

FOR PLAT SEE
RECORD 2004, PAGE 5028

**PLAT AND CERTIFICATE
FOR
WOODLAND HILLS PLAT NO. 1
AN ADDITION TO THE CITY OF WINTERSET,
MADISON COUNTY, IOWA**

MICHELLE "MICKI" UTSLER, COUNTY RECORDER
MADISON IOWA

COMPUTER	<input checked="" type="checkbox"/>
RECORDED	<input checked="" type="checkbox"/>
COMPARED	<input type="checkbox"/>

I, Robert Hendricks, Zoning Administrator of the City of Winterset, Iowa, do hereby certify that the Plat to which this certificate is attached is a plat of a subdivision known and designated as Woodland Hill Plat No. 1, an Addition to the City of Winterset, Madison County, Iowa; and, that the real estate comprising said plat is described as follows:

That part of Lot 14 of C and C Allen's Addition to Winterset, Recorded in Town Plat Book 2, Page 278, Madison County Recorders Office, Madison County, Iowa, and that part of the Northwest Quarter of Section 30, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, described as follows;

Commencing at the Northeast corner of Lot 14 of said C and C Allen's Addition ; thence on an assumed bearing of South 00°48"00' East along the east line of said Lot 14 a distance of 714.65 feet; thence North 90°00"00' West 535.00 feet; thence North 00°00"00' East 476.77 feet; thence North 90°00"00' West 229.87 feet to the point of beginning; thence North 90°00"00' West 380.35 feet to the westerly line of said Lot 14; thence North 04°49"57' East along said westerly line 322.27 feet; thence North 44°12"15' East along said westerly line 79.62 feet to the northwesterly corner of said Lot 14; thence North 90°00"00' East along the northerly line of said Lot 14 a distance of 297.69 feet; thence South 00°00"00' West 378.20 feet to the point of beginning.

Said tract contains 3.13 acres

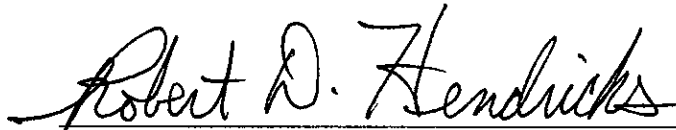
I do further certify that attached hereto are true and correct copies of the following documents who have been submitted in connection with said plat.

1. Dedication of Plat of Woodland Hills Plat No. 1, an Addition to the City of Winterset, Madison County, Iowa;
- 2) Consent of Mortgagee, Farmers & Merchants State Bank;

- 3) Attorney's opinion;
- 4) Certificate of County Treasurer of Madison County, Iowa;
- 5) Resolution of the City Council of the City of Winterset approving said plat, all of which are duly certified in accordance with the Winterset Zoning Ordinance;
- 6) Deed of Restrictions; and
- 7) Groundwater Hazard Statement.

all of which are duly certified in accordance with the Winterset Zoning Ordinance; and


Dated this 22nd day of OCTOBER, 2004.


Robert Hendricks, Zoning Administrator

STATE OF IOWA, MADISON COUNTY, ss:

On this 22nd day of October, 2004, before me, the undersigned, a Notary Public in and for the said State, personally appeared, Robert Hendricks, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.




Notary Public in and for the State of Iowa

**DEDICATION OF PLAT
OF
WOODLAND HILLS
PLAT NO. 1
TO THE CITY OF WINTERSET, MADISON COUNTY, IOWA**

KNOW ALL MEN BY THESE PRESENT:

That Jerry L. Schwertfeger and Beth A. Schwertfeger, do certify that they are the sole owners and proprietors of the following-described real estate:

That part of Lot 14 of C and C Allen's Addition to Winterset, Recorded in Town Plat Book 2, Page 278, Madison County Recorders Office, Madison County, Iowa, and that part of the Northwest Quarter of Section 30, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, described as follows;

Commencing at the Northeast corner of Lot 14 of said C and C Allen's Addition ; thence on an assumed bearing of South 00°48'00" East along the east line of said Lot 14 a distance of 714.65 feet; thence North 90°00'00" West 535.00 feet; thence North 00°00'00" East 476.77 feet; thence North 90°00'00" West 229.87 feet to the point of beginning; thence North 90°00'00" West 380.35 feet to the westerly line of said Lot 14; thence North 04°49'57" East along said westerly line 322.27 feet; thence North 44°12'15" East along said westerly line 79.62 feet to the northwesterly corner of said Lot 14: thence North 90°00'00" East along the northerly line of said Lot 14 a distance of 297.69 feet; thence South 00°00'00" West 378.20 feet to the point of beginning.

