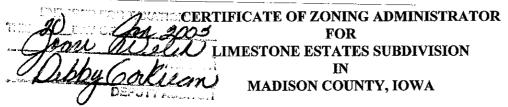
Document 2005 264

Book 2005 Page 264 Type 06 44 Pages 16 Date 1/20/2005 Time 12:12 PM

MICHELLE "MICKI" UTSLER, COUNTY RECORDER MADISON IOWA

Rec Amt \$82.00 Aud Amt \$5.00





I, C. J. Nicholl, Zoning Administrator of Madison County, Iowa, do hereby certify that the Subdivision Plat to which this Certificate is attached is a plat of a subdivision known and designated as the Limestone Estates Subdivision, Madison County, Iowa and that the real estate described in this plat is as follows:

A parcel of land in the West Half (W½) of the Southeast Quarter (SE½) of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

Beginning at the South Quarter Corner of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence North 00° 02' 45" East 1.325.91 feet to the Northwest Corner of the Southwest Quarter of the Southeast Quarter of said Section Twenty-five (25); thence continuing North 00° 02' 45" East 996.61 feet; thence South 89° 07' 42" East 1073.23 feet; thence South 02° 33' 14" East 371.41 feet; thence South 47° 34' 20" West 43.01 feet; thence South 86° 13' 47" West 105.08 feet; thence South 02° 13' 28" East 106.00 feet; thence South 86° 55' 59" East 97.30 feet; thence South 01° 45' 07" West 471.16 feet to the North line of the Southwest Quarter of the Southeast Quarter of said Section Twenty-five (25); thence South 89° 31' 06" East 280.70 feet to the Northeast Corner of said Southwest Quarter of the Southeast Quarter; thence South 00° 41' 37" East 1,327.85 feet to the Southeast Corner of said Southwest Quarter of the Southeast Ouarter; thence North 89° 26' 44" West 1,338.61 feet to the Point of Beginning. Said parcel contains 64.464 Acres including 3.247 Acres of County Road Right-of-Way.

The undersigned Zoning Administrator further certifies that following described documents attached to this Certificate are the true and correct documents submitted in connection with this subdivision plat:

- Consent and Dedication of Plat executed by the proprietor for this Subdivision; 1.
- Consent to Plat executed by the Mortgagee; 2.
- Restrictive Covenants executed by the proprietor for this Subdivision; 3.
- Certificate of the Treasurer of Madison County, Iowa for this Subdivision; 4.
- Certificate of the Recorder of Madison County, Iowa for this Subdivision; 5.
- Certificate of the Clerk of Court of Madison County, Iowa for this Subdivision; 6.
- Certificate of Engineer of Madison County, Iowa, for this Subdivision; 7.
- Title Opinion of Attorney at law for this Subdivision showing the land title to be in the name 8. of the proprietor;
- Groundwater Hazard Statement; 9.
- Resolution of Approval of the Final Subdivision Plat for this Subdivision by the Madison 10. County Board of Supervisors;
- 81/2 x 14 inch Final Plat; 11.
- 8 ½ x 14 inch Final Plat- Mylar Copy; and, 12.
- Final Plat. 13.

all of which is hereby duly certified in accordance with the Subdivision Ordinance of Madison County, Iowa.
Dated on thisday of August, 2004, at Winterset, Nowa
<u> </u>
C. J. Nicholl, Zoning Administrator, Madison County, Iowa
State of Iowa)
Madison County)
On this 10th day of August, 2004, before me, the undersigned, a Notary Public in and for the
State of Iowa, personally appeared, C. J. Nicholl, Madison County Zoning Administrator, to me known to be the identical person named in the foregoing instrument and who executed the foregoing instrument, and
acknowledged that he executed the same as his voluntary act and deed.
Jan Welch
Notary Public 1-2-07
The state of the s

DEDICATION OF PLAT TO LIMESTONE ESTATES SUBDIVISION IN MADISON COUNTY, IOWA

I, Donald J. Lynch, a single person, hereby certify that he is the sole owner and proprietor of the real property described below and that the disposition of this real property subdivided as shown by the accompanying final plat for the Limestone Estates Subdivision in Madison County, Iowa, is in accordance with his free consent and in accordance with his desire as owner and proprietor. The undersigned owner and proprietor do hereby dedicate to the public and convey any and all easements and any other public right-of-way as shown on that plat designated for public use. The real property covered by this Dedication of Plat is described as follows:

