

FOR PLAT
SEE 2004-5435

**PLAT AND CERTIFICATE
FOR
CORKREAN & WATTS ADDITION PLAT NO. 3
AN ADDITION TO THE CITY OF WINTERSET,
MADISON COUNTY, 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 Corkrean & Watts Addition Plat No. 3, an Addition to the City of Winterset, Madison County, Iowa; and, that the real estate comprising said plat is described as follows:

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.

Beginning at a Corner of Lot 2, Corkrean & Watts Addition, Plat No. 1, City of Winterset, Madison County, Iowa; which is on the North line of proposed Mills Street extension thence North 89°45'15" West 458.11 feet along the North line of proposed Mills Street to a point on the East line of Parcel "N" in the Northwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa; thence North 00°16'34" West 132.00 feet; to the Southwest Corner of Lot 2 of said Corkrean & Watts Addition, Plat No. 1: thence South 89°45'15" East 458.15 feet along a line of said Lot 2; thence South 00°15'25" East 132.00 feet along a line of said Lot 2 to the Point of Beginning containing 1.388 acres.

1. Dedication of Plat of Corkrean & Watts Addition Plat No. 3, 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;
- 6) Deed of Restrictions; and

7) Groundwater Hazard Statement.

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

Dated this 16TH day of NOVEMBER, 2004.



Robert D. Hendricks
Robert Hendricks, Zoning Administrator

STATE OF IOWA, MADISON COUNTY, ss:

On this 16th day of November, 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.

Cindy M. Bush
Notary Public in and for the State of Iowa

**DEDICATION OF PLAT
OF
CORKREAN & WATTS ADDITION
PLAT NO. 3
TO THE CITY OF WINTERSET, MADISON COUNTY, IOWA**

KNOW ALL MEN BY THESE PRESENT:

That Corkrean Watts Development Co., do certify that it is the sole owner and proprietor of the following-described real estate:

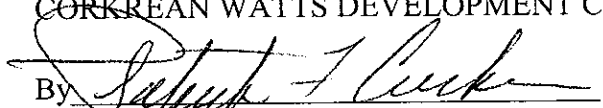
Beginning at a Corner of Lot 2, Corkrean & Watts Addition, Plat No. 1, City of Winterset, Madison County, Iowa; which is on the North line of proposed Mills Street extension thence North 89°45'15" West 458.11 feet along the North line of proposed Mills Street to a point on the East line of Parcel "N" in the Northwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa; thence North 00°16'34" West 132.00 feet; to the Southwest Corner of Lot 2 of said Corkrean & Watts Addition, Plat No. 1: thence South 89°45'15" East 458.15 feet along a line of said Lot 2; thence South 00°15'25" East 132.00 feet along a line of said Lot 2 to the Point of Beginning containing 1.388 acres.

That the subdivision of the above-described real estate, as shown by the final plat of Corkrean & Watts Addition, Plat No. 3, 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 9th day of Nov., 2004.

CORKREAN WATTS DEVELOPMENT CO.

By

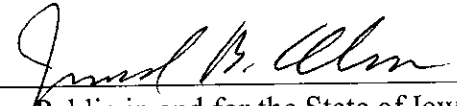

Patrick F. Corkrean, President

By

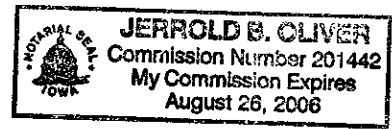

Larry Watts, Secretary

STATE OF IOWA :
:SS
MADISON COUNTY :

On this 9 day of Nov, 2004, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Patrick F. Corkrean, to me personally known, who being by me duly sworn, did say that he is the President of the corporation executing the within and foregoing instrument, and Larry Watts, to me personally known, who being by me duly sworn, did say that he is the Secretary of the corporation executing the within and foregoing instrument; that there is no seal on behalf of the corporation; and that Patrick F. Corkrean and Larry Watts, as officers, acknowledged the execution of the forgoing instrument to be the voluntary ace and deed of the corporation, by it and by them voluntarily executed.