Said tract contains 3.13 acres

That the subdivision of the above-described real estate, as shown by the final plat of Woodland Hills, Plat 1, to the City of Winterset, Madison County, Iowa, is with the free consent and in accordance with the owners' desires as owners of said real estate.

Dated this 13 day of Oct., 2004.

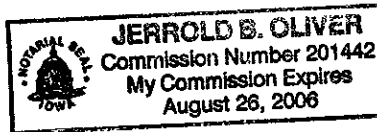
By *Jerry L. Schwertfeger*
Jerry L. Schwertfeger

By *Beth A. Schwertfeger*
Beth A. Schwertfeger

STATE OF IOWA :
:SS
MADISON COUNTY :

On this 13 day of Oct., 2007, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Jerry L. Schwertfeger and Beth A. Schwertfeger to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Jerrold B. Oliver
Notary Public in and for the State of Iowa



CONSENT OF MORTGAGEE

COMES NOW, Farmers & Merchants State Bank, the Mortgagee named in a certain Mortgage dated September 29, 1999, and filed for record September 29, 1999, at Mortgage Record 212, Page 440 in the office of the Madison County Recorder and another Mortgage dated June 21, 2004 and filed for record June 24, 2004 in Book 2004, Page 2932 in the office of the Madison County Recorder, and hereby consents to the Dedication of Plat of Woodland Hills Plat No. 1, an Addition to the City of Winterset, Madison County, Iowa.

Dated this 14th day of October, 2004.

FARMERS & MERCHANTS STATE BANK

BY [Signature] U.P.

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 14th day of October, 2004, by Phillip J. Clifton as Vice President of Farmers & Merchants State Bank.



[Signature]
Notary Public in and for the State of Iowa

ATTORNEY'S OPINION FOR FINAL PLAT, WOODLAND HILLS, PLAT 1

I, Jerrold B. Oliver, an attorney at law licensed to practice under the laws of the State of Iowa, have examined an abstract of title continued to October 12, 2004 at 8:00 A.M. by Security Abstract & Title Co., Inc., purporting to show the chain of title to the following described property, which is the real property contained in Final Plat, Woodland Hills, Plat 1, to the City of Winterset, Madison County, Iowa:

That part of Lot 14 of C and C Allen's Addition to Winterset, Recorded in Town Plat Book 2, Page 278, Madison County Recorders Office, Madison County, Iowa, and that part of the Northwest Quarter of Section 30, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, described as follows;

Commencing at the Northeast corner of Lot 14 of said C and C Allen's Addition ; thence on an assumed bearing of South 00°48'00' East along the east line of said Lot 14 a distance of 714.65 feet; thence North 90°00'00' West 535.00 feet; thence North 00°00'00' East 476.77 feet; thence North 90°00'00' West 229.87 feet to the point of beginning; thence North 90°00'00' West 380.35 feet to the westerly line of said Lot 14; thence North 04°49'57' East along said westerly line 322.27 feet; thence North 44°12'15' East along said westerly line 79.62 feet to the northwesterly corner of said Lot 14; thence North 90°00'00' East along the northerly line of said Lot 14 a distance of 297.69 feet; thence South 00°00'00' West 378.20 feet to the point of beginning.

Said tract contains 3.13 acres

In my opinion, merchantable title to the above described property is in the names of Jerry L. Schwertfeger and Beth A. Schwertfeger, as Joint Tenants with Full Rights of Survivorship and Not as Tenants in Common.

