD PORTLAND RIDGE PLAT 1**

That Paul Corkrean and Tammy Corkrean do hereby certify that they are the sole owners and proprietors of the following-described real estate:

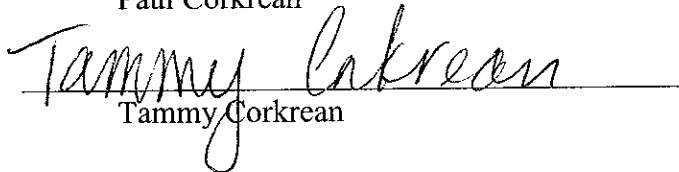
Parcel "A" located in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty-two (32), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, as shown in Plat of Survey filed in Book 3, Page 120 on September 10, 1997, in the office of the Recorder of Madison County, Iowa,

That the subdivision of the above-described real estate as shown by the Final Plat of Old Portland Ridge Plat 1 is with the free consent and in accordance with the owners' desire as owners of said real estate.

DATED this 16 day of April, 2004.



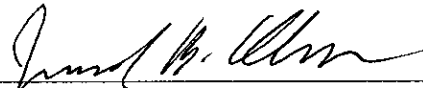
Paul Corkrean



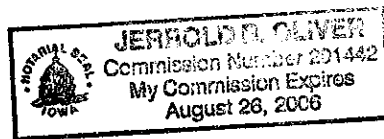
Tammy Corkrean

STATE OF IOWA :
:SS
COUNTY OF MADISON :

On this 16 day of April, 2004, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Paul Corkrean and Tammy Corkrean, 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



**CONSENT TO PLATTING
BY
MERCHANTS BANK NATIONAL ASSOCIATION**

Merchants Bank National Association, does consent to the platting and subdivision of the following-described real estate:

Parcel "A" located in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty-two (32), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, as shown in Plat of Survey filed in Book 3, Page 120 on September 10, 1997, in the office of the Recorder of Madison County, Iowa,

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 this 16th day of April, 2004.

MERCHANTS BANK NATIONAL ASSOCIATION

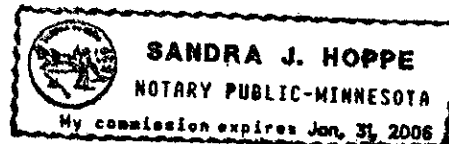
By Martha Grimes, Sr. VP

STATE OF MINNESOTA :

COUNTY OF WINONA :

On this 16 day of April, 2004, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Martha Grimes of said corporation, executing the within and foregoing instrument; that said corporation has no seal; that said instrument was signed on behalf of said corporation by authority of its Board of Directors; and that the said Martha Grimes, as such officer, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by him voluntarily executed.

Sandra J Hoppe
Notary Public in and for said State of Iowa



**ATTORNEY'S OPINION FOR FINAL PLAT
OLD PORTLAND RIDGE PLAT 1**

I, Jerrold B. Oliver an attorney at law now licensed to practice law under the laws of the State of Iowa, have examined the abstract of title in one (1) part, last certified to February 20, 2004, at 3:16 P.M. by Madison County Abstract Company, together with an Addendum dated March 26, 2004,, purporting to show the chain of title to the following-described real estate which is the real property contained in the Final Plat of Old Portland Ridge Plat 1, Madison County, Iowa:

Parcel "A" located in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty-two (32), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, as shown in Plat of Survey filed in Book 3, Page 120 on September 10, 1997, in the office of the Recorder of Madison County, Iowa,

In my opinion, marketable title to the above described property is in the name of

**PAUL CORKREAN and TAMMY CORKREAN,
As joint tenants with full rights of survivorship and not as tenants in common,,**

free and clear of all encumbrances except for a Mortgage to Union State Bank dated February 19, 2004, and filed February 20, 2004, in Book 2004, Page 778 of the Recorder's Office of Madison County, Iowa. This Mortgage has been assigned to Merchants Bank National Association, a Minnesota corporation, by Assignment filed February 20, 2004, in Book 2004, Page 779 of the Recorder's Office of Madison County, Iowa.