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 and filed July 22, 1999 in Mortgage Record 210, Page 633 of the Recorder's office of Madison County, Iowa, a Mortgage dated April 1, 2003 and filed December 9, 2003, in Book 2003, Page 7258 in the Recorder's office of Madison County, Iowa and a Mortgage dated April 12, 2004 and filed April 22, 2004, in Book 2004, Page 1789 in the Recorder's office of Madison County, Iowa and hereby consents to the Dedication of Plat of Corkrean & Watts Addition Plat No. 3, an Addition to the City of Winterset, Madison County, Iowa.

Dated this 9th day of November, 2004.

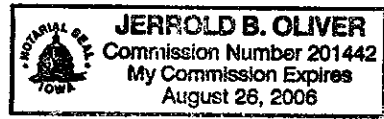
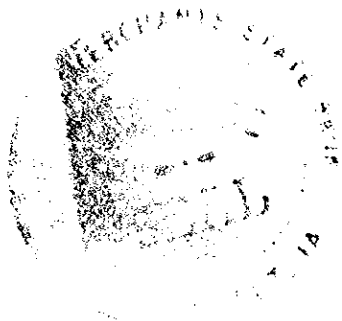
FARMERS & MERCHANTS STATE BANK

BY [Signature]

STATE OF IOWA :
:ss
COUNTY OF MADISON :

On this 9 day of Nov, 2004, before me, the undersigned, a Notary public in and for said State, personally appeared Tim J. Rothmeier, to me personally know, who being by me duly sworn, did say that he/she is a Vice President of the corporation executing the within and foregoing instrument, that the seal affixed thereto is the seal of the corporation; that the instrument was signed and sealed on behalf of the corporation by authority of its Board of Directors; and that Tim J. Rothmeier, as an officer, acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by him/her voluntarily executed.

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



**ATTORNEY'S OPINION FOR FINAL PLAT, CORKREAN & WATTS
ADDITION PLAT, NO. 3**

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 October 26, 2004, at 8:00 a.m., by Madison County Abstract Company, purporting to show the chain of title to the following described property, which is the real property contained in Final Plat, Corkrean & Watts Addition, Plat No. 3, to the City of Winterset, Madison County, Iowa:

Beginning at a Corner of Lot 2, Corkrean & Watts Addition, Plat No. 1, City of Winterset, Madison County, Iowa; which is on the North line of proposed Mills Street extension thence North 89°45'15" West 458.11 feet along the North line of proposed Mills Street to a point on the East line of Parcel "N" in the Northwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa; thence North 00°16'34" West 132.00 feet; to the Southwest Corner of Lot 2 of said Corkrean & Watts Addition, Plat No. 1: thence South 89°45'15" East 458.15 feet along a line of said Lot 2; thence South 00°15'25" East 132.00 feet along a line of said Lot 2 to the Point of Beginning containing 1.388 acres.

In my opinion, merchantable title to the above described property is in the name of sole proprietor, Corkrean Watts Development Co.

In my opinion, the holders of mortgages, liens, or other encumbrances on the above described real property included in the Final Plat, Corkrean & Watts Addition, Plat No. 3, which have not been released of record, are as follows:

1. A Mortgage from Corkrean Watts Development Co. to Farmers & Merchants State Bank, an Iowa Corporation, in the principal amount of \$250,000.00, dated and filed July 22, 1999 in Mortgage Record 210, Page 633 of the Recorder's office of Madison County, Iowa.
2. A Mortgage from Corkrean Watts Development Co. to Farmers & Merchants State

Bank in the principal amount of \$533,250.00, dated April 1, 2003 and filed December 9, 2003, in Book 2003, Page 7258 in the Recorder's office of Madison County, Iowa.

3. A Mortgage from Corkrean Watts Development Co. to Farmers & Merchants State Bank in the principal amount of \$500,000.00, dated April 12, 2004 and filed April 22, 2004, in Book 2004, Page 1789 in the Recorder's office of Madison County, Iowa.

Dated this 9 this day of Nov., 2004.

JORDAN, OLIVER & WALTERS, P.C.