In my opinion, the holders of mortgages, liens, or other encumbrances on the above described real property included in the Final Plat, Woodland Hills, Plat 1, which have not been released of record, are as follows:

1. Entry No. 115 shows a Mortgage from Jerry L. Schwertfeger and Beth A.

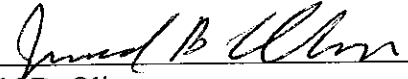
Schwertfeger, husband and wife to Farmers & Merchants State Bank in the principal sum of \$23,750.00, dated and filed September 29, 1999, in Mortgage Record 212, Page 440 in the Recorder's Office of Madison County, Iowa.

2. Entry No. 122 shows an Open-End Mortgage from Jerry Schwertfeger and Beth Schwertfeger, husband and wife to Farmers & Merchants State Bank in the principal amount of \$200,000.00, dated June 21, 2004 and filed June 24, 2004 in Book 2004, Page 2932 in the Recorder's Office of Madison County, Iowa.

Dated this 14 day of October, 2004.

JORDAN, OLIVER & WALTERS, P.C.

By


Jerrold B. Oliver

Farmers & Merchants Bank Bldg.

P.O. Box 230

Winterset, Iowa 50273

Telephone: (515) 462-3731

Facsimile: (515) 462-3734

**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 searched the records in my office, and, that there are no certified taxes and no certified special assessments forming a lien against the following-described real estate, to-wit:

That part of Lot 14 of C and C Allen's Addition to Winterset, Recorded in Town Plat Book 2, Page 278, Madison County Recorders Office, Madison County, Iowa, and that part of the Northwest Quarter of Section 30, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, described as follows;

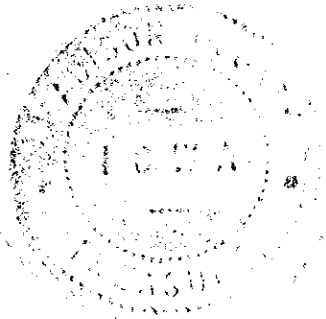
Commencing at the Northeast corner of Lot 14 of said C and C Allen's Addition ; thence on an assumed bearing of South 00°48'00' East along the east line of said Lot 14 a distance of 714.65 feet; thence North 90°00'00' West 535.00 feet; thence North 00°00'00' East 476.77 feet; thence North 90°00'00' West 229.87 feet to the point of beginning; thence North 90°00'00' West 380.35 feet to the westerly line of said Lot 14; thence North 04°49'57' East along said westerly line 322.27 feet; thence North 44°12'15' East along said westerly line 79.62 feet to the northwesterly corner of said Lot 14; thence North 90°00'00' East along the northerly line of said Lot 14 a distance of 297.69 feet; thence South 00°00'00' West 378.20 feet to the point of beginning.

Said tract contains 3.13 acres

Dated at Winterset, Iowa, this 13th day of October, 2004.



G. JoAnn Collins, Treasurer of Madison County, Iowa



RESOLUTION NO. 2004-120

RESOLUTION APPROVING FINAL PLAT OF
WOODLAND HILLS PLAT NO. 1
AN ADDITION TO THE CITY OF WINTERSET,
MADISON COUNTY, IOWA

WHEREAS there was filed in the office of the Zoning Administrator of the City of Winterset, a registered land surveyor's plat of a proposed subdivision known as Woodland Hills Plat No. 1, an Addition to the City of Winterset, Madison County, Iowa; and

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

That part of Lot 14 of C & C Allen's Addition to Winterset, Recorded in Town Plat Book 2, Page 278, Madison County Recorders Office, Madison County, Iowa, and that part of the Northwest Quarter of Section 30, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, described as follow;

Commencing at the Northeast corner of Lot 14 of said C & C Allen's Addition; thence on an assumed bearing of South 00°48'00" East along the east line of said Lot 14 a distance of 714.65 feet; thence North 90°00'00" West 535.00 feet; thence North 00°00'00" East 476.77 feet; thence North 90°00'00" West 229.87 feet to the point of beginning; thence North 90°00'00" West 380.35 feet to the westerly line of said Lot 14; thence North 04°49'57" East along said westerly line 322.27 feet; thence North 44°12'15" East along said westerly line 79.62 feet to the northwesterly corner of said Lot 14; thence North 90°00'00" East along the northerly line of said Lot 14 a distance of 297.69 feet; thence South 00°00'00" West 378.20 feet to the point of beginning.