A parcel of land in the West Half (W½) of the Southeast Quarter (SE¼) of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

Beginning at the South Quarter Corner of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence North 00° 02' 45" East 1,325.91 feet to the Northwest Corner of the Southwest Quarter of the Southeast Quarter of said Section Twenty-five (25); thence continuing North 00° 02' 45" East 996.61 feet; thence South 89° 07' 42" East 1073.23 feet; thence South 02° 33' 14" East 371.41 feet; thence South 47° 34' 20" West 43.01 feet; thence South 86° 13' 47" West 105.08 feet; thence South 02° 13' 28" East 106.00 feet; thence South 86° 55' 59" East 97.30 feet; thence South 01° 45' 07" West 471.16 feet to the North line of the Southwest Quarter of the Southeast Quarter of said Section Twenty-five (25); thence South 89° 31' 06" East 280.70 feet to the Northeast Corner of said Southwest Quarter of the Southeast Quarter; thence South 00° 41' 37" East 1,327.85 feet to the Southeast Corner of said Southwest Quarter of the Southeast Quarter; thence North 89° 26' 44" West 1,338.61 feet to the Point of Beginning. Said parcel contains 64.464 Acres including 3.247 Acres of County Road Right-of-Way.

Donald J. Lynch, also known as Donald Lynch, Owner

STATE OF IOWA, COUNTY OF MADISON, ss:

On this 2nd day of August, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Donald J. Lynch, to me known to be the 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 said State.

TERRIL COLLINS

F. Commission Number 148908

My Commission Expires

October 13, 2006

CONSENT TO PLATTING BY MORTGAGEE TO LIMESTONE ESTATES SUBDIVISION IN MADISON COUNTY, IOWA

The Farmers and Merchants State Bank hereby states that the Limestone Estates Subdivision of the following described real estate is prepared with its free consent and in accordance with its desires upon the real estate legally described as:

A parcel of land in the West Half (W½) of the Southeast Quarter (SE½) of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

Beginning at the South Quarter Corner of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence North 00° 02' 45" East 1,325.91 feet to the Northwest Corner of the Southwest Quarter of the Southeast Quarter of said Section Twenty-five (25); thence continuing North 00° 02' 45" East 996.61 feet; thence South 89° 07' 42" East 1073.23 feet; thence South 02° 33' 14" East 371.41 feet; thence South 47° 34' 20" West 43.01 feet; thence South 86° 13' 47" West 105.08 feet; thence South 02° 13' 28" East 106.00 feet; thence South 86° 55' 59" East 97.30 feet; thence South 01° 45' 07" West 471.16 feet to the North line of the Southwest Quarter of the Southeast Quarter of said Section Twenty-five (25); thence South 89° 31' 06" East 280.70 feet to the Northeast Corner of said Southwest Quarter of the Southeast Quarter; thence South 00° 41' 37" East 1,327.85 feet to the Southeast Corner of said Southwest Quarter of the Southeast Quarter of the Southeast Quarter; thence North 89° 26' 44" West 1,338.61 feet to the Point of Beginning. Said parcel contains 64.464 Acres including 3.247 Acres of County Road Right-of-Way.

The Farmers and Merchants State Bank hereby releases from the lien of its mortgage that portion of the above described real estate which is dedicated to the public and/or conveyed to the governing body as provided by Iowa Code Chapter 354.

The aforementioned mortgage is dated November 3, 2003 and filed for record on November 4, 2003 in the Office of the Madison County Recorder in Mortgage Record Book 2003 at Page 6655.

Dated on this 3rd day of August, 2004, at Winterset, Iowa.

FARMERS AND MERCHANTS STATE BANK

By: Shane Pashek, Vice-President

STATE OF IOWA, COUNTY OF MADISON, ss:

On this 3rd day of August, 2004, before me, the undersigned, a Notary Public in and for the said State, personally appeared Shane Pashek, personally known, who being by me duly sworn, did say that he is the VICE-PRESIDENT of the corporation executing the within and foregoing instrument, that the instrument was signed on behalf of the corporation by authority of its Board of Directors; and that Shane Pashek as an officer acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

PHILLIP J. CLIFTON
Commission Number 170637
My Commission Expires

Notary Public in and for said State.