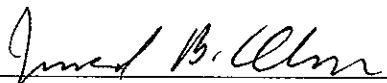
The abstract does show the following easements:

- a. Entries No. 6 and 7 show easements, both of which are dated November 2, 1977, and filed November 9, 1977, to Northwestern Bell Telephone Company. The easement shown at Entry No. 6 is recorded in Deed Record 112, Page 366, and the easement shown at Entry No. 7 is recorded in Deed Record 112, Page 369 of the Recorder's office of Madison County, Iowa.

b. Entry No. 33 shows an easement, dated November 24, 1998, and filed December 10, 1998, in Deed Record 139, Page 850 of the Recorder's office of Madison County, Iowa, to Midamerican Energy Company, an Iowa Corporation.

c. Entry No. 46 shows an easement to Warren Water, Inc., its successors and assigns, dated April 11, 2001, and filed May 24, 2001, in Book 2001, Page 2118 of the Recorder's office of Madison County, Iowa.

JORDAN, OLIVER & WALTERS, P.C.

By 

Jerrold B. Oliver

Farmers & Merchants State Bank Building

Post Office Box 230

Winterset, IA 50273

Telephone: 515/462-3731


ATTORNEYS FOR PAUL CORKREAN
AND TAMMY CORKREAN

**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:

Parcel "A" located in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty-two (32), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, as shown in Plat of Survey filed in Book 3, Page 120 on September 10, 1997, in the office of the Recorder of Madison County, Iowa,

DATED at Winterset, Iowa, this 16th day of April, 2004.



G. JoAnn Collins, Treasurer of Madison County,
Iowa

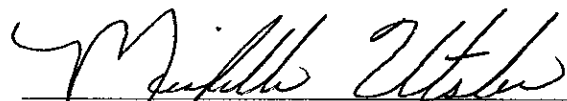
**CERTIFICATE OF THE COUNTY RECORDER
OF MADISON COUNTY, IOWA**

I, Michelle Utsler, do hereby certify that I am the duly elected and acting Recorder of Madison County, Iowa; that Paul Corkrean and Tammy Corkrean, are the fee simple owners and record titleholders of the following-described real estate, to-wit:

Parcel "A" located in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty-two (32), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, as shown in Plat of Survey filed in Book 3, Page 120 on September 10, 1997, in the office of the Recorder of Madison County, Iowa,

and that said real estate is free and clear of all liens and encumbrances against said real estate, except for a Mortgage to Union State Bank dated February 19, 2004, and filed February 20, 2004, in Book 2004, Page 778 of the Recorder's Office of Madison County, Iowa. This Mortgage has been assigned to Merchants Bank National Association, a Minnesota corporation, by Assignment filed February 20, 2004, in Book 2004, Page 779 of the Recorder's Office of Madison County, Iowa.

DATED at Winterset, Iowa, this 16th day of APRIL, 2004.



Michelle Utsler, Recorder of Madison
County, Iowa



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

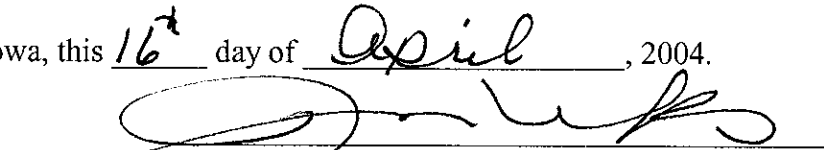
I, Janice Weeks, do hereby certify that I am the duly elected and acting Clerk of the District Court of Madison County, Iowa; that I have examined the records in my office, and that the following-described real estate, to-wit:

Parcel "A" located in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty-two (32), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, as shown in Plat of Survey filed in Book 3, Page 120 on September 10, 1997, in the office of the Recorder of Madison County, Iowa,

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

Dated at Winterset, Iowa, this 16th day of April, 2004.





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

**RESOLUTION APPROVING FINAL PLAT
OLD PORTLAND RIDGE PLAT 1
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 Old Portland Ridge Plat 1; and

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

Parcel "A" located in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty-two (32), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, as shown in Plat of Survey filed in Book 3, Page 120 on September 10, 1997, in the office of the Recorder of 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, Paul Corkrean and Tammy Corkrean.; 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 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 is free from encumbrance except a mortgage to Merchants Bank National Association; and

WHEREAS, The Madison County Planning and Zoning Commission has approved said plat.

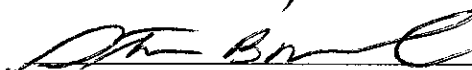
WHEREAS, the Board of Supervisors, Madison County, Iowa, finds that said plat conforms to the provisions of the Zoning Ordinance of Madison County, Iowa, and that the plat, papers and documents presented therewith should be approved by the Board of Supervisors, and that said plat, known as Old Portland Ridge Plat 1 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 Old Portland Ridge Plat 1 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 25 day of May, 2004.