Said tract contains 3.13 acres.

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, Jerry L. Schwertfeger and Beth A. Schwertfeger.

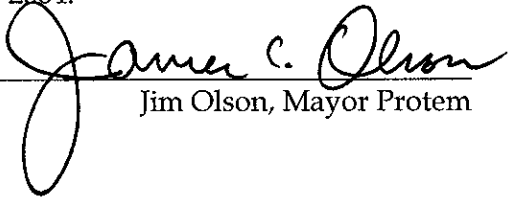
WHEREAS said Plat was accompanied by a complete abstract of title and an opinion from the attorney at law showing that title is fee simple in said proprietor and that the platted land is free from encumbrance, and a certified statement from the Treasurer of Madison County, Iowa, that said platted land is free from taxes; and

WHEREAS, the City Council of the City of Winterset, Iowa, finds that said Plat conforms to the provisions of the Zoning Ordinance of the City of Winterset and that the plat, papers and documents presented therewith should be approved by the City Council; and, that said Plat known as Woodland Hills Plat No. 1 an Addition to the City of Winterset, Madison County, Iowa, should be approved by the City Council of the City of Winterset, Iowa.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Winterset, Iowa:

- 1) That said Plat, known as Woodland Hills Plat No.1, an Addition to the City of Winterset, Madison County, Iowa, prepared in connection with said plat and subdivision, is hereby approved.
- 2) The Zoning Administrator of the City of Winterset, 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.

Passed and approved this 18th day of October 2004.


Jim Olson, Mayor Protem

Attest:


Mark Nitchals, City Administrator



**DEED OF RESTRICTIONS
WOODLAND HILLS PLAT NO. 1
AN ADDITION TO THE CITY OF WINTERSET,
MADISON COUNTY, IOWA**

Whereas, Jerry L. Schwertfeger and Beth A. Schwertfeger, husband and wife are the owners of the following described real estate:

That part of Lot 14 of C and C Allen's Addition to Winterset, Recorded in Town Plat Book 2, Page 278, Madison County Recorders Office, Madison County, Iowa, and that part of the Northwest Quarter of Section 30, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, described as follows;

Commencing at the Northeast corner of Lot 14 of said C and C Allen's Addition ; thence on an assumed bearing of South 00°48'00" East along the east line of said Lot 14 a distance of 714.65 feet; thence North 90°00'00" West 535.00 feet; thence North 00°00'00" East 476.77 feet; thence North 90°00'00" West 229.87 feet to the point of beginning; thence North 90°00'00" West 380.35 feet to the westerly line of said Lot 14; thence North 04°49'57" East along said westerly line 322.27 feet; thence North 44°12'15" East along said westerly line 79.62 feet to the northwesterly corner of said Lot 14; thence North 90°00'00" East along the northerly line of said Lot 14 a distance of 297.69 feet; thence South 00°00'00" West 378.20 feet to the point of beginning.

Said tract contains 3.13 acres

Whereas, the parties desire to establish restrictive covenants as to the use and occupancy of said real estate. Jerry L. Schwertfeger and Beth A. Schwertfeger, husband and wife, do hereby impose and subject said real estate to certain regulations, covenants, restrictions and easements as to the use and occupancy of said real estate as follows:

The Deed of Restrictions recorded in Book 132, Page 244 in the office of the Recorder of Madison County, Iowa, are hereby incorporated by this reference as though set fully at length. Said Deed of Restrictions shall be the Deed of Restrictions for the above described real estate being platted as Woodland Hills Plat I.

Dated this 13 day of OCTOBER, 2004.