By Jerrald B. Oliver

Jerrald B. Oliver
Farmers & Merchants Bank Bldg.
PO BOX 230
Winterset, IA 50273

Telephone: (515)462-3731

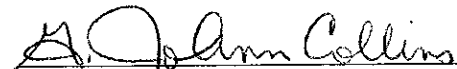
Facsimile: (515)462-3734

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

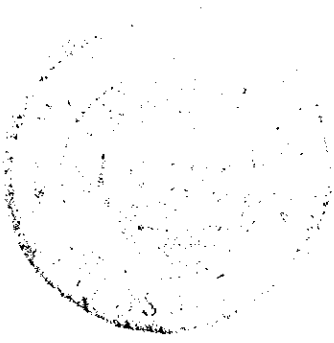
I, G. JoAnn Collins, do hereby certify that I am the duly elected and acting Treasurer of Madison County, Iowa; that I have searched the records in my office, and, that there are no certified taxes and no certified special assessments forming a lien against the following-described real estate, to-wit:

Beginning at a Corner of Lot 2, Corkrean & Watts Addition, Plat No. 1, City of Winterset, Madison County, Iowa; which is on the North line of proposed Mills Street extension thence North 89°45'15" West 458.11 feet along the North line of proposed Mills Street to a point on the East line of Parcel "N" in the Northwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa; thence North 00°16'34" West 132.00 feet; to the Southwest Corner of Lot 2 of said Corkrean & Watts Addition, Plat No. 1: thence South 89°45'15" East 458.15 feet along a line of said Lot 2; thence South 00°15'25" East 132.00 feet along a line of said Lot 2 to the Point of Beginning containing 1.388 acres.

Dated at Winterset, Iowa, this 9th day of November, 2004.



G. JoAnn Collins, Treasurer of Madison County, Iowa



**RESOLUTION APPROVING FINAL PLAT
OF
CORKREAN & WATTS ADDITION PLAT NO. 3
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 Corkrean & Watts Addition Plat No. 3, an Addition to the City of Winterset, Madison County, Iowa; and

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

Beginning at a Corner of Lot 2, Corkrean & Watts Addition, Plat No. 1, City of Winterset, Madison County, Iowa; which is on the North line of proposed Mills Street extension thence North 89°45'15" West 458.11 feet along the North line of proposed Mills Street to a point on the East line of Parcel "N" in the Northwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa; thence North 00°16'34" West 132.00 feet; to the Southwest Corner of Lot 2 of said Corkrean & Watts Addition, Plat No. 1: thence South 89°45'15" East 458.15 feet along a line of said Lot 2; thence South 00°15'25" East 132.00 feet along a line of said Lot 2 to the Point of Beginning containing 1.388 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 proprietor Corkrean Watts Development Co.

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

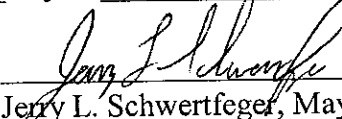
WHEREAS, the City Council of the City of Winterset, Iowa, finds that said Plat conforms to the provisions of the Zoning Ordinance of the City of Winterset and that the plat, papers and documents

presented therewith should be approved by the City Council; and, that said Plat, known as Corkrean & Watts Addition Plat No. 3, 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:

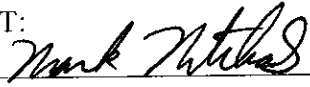
- 1) That said Plat, known as Corkrean & Watts Addition Plat No. 3, an Addition to the City of Winterset, Madison County, Iowa, prepared in connection with said plat and subdivision, is hereby approved.
- 2) The Zoning Administrator of the City of Winterset, Iowa, is hereby directed to certify this Resolution 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.

Dated at Winterset, Iowa, this 16TH day of NOVEMBER, 2004.