RESTRICTIVE COVENANTS OF LIMESTONE ESTATES SUBDIVISION IN MADISON COUNTY, IOWA

I, Donald J. Lynch, a single person, is now the fee simple owner and record titleholder of the following-described real estate:

A parcel of land in the West Half (W½) of the Southeast Quarter (SE¼) of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

Beginning at the South Quarter Corner of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence North 00° 02' 45" East 1,325.91 feet to the Northwest Corner of the Southwest Quarter of the Southeast Quarter of said Section Twenty-five (25); thence continuing North 00° 02' 45" East 996.61 feet; thence South 89° 07' 42" East 1073.23 feet; thence South 02° 33' 14" East 371.41 feet; thence South 47° 34' 20" West 43.01 feet; thence South 86° 13' 47" West 105.08 feet; thence South 02° 13' 28" East 106.00 feet; thence South 86° 55' 59" East 97.30 feet; thence South 01° 45' 07" West 471.16 feet to the North line of the Southwest Quarter of the Southeast Quarter of said Section Twenty-five (25); thence South 89° 31' 06" East 280.70 feet to the Northeast Corner of said Southwest Quarter of the Southeast Quarter; thence South 00° 41' 37" East 1.327.85 feet to the Southeast Corner of said Southwest Quarter of the Southeast Ouarter; thence North 89° 26' 44" West 1,338.61 feet to the Point of Beginning. Said parcel contains 64.464 Acres including 3.247 Acres of County Road Rightof-Way.

The undersigned owner do hereby impose and subject this real estate to certain regulations, covenants, restrictions and easements as to the use and occupancy thereof, as follows:

1. All subdivision lots (hereafter parcels) shall be used only for single-family residential purposes. All house plans including blueprints, floor plans and construction specifications shall be first approved by the undersigned or his successor or assign prior to the commencement of any construction activity on the project. The residential dwelling structure shall be at least one thousand five hundred (1500) square feet in habitable, finished living area within the dwelling not limited to the main entry level, but excluding from this minimum area that portion of the structure used as a basement or as an unfinished portion of the structure.

Each residence shall have an attached garage with sufficient square footage to hold at least two (2) mid-sized automobiles. No mobile homes of any kind at any time shall be erected or placed on any of said parcels. Modular homes and manufactures homes shall be permitted to be erected or placed on these parcels, but all residential dwelling structures shall have a concrete foundation with a full basement. For the purpose of this Restrictive Covenants the following definitions shall apply.

- a. "Mobile home" means any vehicle without motive power used or so manufactured or constructed as to permit it 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.
- b. "Modular home" means a factory-built structure which is manufactured to be used as a place of human habitation, is constructed to comply with the Iowa state building code for modular factory-built structures, and must display the seal issued by the estate building code commissioner.
 - c. "Manufactured home" means a factory-built structure used as a place for human habitation, but which is not constructed to equipped with a permanent hitch or other devise allowing it to be moved other than for the purpose of moving to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles.

No hog confinement, nursery or finishing structure, cattle finishing structure, poultry laying or raising houses shall be erected on any of the above described parcels.

- 2. The requirements contained in the Madison County Zoning Ordinance as to lot area, width and yard requirements shall apply to all parcels. A setback of fifty (50) feet from all streets, roads and private drives shall apply.
- 3. The parcels described above may be further subdivided in compliance with the Subdivision Ordinance and Zoning Ordinance of Madison County, Iowa.
- 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 parcel unless the design and location is in harmony with the existing structures and locations in the tract and does not violate any of these restrictive covenants.
- 6. No building including a residential dwelling unit may be moved or relocated onto any lot, except for storage sheds whose gross floor square feet is less than two hundred (200) square feet, unless all lot owner(s) within the subdivision agree in writing prior to such move.
- 7. The titleholder of each parcel, vacant or improved, shall keep their parcel or parcels free of weeds and debris, and shall not engage in any activity which is a nuisance.
- 8. 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, 2025, 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 parcels, it is agreed to delete said covenants in whole or in part. No new or additional covenants shall be added unless all of the owners of said parcels agree in writing to any such additional covenants.
- 9. 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 parcel or parcels 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.
- 10. 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.
- 11. If any parcel owner decides to erect a fence upon his parcel, the total cost of installation of such fence shall be borne by said parcel owner as well as the cost of all future maintenance of the fence. No adjoining parcel owner shall be required to participate in the cost of the rection or maintenance of any fence. Any fence erected shall be the sole property of the parcel owner and can be removed by such parcel owner at his discretion. Nothing in this paragraph shall be deemed to preclude a fencing agreement between adjoining parcel owners for erection and maintenance of a common fence, however, for any such common