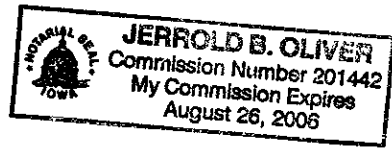
By *Jerry L. Schwertfeger*
Jerry L. Schwertfeger

By *Beth A. Schwertfeger*
Beth A. Schwertfeger

STATE OF IOWA :
:SS
MADISON COUNTY :

On this 13 day of Oct, 2004, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Jerry L. Schwertfeger and Beth A. Schwertfeger to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Jerrold B. Oliver
Notary Public in and for the State of Iowa



MICHELLE "MICKI" UTSLER, COUNTY RECORDER
MADISON IOWA

MORRISSEY SURVEYING, 1405 HIGHWAY G28, OTLEY, IA 50214, Tel. (641) 627-5554

WOODLAND HILLS PLAT I

Lot 14, C & C ALLEN'S ADDITION, NW 1/4, SEC. 30, T-76N, R-27W
WINTERSSET, MADISON COUNTY, IOWA

NUMBER	DEGREE	DELTA	CHORD BEARING	TANGENT	RADIUS	LENGTH	CHORD
C7	57°17'45"	104°53'45"	N87°52'55"W	130.08	100.00	183.08	158.56

CURVE TABLE

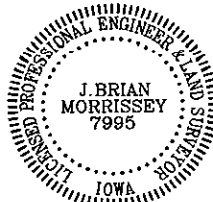
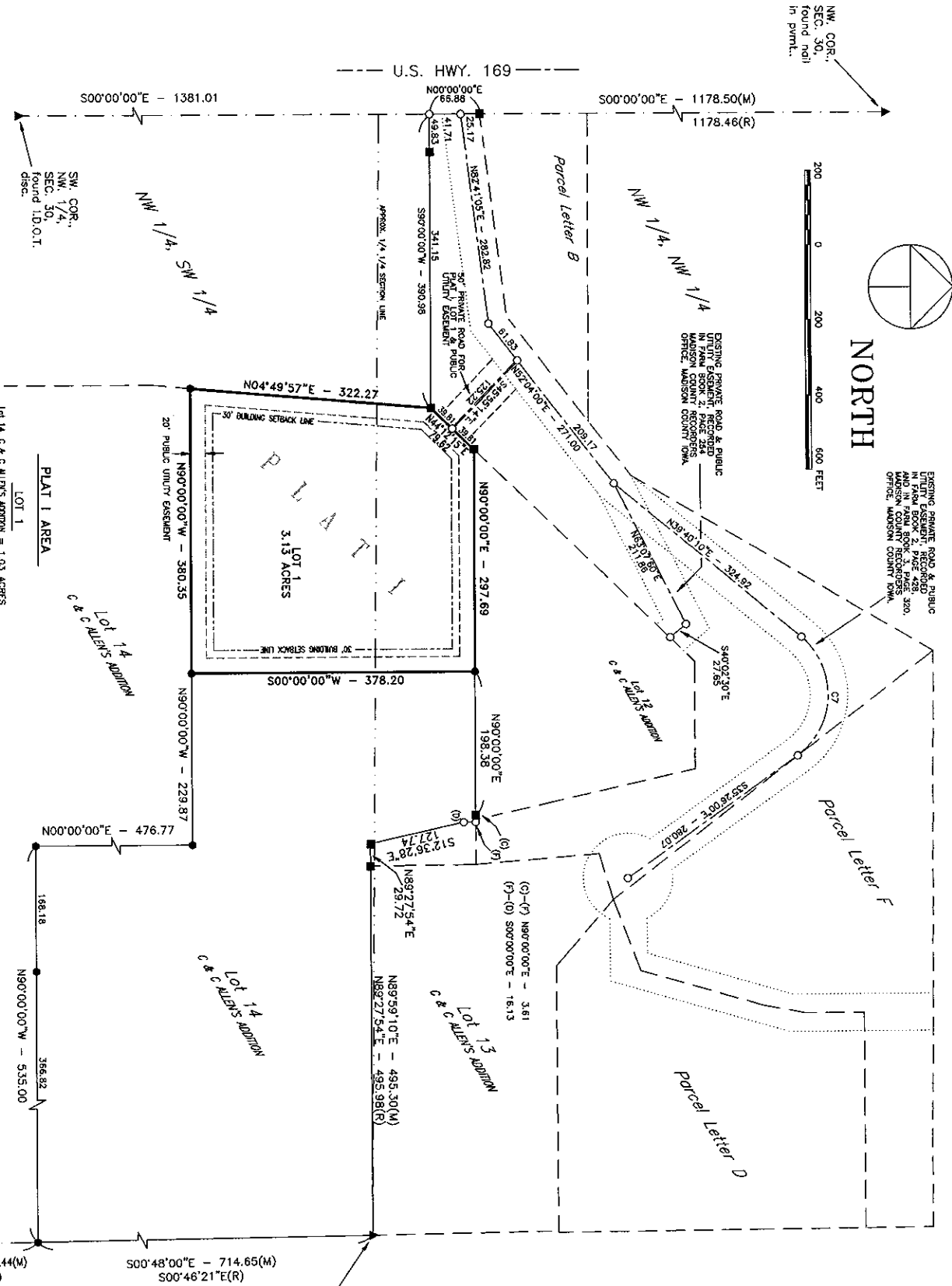
LOT 1 AREA
 Lot 14, C & C ALLEN'S ADDITION = 1.03 ACRES
 (NW 1/4, NW 1/4)
 Lot 14, C & C ALLEN'S ADDITION = 2.10 ACRES
 (NW 1/4, SW 1/4)
 PRIVATE ROAD & PUBLIC UTILITY EASEMENT = 0.00 ACRES
 TOTAL ACRES OF LOT 1 = 3.13 ACRES