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

ATTEST:


Madison County Auditor



**DEED OF RESTRICTIONS
OLD PORTLAND RIDGE PLAT 1
MADISON COUNTY, IOWA**

We, Paul Corkrean and Tammy Corkrean, are now the fee simple owners and record titleholders of the following-described real estate:

Parcel "A" located in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty-two (32), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, as shown in Plat of Survey filed in Book 3, Page 120 on September 10, 1997, in the office of the Recorder of Madison County, Iowa,

which real estate is being platted as Old Portland Ridge Plat 1.

Said owners do hereby impose and subject said real estate to certain regulations, covenants, restrictions and easements as to the use and occupancy thereof, as follows:

1. All lots in said plat shall be used only for single-family residential purposes. No structure shall be erected on any lot except the residential dwelling structure, which shall be at least 1250 square feet in area, a one- to three-car garage and certain accessory buildings provided that accessory buildings other than garages may not be erected in excess of 1000 square feet in area. No mobile homes or manufactured homes shall be erected or placed on any of the lots in Old Portland Ridge Plat 1. No hog confinement, nursery or finishing structure, cattle finishing structure, poultry laying or raising houses shall be erected on any of the lots in said Old Portland Ridge Plat 1.

The following definitions shall apply:

a. Manufactured home. "*Manufactured home*" is a factory-built structure built under authority of 42 U.S.C. § 5403, is required by federal law to display a seal from the United States department of housing and urban development, and was constructed on or after June 15, 1976.

- b. Mobile home. "*Mobile home*" means any vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed, constructed, or reconstructed as will permit the vehicle to be used as a place for human habitation by one or more persons; but shall also include any such vehicle with motive power not registered as a motor vehicle in Iowa. A "*mobile home*" is not built to a mandatory building code, contains no state or federal seals, and was built before June 15, 1976.
2. The requirements contained in the Madison County Zoning Ordinance as to lot area, width and yard requirements shall apply to all lots within the subdivision. A setback of fifty (50) feet from all public streets and roads shall apply.
3. No lot in the plat shall be further subdivided, except that a lot may be divided and sold to or with adjoining lots to increase their size.
4. No trailer, basement, tent, shack, garage, barn or other accessory building in the tract shall at any time be used as a residence, temporarily or permanently, nor shall any residence of a temporary character be permitted.
5. No building shall be erected on any building lot unless the design and location is in harmony with the existing structures and locations in the tract and does not violate any of these protective covenants.
6. The titleholder of each lot, vacant or improved, shall keep his lot or lots free of weeds and debris, and shall not engage in any activity which is a nuisance.
7. These covenants are to run with the land, and shall be binding on all parties and persons claiming through or under them until January 1, 2024 at which time said covenants shall be automatically extended for successive periods of 10 years, unless by a vote of the majority of the then owners of the lots, it is agreed to delete and said covenants in whole or in part. No new

or additional covenants shall be added unless all of the owners of the lots in said Old Portland Ridge Plat 1 agree in writing to any such additional covenants.

8. If any person shall violate or attempt to violate any of the covenants, conditions or restrictions contained herein, it shall be lawful for any owner of any lot or lots in the to institute proceedings in law or in equity against the person or persons violation or attempting to violate any such covenants, conditions or restrictions, and to prevent or enjoin him or them from so doing or recover damages for such violation.

9. Invalidation of any one of these covenants by judgment or court order shall not affect any of the other provisions which shall remain in full force and effect.

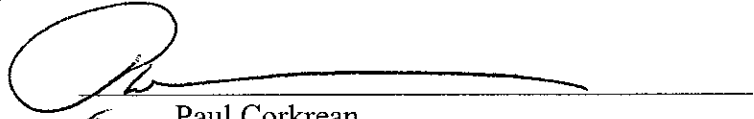
10. If any lot owner decides to erect a fence upon his lot, the total cost of installation of such fence shall be borne by said lot owner as well as the cost of all future maintenance of the fence. No adjoining lot owner shall be required to participate in the cost of the erection or maintenance of any fence. Any fence erected shall be the sole property of the lot owner and can be removed by such lot owner at his discretion. Nothing in this paragraph shall be deemed to preclude a fencing agreement between adjoining lot owners for erection and maintenance of a common fence; however, for any such common fence agreement to be enforceable upon future lot owners, such fencing agreement must be in writing and filed on record in the Madison County Recorder's office in order to apprise prospective purchasers of their obligations with respect to such fencing.