Jerry L. Schwertfege, Mayor of the City of Winterset

ATTEST:



Mark Nitchals, City Clerk



**DEED OF RESTRICTIONS
CORKREAN & WATTS ADDITION PLAT NO. 3
AN ADDITION TO THE CITY OF WINTERSET,
MADISON COUNTY, IOWA**

That Corkrean Watts Development Co., and Iowa corporation, is now the fee simple owner and record titleholder of the following-described real estate, to-wit:

Beginning at a Corner of Lot 2, Corkrean & Watts Addition, Plat No. 1, City of Winterset, Madison County, Iowa; which is on the North line of proposed Mills Street extension thence North 89°45'15" West 458.11 feet along the North line of proposed Mills Street to a point on the East line of Parcel "N" in the Northwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa; thence North 00°16'34" West 132.00 feet; to the Southwest Corner of Lot 2 of said Corkrean & Watts Addition, Plat No. 1: thence South 89°45'15" East 458.15 feet along a line of said Lot 2; thence South 00°15'25" East 132.00 feet along a line of said Lot 2 to the Point of Beginning containing 1.388 acres.

which real estate is being platted as Corkrean & Watts Addition Plat No. 3, an Addition to the City of Winterset, Madison County, Iowa.

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 in a manner consistent with the Winterset Zoning Ordinance, the above-described real estate being located in R-2 zoning district. No structure shall be erected on any lot except single-family and multi-family residential dwelling structures, a garage as an accessory building or an accessory portion of the main building designed and used for the shelter of vehicles owned by the occupants of the main building, and certain other accessory buildings provided that such other accessory buildings other than garages may not be erected in excess of 400 square feet in area. Churches shall also be permitted. No construction shall start on any such dwelling until the plans have been approved by the developer. No mobile homes or manufactured homes as defined by

the Code of Iowa or earth homes shall be erected or placed on any of the lots in said Corkrean & Watts Addition Plat No. 3, to the City of Winterset, Madison County, Iowa, except that a berm home may be permitted. Motor homes, camper trailers, boats, motorcycles and other recreational vehicles shall not be stored on the premises unless the same are stored in a garage as permitted by these covenants.

2) 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.

3) 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.

4) 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.

5) The titleholder of each lot, vacant or improved, shall keep his lot or lots free of weeds and debris, and shall not engage in act activity which is a nuisance.

6) These covenants are to run with the land and shall be binding on all parties and persons for a period of twenty (20) years from the time this Plat is approved and accepted, at which time said covenants shall be automatically extended for successive periods of ten (10) years, unless by a vote of the majority of the then owners of the lots, it is agreed to delete the 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 Corkrean & Watts Addition Plat No. 3, to the City of Winterset, Madison County, Iowa, agree in writing to any such additional covenants. The easements shown at numbered paragraph 9 hereof are perpetual in

nature and may not be deleted.

7) If any party 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 subdivision to institute proceedings in law or in equity against the person or persons violating 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.

8) 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.

9) Perpetual easements for ingress, egress, drainage and utility purposes are hereby granted to the City of Winterset, Iowa, Mid American Energy, Qwest, and their successors and assigns for the installation, operation, maintenance and repair thereof, as shown by the Engineer's Final Plat filed herewith.

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 for record in the Madison County Recorder's office in order to apprise prospective purchasers of their obligations with respect to such fencing.

11) No animals shall be kept or maintained on any of the lots in Corkrean & Watts

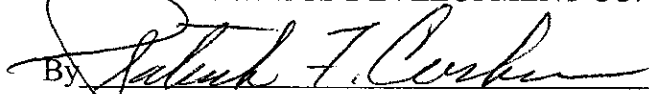
Addition Plat No. 3, to the City of Winterset, Madison County, Iowa, except ordinary household pets.

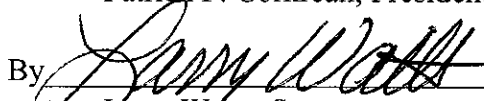
12) Any person, partnership, corporation or other entity purchasing a vacant lot in Corkrean & Watts Addition Plat No. 3, an Addition to the City of Winterset, Madison County, Iowa, shall commence construction of a residential dwelling withing eighteen (18) months of the date of delivery of a deed to said purchaser from the developer. In the event such buyer has not commenced construction within said 18-month period, the developer shall have the right to repurchase said lot at the same price paid by the buyer plus interest at the rate of seven percent (7%) per annum from and after date of the Deed from developer to buyer; and upon developer exercising the option to repurchase the lot buyer shall promptly comply and furnish to developer an abstract showing merchantable title and a warranty deed.