fence agreement to be enforceable upon future Parcel owners, such fencing agreement must be in writing and filed on record in the Madison County Recorder's office in order to apprise prospective pruchasers of their obligations with respect to such fencing.

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

13. There is no common sewage system available for use within said parcels, and it shall be the responsibility of each of the owners of the respective parcels to provide a septic system for use with the residence constructed upon each parcel.

14. No animals shall be kept or maintained on any of the parcels except ordinary household pets; provided, however, that each lot shall be allowed to maintain thereon one (1) horse for each acre of lot area calculated to the nearest whole acre of the lot. In all events no more than six (6) horses may be kept and/or maintained at any time on any parcel. Ducks and geese shall be permitted on any parcel upon which a pond is located or later constructed.

Dated this 12 day of July, 2004.

Donald J. Lynch

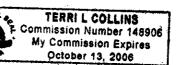
STATE OF IOWA

: ss

MADISON COUNTY

On this 12 day of July, 2004, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Donald J. Lynch, to me known to be the identical person named in and who executed the within and foregoing instrument and acknowledged the same as his voluntary act and deed.

Notary Public in and for the State of Iowa



CERTIFICATE OF THE COUNTY TREASURER OF MADISON COUNTY, IOWA FOR LIMESTONE ESTATES SUBDIVISION IN 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 the Office of the Madison County Treasurer; and, that there are no certified taxes and no certified special assessments forming a lien against the following described real estate:

A parcel of land in the West Half (W½) of the Southeast Quarter (SE½) of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

Beginning at the South Quarter Corner of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence North 00° 02' 45" East 1,325.91 feet to the Northwest Corner of the Southwest Quarter of the Southeast Quarter of said Section Twenty-five (25); thence continuing North 00° 02' 45" East 996.61 feet; thence South 89° 07' 42" East 1073.23 feet; thence South 02° 33' 14" East 371.41 feet; thence South 47° 34' 20" West 43.01 feet; thence South 86° 13' 47" West 105.08 feet; thence South 02° 13' 28" East 106.00 feet; thence South 86° 55' 59" East 97.30 feet; thence South 01° 45' 07" West 471.16 feet to the North line of the Southwest Quarter of the Southeast Quarter of said Section Twenty-five (25); thence South 89° 31' 06" East 280.70 feet to the Northeast Corner of said Southwest Quarter of the Southeast Quarter; thence South 00° 41' 37" East 1,327.85 feet to the Southeast Corner of said Southwest Quarter of the Southeast Quarter; thence North 89° 26' 44" West 1,338.61 feet to the Point of Beginning. Said parcel contains 64.464 Acres including 3.247 Acres of County Road Rightof-Way.

Dated at Winterset, Iowa on this ______ day of August, 2004.

G. JoAnn Collins, Treasurer of Madison County, Iowa

OF MADISON COUNTY, IOWA FOR

LIMESTONE ESTATES SUBDIVISION IN MADISON COUNTY, IOWA

I, Michelle Utsler, do hereby certify that I am the duly elected and acting Recorder of Madison County, Iowa; that Donald J. Lynch, is the fee simple owner and record title holder of the following described real estate:

A parcel of land in the West Half (W½) of the Southeast Quarter (SE½) of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