11. With respect to exterior partition fences it shall be the responsibility and obligation of each lot owner to maintain a lawful partition fence separating his lot from adjoining unplatted real estate.

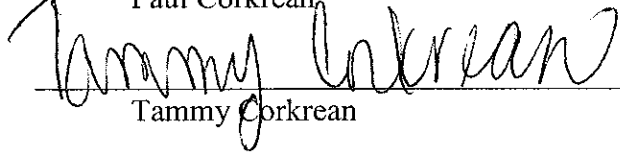
12. There is no common sewage system available for use within Old Portland Ridge Plat 1, and it shall be the responsibility of each of the owners of the respective lots within the Old Portland Ridge Plat 1 to provide a septic tank for use with the residence constructed upon each lot.

13. No animals shall be kept or maintained on any of the lots in Old Portland Ridge Plat 1 except ordinary pets, horses, and livestock, not to exceed six head in number, for each lot in Old Portland Ridge Plat 1.

Dated this 16 day of April, 2004.



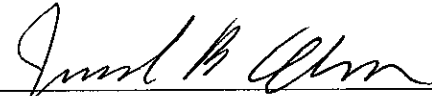
Paul Corkrean



Tammy Corkrean

STATE OF IOWA :
:SS
COUNTY OF MADISON :

On this 16 day of April, 2004, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Paul Corkrean and Tammy Corkrean, 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



AGREEMENT

This Agreement, made and entered into, by and between, the proprietors of Old Portland Ridge Plat 1 and Todd Hagan, Madison County Engineer.

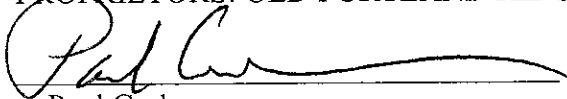
NOW THEREFORE IT IS AGREED AS FOLLOWS:

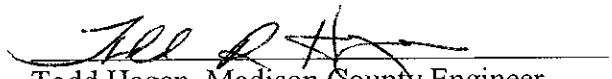
1. The proprietors of Old Portland Ridge Plat 1, a Plat of the following described real estate:

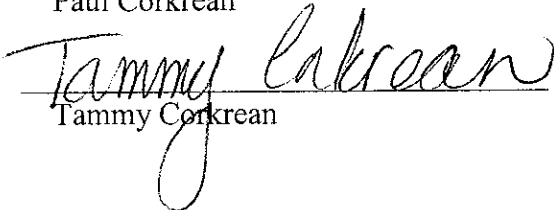
Parcel "A" located in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty-two (32), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, as shown in Plat of Survey filed in Book 3, Page 120 on September 10, 1997, in the office of the Recorder of Madison County, Iowa,

hereby agree that all private roads located within Old Portland Ridge Plat 1 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: OLD PORTLAND RIDGE PLAT 1


Paul Corkrean


Todd Hagan, Madison County Engineer


Tammy Corkrean

Old Portland Ridge Plat 1

FOR DEDICATION,
RESOLUTION &
CERTIFICATES SEE
RECORD 2004-3042

Document 2004 3042
Book 2004 Page 3042 Type 06 44 Pages 19
Date 6/30/2004 Time 2:48 PM
Rec Amt \$101.00 Aud Amt \$5.00