13) "Developer" is defined as Corkrean Watts Development Co., an Iowa Corporation.

Dated this 9th day of Nov., 2004.

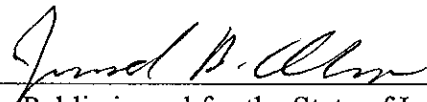
CORKREAN WATTS DEVELOPMENT CO.

By 
Patrick F. Corkrean, President

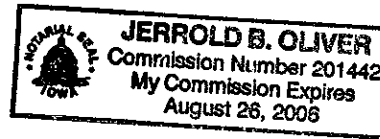
By 
Larry Watts, Secretary

STATE OF IOWA :
 :SS
MADISON COUNTY :

On this 9 day of Nov, 2004, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Patrick F. Corkrean, to me personally known, who being by me duly sworn, did say that he is the President of the corporation executing the within and foregoing instrument, and Larry Watts, to me personally known, who being by me duly sworn, did say that he is the Secretary of the corporation executing the within and foregoing instrument; that there is no seal on behalf of the corporation; and that Patrick F. Corkrean and Larry Watts, as officers, acknowledged the execution of the forgoing instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.



Notary Public in and for the State of Iowa



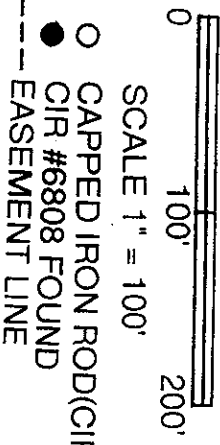
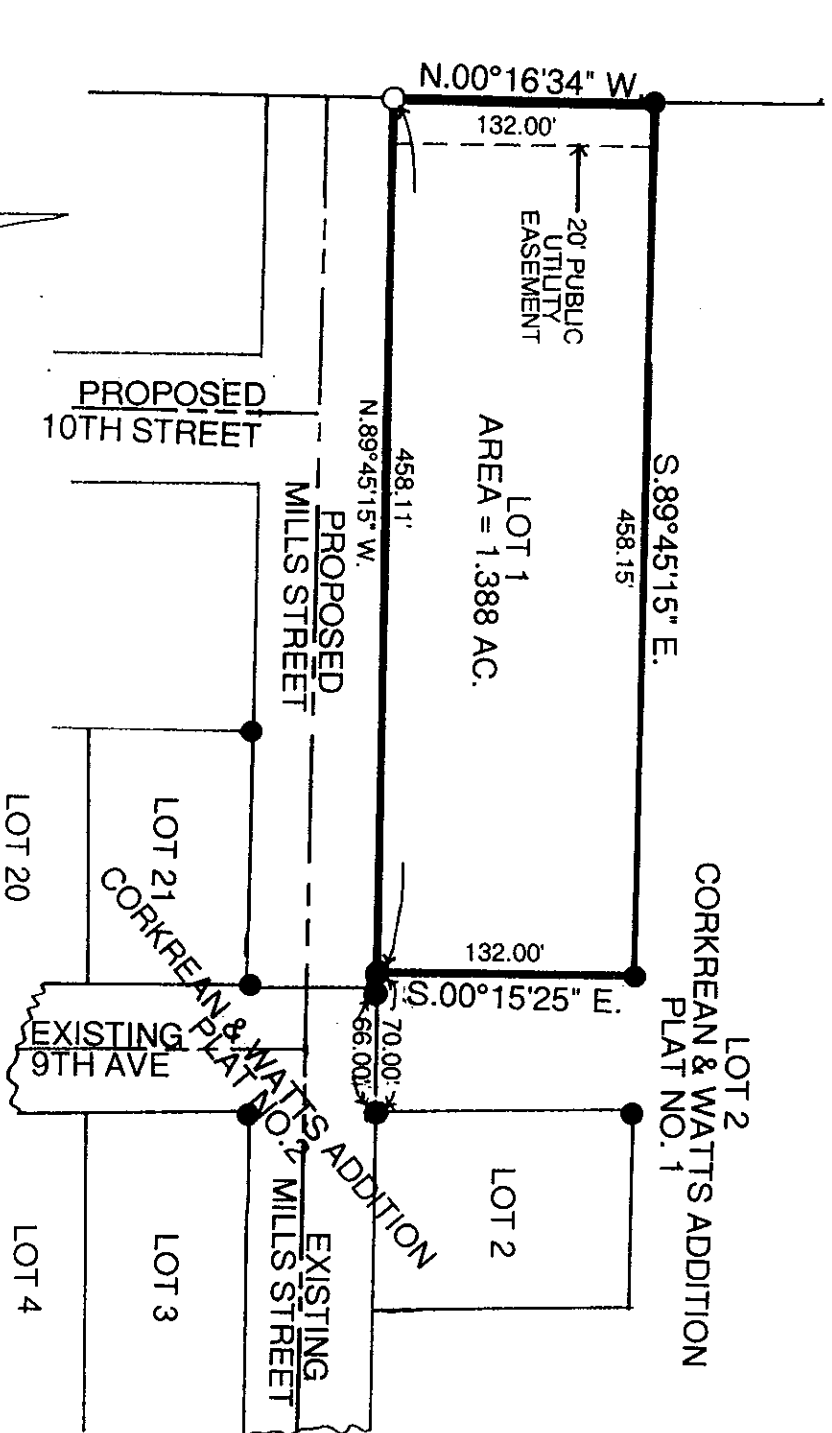
FOR DEDICATION,
RESOLUTION &
CERTIFICATES SEE
RECORD 2004-5435