LEGEND

- SUBDIVISION BOUNDARY
- EXISTING CENTERLINE OF PRIVATE ROAD
- PROPOSED CENTERLINE OF PRIVATE ROAD
- EXISTING PRIVATE ROAD & PUBLIC UTILITY EASEMENT
- SECTION LINE
- APPROX. 1/4 1/4 SECTION LINE
- ADJACENT PARCELS
- BUILDING SETBACK LINE

MEASURED BEARING/DISTANCE - (M)
 RECORDED BEARING/DISTANCE - (R)
 MONUMENTS

- ▲ - found sec. cor. (pipe, stone, etc.)
- - set - 5/8" rebar with orange cap P.L.S. 7995
- - found - 5/8" rebar with orange cap P.L.S. 7995
- - no monument found or set
- - found 1/2" yellow capped iron pin, #5041, or 1/2" iron pin unless noted



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.

Signed: *J. Brian Morrissey* Date: 9/16/04
 J. Brian Morrissey Iowa Lic. No. 7995
 My license renewal date is 12/31/2005.
 Pages covered by this seal: 1 and 2.

WOODLAND HILLS PLAT I

Lot 14, C & C ALLEN'S ADDITION, NW 1/4, SEC. 30, T-76N, R-27W
WINTERSET, MADISON COUNTY, IOWA

DESCRIPTION PLAT I

That part of Lot 14 of C and C Allen's Addition to Winterset, Recorded in Town Plat Book 2, Page 278, Madison County Recorders Office, Madison County Iowa, and that part of the Northwest Quarter of Section 30, Township 76 North, Range 27 West of the Fifth Principal Meridian, Madison County, Iowa, described as follows:

Commencing at the northeast corner of Lot 14 of said C and C Allen's Addition;
thence on an assumed bearing of South 00 degrees 48 minutes 00 seconds East along the east line of said Lot 14 a distance of 714.65 feet;
thence North 90 degrees 00 minutes 00 seconds West 535.00 feet;
thence North 00 degrees 00 minutes 00 seconds East 476.77 feet;
thence North 90 degrees 00 minutes 00 seconds West 229.87 feet to the point of beginning;
thence North 90 degrees 00 minutes 00 seconds West 380.35 feet to the westerly line of said Lot 14;
thence North 04 degrees 49 minutes 57 seconds East along said westerly line 322.27 feet;
thence North 44 degrees 12 minutes 15 seconds East along said westerly line 79.62 feet to the northwesterly corner of said Lot 14;
thence North 90 degrees 00 minutes 00 seconds East along the northerly line of said Lot 14 a distance of 297.69 feet;
thence South 00 degrees 00 minutes 00 seconds West 378.20 feet to the point of beginning.

Said tract contains 3.13 acres.