MICHELLE "MICKI" UTSLER, COUNTY RECORDER
MADISON IOWA

148TH STREET

OLD PORTLAND ROAD

ROADWAY EASEMENT

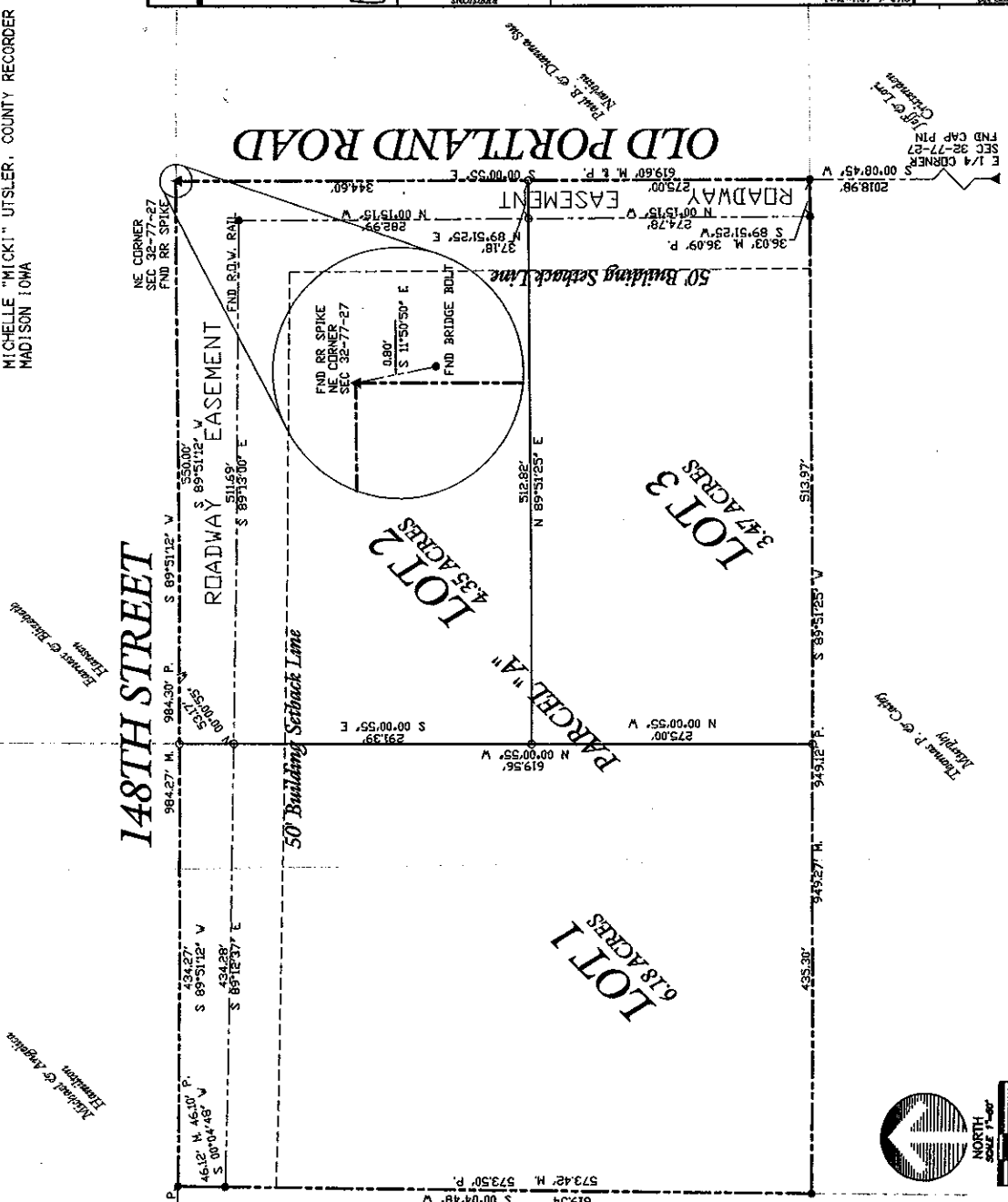
50' Building Setback Line

LOT 2
4.35 ACRES

LOT 1
6.18 ACRES

LOT 3
3.47 ACRES

PARCEL "A"
N 00°00'55" W
E 00°00'55" W
S 00°00'55" E



Legal Description - Original Parcel
Parcel "A", of the Plat of Survey recorded in Book 3, Northeast Quarter of Section 12, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa.
Said Parcel contains 14.00 acres, including 1.52 acres of County Road right-of-way, and is subject to easements of record.

ZONING: Agricultural
Front Setback = 40'
Rear Setback = 50'
Sides = 25' min/50' total

LEGEND
● ROUND CAP PIN (UNLESS NOTED)
○ PROPERTY CORNER TO BE SET
▲ COMPASS BEARING
— PROPERTY BOUNDARY
- - - LOT BOUNDARY
P PLATTED DISTANCE
M MEASURED DISTANCE

CERTIFICATION

I HEREBY CERTIFY THAT THIS MAP, SURVEY, OR ASSESSMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A duly LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

Signed: *James H. Hallett* DATE: 4/11/04
JAMES H. HALLETT, P.E. & L.S. IOWA REG. NO. 7008
IOWA SURVEYORS ASSOCIATION, INC. IOWA SURVEYORS ASSOCIATION, INC. IOWA SURVEYORS ASSOCIATION, INC.