Beginning at the South Quarter Corner of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence North 00° 02' 45" East 1,325.91 feet to the Northwest Corner of the Southwest Quarter of the Southeast Quarter of said Section Twenty-five (25); thence continuing North 00° 02' 45" East 996.61 feet; thence South 89° 07' 42" East 1073.23 feet; thence South 02° 33' 14" East 371.41 feet: thence South 47° 34' 20" West 43.01 feet; thence South 86° 13' 47" West 105.08 feet; thence South 02° 13' 28" East 106.00 feet; thence South 86° 55' 59" East 97.30 feet; thence South 01° 45' 07" West 471.16 feet to the North line of the Southwest Quarter of the Southeast Quarter of said Section Twenty-five (25); thence South 89° 31' 06" East 280.70 feet to the Northeast Corner of said Southwest Ouarter of the Southeast Ouarter; thence South 00° 41' 37" East 1.327.85 feet to the Southeast Corner of said Southwest Ouarter of the Southeast Ouarter; thence North 89° 26' 44" West 1,338.61 feet to the Point of Beginning. Said parcel contains 64.464 Acres including 3.247 Acres of County Road Rightof-Way.

and that this real estate is free and clear of all liens and encumbrances, except for the real estate mortgage in favor of the Farmers and Merchants State Bank shown in Book 2003 at Page 6655..

Dated at Winterset, Iowa on this day of August, 2004.

Michelle Utsler, Recorder of Madison County, Iowa

CERTIFICATE OF THE CLERK OF THE DISTRICT COURT OF MADISON COUNTY, IOWA FOR LIMESTONE ESTATES SUBDIVISION

IN MADISON COUNTY, IOWA

I, Janice Weeks, do hereby certify that I am the duly appointed and acting Clerk of the Iowa District Court for Madison County; that I have examined the records in the Office of the District Court for Madison County, Iowa; and, that the following described real estate:

A parcel of land in the West Half (W½) of the Southeast Quarter (SE½) of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

Beginning at the South Quarter Corner of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence North 00° 02' 45" East 1,325.91 feet to the Northwest Corner of the Southwest Quarter of the Southeast Quarter of said Section Twenty-five (25); thence continuing North 00° 02' 45" East 996.61 feet; thence South 89° 07' 42" East 1073.23 feet; thence South 02° 33' 14" East 371.41 feet; thence South 47° 34' 20" West 43.01 feet; thence South 86° 13' 47" West 105.08 feet; thence South 02° 13' 28" East 106.00 feet; thence South 86° 55' 59" East 97.30 feet; thence South 01° 45' 07" West 471.16 feet to the North line of the Southwest Quarter of the Southeast Quarter of said Section Twenty-five (25); thence South 89° 31' 06" East 280.70 feet to the Northeast Corner of said Southwest Quarter of the Southeast Quarter; thence South 00° 41' 37" East 1,327.85 feet to the Southeast Corner of said Southwest Quarter of the Southeast Quarter; thence North 89° 26' 44" West 1,338.61 feet to the Point of Beginning. Said parcel contains 64.464 Acres including 3.247 Acres of County Road Rightof-Way.

is free from all judgments, attachments, mechanic's or other liens of any kind as shown by these official records.

Dated at Winterset, Iowa on this

day of August, 2004.

Japice Weeks, Clerk of the Iowa District Court for Madison County

AGREEMENT

THIS AGREEMENT made and entered into by and between Donald J. Lynch as the proprietor of the Limestone Estates Subdivision and Todd Hagan, Madison County Engineer.

NOW THEREFORE IT IS AGREED as follows:

1. The proprietor of the Limestone Estates Subdivision, a Plat of the following-described real estate:

A parcel of land in the West Half (W½) of the Southeast Quarter (SE¼) of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

Beginning at the South Quarter Corner of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence North 00° 02' 45" East 1,325.91 feet to the Northwest Corner of the Southwest Quarter of the Southeast Quarter of said Section Twenty-five (25); thence continuing North 00° 02' 45" East 996.61 feet; thence South 89° 07' 42" East 1073.23 feet; thence South 02° 33' 14" East 371.41 feet; thence South 47° 34' 20" West 43.01 feet; thence South 86° 13' 47" West 105.08 feet; thence South 02° 13' 28" East 106.00 feet; thence South 86° 55' 59" East 97.30 feet; thence South 01° 45' 07" West 471.16 feet to the North line of the Southwest Quarter of the Southeast Quarter of said Section Twenty-five (25); thence South 89° 31' 06" East 280.70 feet to the Northeast Corner of said Southwest Quarter of the Southeast Ouarter; thence South 00° 41' 37" East 1,327.85 feet to the Southeast Corner of said Southwest Quarter of the Southeast Quarter; thence North 89° 26' 44" West 1,338.61 feet to the Point of Beginning. Said parcel contains 64.464 Acres including 3.247 Acres of County Road Right-of-Way.