COMPUTER _____
RECORDED _____
COMPARED _____

MICHELLE "MICKI" UTSLER, COUNTY RECORDER
MADISON IOWA

VANCE & HOCHSTETLER, P.C. CONSULTING ENGINEERS, WINTERSET, IOWA (515) 462-3395
CHARLES T. VANCE, 110 WEST GREEN ST., WINTERSET, IOWA 50273
JAMES M HOCHSTETLER, 110 WEST GREEN ST., WINTERSET, IOWA 50273

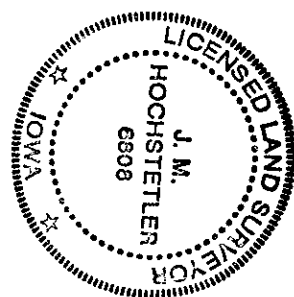
CORKREAN & WATTS ADDITION - PLAT NO. 3



- CAPPED IRON ROD(CIR) #6808 SET
- CIR #6808 FOUND
- EASEMENT LINE

LEGAL DESCRIPTION:

Beginning at a corner of Lot 2, Corkrean & Watts Addition, Plat No. 1, City of Winterset, Madison County, Iowa which is on the North line of proposed Mills Street extension thence North 89°45'15" West 458.11 feet along the North line of proposed Mills Street to a point on the East line of Parcel "N" in the Northwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa; thence North 00°16'34" West 132.00 feet; to the Southwest Corner of Lot 2 of said Corkrean & Watts Addition, Plat No. 1; thence South 89°45'15" East 458.15 feet along a line of said Lot 2; thence South 00°15'25" East 132.00 feet along a line of said Lot 2 to the Point of Beginning containing 1.388 acres.



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.
J.M. Hochstetler
J.M. HOCHSTETLER
License number 6808 Date 11/9/04
My license renewal date is December 31, 2005
Pages or sheets covered by this seal: 1

FINAL PLAT

CORKREAN & WATTS ADDITION

OWNER/DEVELOPER:

**CORKREAN WATTS
DEVELOPMENT CO.
65 JEFFERSON
WINTERSET, IOWA 50273**

ENGINEER/LAND SURVEYOR:

**VANCE & HOCHSTETLER, P.C.
CONSULTING ENGINEERS
110 WEST GREEN ST.
WINTERSET, IOWA 50273**