hereby agree that the private roads located within the Limestone Estates Subdivision shall remain at all times as private roads and no such road right of way is being dedicated to Madison County, Iowa. The undersigned proprietor consents and agrees that any such road right of way incident to this Subdivision shall not be maintained in any manner by Madison County, Iowa, or the Madison County Engineer's Department.

Dated at Winterset, Iowa on this <u>16th</u> day of August, 2004.

LIMESTONE ESTATES SUBDIVISION

MADISON COUNTY, IOWA

Donald I Lynch Proprietor

By Todd Hagen, Madison County Engineer

Hander, Casper and Rosien, P. C. ATTORNEYS AT LAW 223 EAST COURT AVENUE P.O. BOX 67

WINTERSET, IOWA 50273-0067

LEONARD M. FLANDER JOHN E. CASPER JANE E. ROSIEN TELEPHONE: (515) 462-4912 FAX: (515) 462-3392

August 3, 2004

Madison County Zoning Administrator Madison County Courthouse Winterset, Iowa 50273

I, John E. Casper, do hereby certify that I am an attorney licensed to practice under the laws of the State of Iowa; that I have examined an abstract of title showing the chain of title to the real estate described below from the date of original entry to July 21, 2004 at 8:00 o'clock a.m. In my opinion the fee simple title to the real property described below is in the name of the proprietor, Donald J. Lynch. In my opinion, no mortgages, liens or other encumbrances exist against the following described real property as of July 21, 2004 at 8:00 o'clock a.m., except for the mortgage lien of the Farmers and Merchants State Bank shown in Mortgage Record Book 2003 at Page 6655 of the Madison County Recorder's Office.

This attorney's opinion is for the real estate legally described as:

A parcel of land in the West Half (W½) of the Southeast Quarter (SE½) of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

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Dated at Winterset, Iowa on this 3rd day of August, 2004.

FLANDER, CASPER AMD ROSIEN, P.C.

John E. Casper

RESOLUTION APPROVING FINAL PLAT OF LIMESTONE ESTATES SUBDIVISION IN MADISON COUNTY, IOWA

Whereas, a Final Plat has been filed in the Office of the Zoning Administrator of Madison County, Iowa, for a proposed subdivision to be known as the Limestone Estates Subdivision in Madison County, Iowa;

Whereas, the Final Plat comprises the real estate legally described as:

A parcel of land in the West Half (W½) of the Southeast Quarter (SE¼) of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

Beginning at the South Quarter Corner of Section Twenty-five (25), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence North 00° 02' 45" East 1.325.91 feet to the Northwest Corner of the Southwest Quarter of the Southeast Ouarter of said Section Twenty-five (25); thence continuing North 00° 02' 45" East 996.61 feet; thence South 89° 07' 42" East 1073.23 feet; thence South 02° 33' 14" East 371.41 feet; thence South 47° 34' 20" West 43.01 feet; thence South 86° 13' 47" West 105.08 feet; thence South 02° 13' 28" East 106.00 feet; thence South 86° 55' 59" East 97.30 feet; thence South 01° 45' 07" West 471.16 feet to the North line of the Southwest Quarter of the Southeast Quarter of said Section Twenty-five (25); thence South 89° 31' 06" East 280.70 feet to the Northeast Corner of said Southwest Quarter of the Southeast Quarter; thence South 00° 41' 37" East 1,327.85 feet to the Southeast Corner of said Southwest Quarter of the Southeast Quarter; thence North 89° 26' 44" West 1,338.61 feet to the Point of Beginning. Said parcel contains 64.464 Acres including 3.247 Acres of County Road Right-of-Way.

Whereas, the Final Plat has been duly approved by the Planning and Zoning Commission in accordance with the County Subdivision Ordinance and the laws of the State of Iowa;

Whereas, the Final Plat is accompanied by all the documents required by law including the plat dedication by the proprietor, the certificate of the County Treasurer, the certificate of the County Recorder, the certificate of the Clerk of Court and the title opinion of the attorney;

Whereas, the Madison County Board of Supervisors finds that this rural subdivision is not within two (2) miles of a City incorporated under the laws of the State of Iowa; is thereby not subject to the concurrent jurisdiction of any City subdivision laws or ordinances; and, the approval of a City of this subdivision is unnecessary in this matter;

Whereas, the Madison County Board of Supervisors finds that this plat conforms in all respects to the provisions of the Subdivision Ordinance of Madison County and to the laws of the State of Iowa and should now be approved in all respects.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Madison County, Iowa, that the subdivision plat known as the Limestone Estates Subdivision in Madison County, Iowa be and is hereby approved in all respects; the dedication and/or conveyance of public areas within the plat, if any, be and are hereby approved and accepted in all respects; and, the Madison County Zoning Administrator be and is hereby directed to certify this Resolution, the Subdivision Plat and all other accompanying documents to the Office of the Madison County Recorder for recording in the manner provided by law.

Passed and approved by the Board of Supervisors on this 2 day of Aug. 2004, at Winterset, Iowa.

Madison County Board of Supervisors

Steven Raymond, Chairperson

Madison County Board of Supervisors

Attest:

By:__

Joan Welch, Madison County Auditor Secretary of the Board of Supervisors FOR DEDICATION, CERTIFICATION AND RESOLUTION, SEE RECORD 2005-264

Document 2005 264

Book 2005 Page 264 Type 06 44 Pages 16 Date 1/20/2005 Time 12:12 PM Rec Amt \$82.00 Aud Amt \$5.00

MICHELLE "MICKI" UTSLER, COUNTY RECORDER MADISON IOWA

VANCE & HOCHSTETLER, P.C. CONSULTING ENGINEERS, WINTERSET, IOWA (515) 462-3995 CHARLES T. VANCE, 110 WEST GREEN ST., WINTERSET, IOWA 50273 JAMES M HOCHSTETLER, 110 WEST GREEN ST., WINTERSET, IOWA 50273

LIMESTONE ESTATES

FINAL PLAT

LIMESTONE ESTATES

A parcel of land in the West Half (W.1/2) of the Southeast Quarter (SE.1/4) of Section 25, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

Beginning at the South Quarter Corner of Section 25, Township 77 North, Range 28 West of the 5th P.M., Malison County, Jowa; thence North 00°02′45″ East 1,325.91 feet to the Northwest Corner of the Southwest Quarter of the South 80°07′42″ East 1,073.23 feet; thence South 02°33′14″ East 371.41 feet; thence South 47°34′20″ West 43.01 feet; thence South 86°13′47″ West 105.08 feet; thence South 02°13′28″ East 106.00 feet; thence South 86°35′59″ East 97.30 feet; thence South 01°45′07″ West 471.15 feet to the North ine of the Southwest Quarter of said Section 25; thence South 89°31′06″ East 280.70 feet to the Northwest Corner of said SVL/14 of the SEL/4; thence South 00°41′37″ East 1,327.85 feet to the Southwest Corner of said SW.1/4 of the SEL/4; thence South 00°41′37″ East 1,327.85 feet to the Southwest Corner of said SW.1/4 of the SEL/4; thence South 80°25′44″ West 1,338.61 feet to the Point of Self-area of the Self beginning. Said parcel contains 64.464 Acres including 3.247 Acres of County Road Right-of-Way.

GROSS AREA - 40.509 J ROAD R.O.W. = 1.981 J NET AREA - 38.528 J AREA IN SH. 1 SE.

ROW PRINT \odot 0 0 BUILDING SETBACKS: FRONT YARD - 50 FEET REAR YARD - 50 FEET SIDE YARD - 25 FEET ages or stones covered by this seal: mental describe Documber 31 2005 **a** Vance 11 Nov 2004 SECTA-11-78 SWITTER IN one 148TH STREET V.89*31706*W. - 1,300.84* SCALE IN FEET

DONALD J. LYNCH 1583 UPLAND TRAIL PROLE, IOWA 50229 LIMESTONE ESTATES SEPTEMBER 17, 2004 FINAL PLAT