

REC \$ 105¹⁸
AUD \$ 31¹⁸
R.M.F. \$ 118

COMPUTER
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FILED NO. **003151**
BOOK 2001 PAGE 3151

FOR PLAT, SEE
BOOK 2001, PAGE 3151-A

**CERTIFICATE OF ZONING ADMINISTRATOR
FOR
LAKERIDGE ACRES SUBDIVISION**

01 JUL 19 PM 1:08

MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

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 Lakeridge Acres Subdivision, Madison County, Iowa and that the real estate described in this plat is as follows:

The Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) except the East Quarter (1/4) thereof, of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, except 7.92 acres taken by Highway 169 and also except commencing at the Southwest corner of the Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence along the South line of said tract, South 89°21'59" East 157.04 feet to the point of beginning. Thence continuing along South line, South 89°21'59" East 436.13 feet; thence North 02°08'43" East 300 feet; thence North 89°21'59" West 436.13 feet to a point on the easterly right-of-way line of U.S. Highway 169; thence along said easterly right-of-way, Southerly 118.88 feet along a 5,834.58 foot radius curve concave westerly and having a chord bearing South 01°47'32" West, 118.87 feet; thence continuing along said right-of-way line, South 02°22'33" West, 181.13 feet to the point of beginning. Said tract of land contains 3.0000 acres and, also EXCEPT that part of the Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4), of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of the Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) of said Section Nineteen (19); thence on an assumed bearing of South 89°49'16" East along the north line of said Northwest Fractional Quarter (1/4) 216.78 feet to the easterly right of way line of U.S. Highway 169 and the point of beginning; thence continuing South 89°49'16" East along said North line 898.28 feet; thence South 00°02'37" West 315.43 feet; thence North 87°07'00" West 896.15 feet to the easterly right of way line of said U.S. Highway 169; thence North 09°35'25" East along said easterly line 49.16 feet; thence North 02°51'23" West along said easterly line 224.96 feet to the point of beginning.

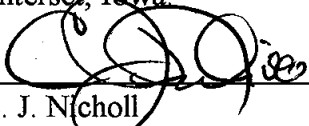
The undersigned Zoning Administrator further certifies that following described documents attached to this Certificate are the true and correct documents submitted in connection with this subdivision plat:

1. Consent and Dedication of Plat executed by the proprietor for this Subdivision;
2. Certificate of the Treasurer of Madison County, Iowa for this Subdivision;
3. Certificate of the Recorder of Madison County, Iowa for this Subdivision;
4. Certificate of the Clerk of Court of Madison County, Iowa for this Subdivision;
5. Title Opinion of Attorney at law for this Subdivision showing the land title to be in the name of the proprietor;
6. Resolution of Approval of the Final Subdivision Plat for this Subdivision by the Madison County Board of Supervisors;

7. Resolution of Approval of the Final Subdivision Plat for this Subdivision by the City of Winterset, Iowa;
8. 8 1/2 x 14 inch Final Plat;
9. 8 1/2 x 14 inch Final Plat- Mylar Copy; and,
10. Final Plat

all of which is hereby duly certified in accordance with the Subdivision Ordinance of Madison County, Iowa.

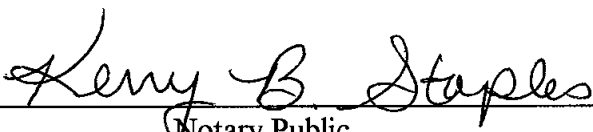
Dated on this 2nd day of July, 2001 at Winterset, Iowa



 C. J. Nicholl
 Zoning Administrator
 Madison County, Iowa

State of Iowa)
) ss
 Madison County)

On this 2nd day of July, 2001, 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.



 _____, Notary Public

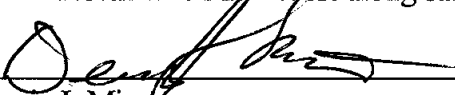


**DEDICATION OF PLAT
TO THE LAKERIDGE ACRES SUBDIVISION
IN
MADISON COUNTY, IOWA**

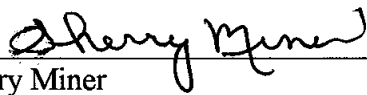
I, Dennis J. Miner and Sherry Miner, husband and wife, and Woodrow W. Miner and Vicki L. Miner, husband and wife, hereby certify that they are the sole owners and proprietors of the real property described below and that the disposition of this real property subdivided as shown by the accompanying final plat for the Lakeridge Acres Subdivision in Madison County, Iowa, is in accordance with our free consent and in accordance with our desires as owners and proprietors. The undersigned owners and proprietors 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:

The Northwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) except the East Quarter ($\frac{1}{4}$) thereof, of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, except 7.92 acres taken by Highway 169 and also except commencing at the Southwest corner of the Northwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence along the South line of said tract, South $89^{\circ}21'59''$ East 157.04 feet to the point of beginning. Thence continuing along South line, South $89^{\circ}21'59''$ East 436.13 feet; thence North $02^{\circ}08'43''$ East 300 feet; thence North $89^{\circ}21'59''$ West 436.13 feet to a point on the easterly right-of-way line of U.S. Highway 169; thence along said easterly right-of-way, Southerly 118.88 feet along a 5,834.58 foot radius curve concave westerly and having a chord bearing South $01^{\circ}47'32''$ West, 118.87 feet; thence continuing along said right-of-way line, South $02^{\circ}22'33''$ West, 181.13 feet to the point of beginning. Said tract of land contains 3.0000 acres and, also EXCEPT that part of the Northwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$), of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of the Northwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of said Section Nineteen (19); thence on an assumed bearing of South $89^{\circ}49'16''$ East along the north line of said Northwest Fractional Quarter ($\frac{1}{4}$) 216.78 feet to the easterly right of way line of U.S. Highway 169 and the point of beginning; thence continuing South $89^{\circ}49'16''$ East along said North line 898.28 feet; thence South $00^{\circ}02'37''$ West 315.43 feet; thence


North 87°07'00" West 896.15 feet to the easterly right of way line of said U.S. Highway 169; thence North 09°35'25" East along said easterly line 49.16 feet; thence North 02°51'23" West along said easterly line 224.96 feet to the point of beginning.



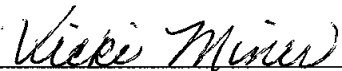
Dennis J. Miner
Proprietor



Sherry Miner
Proprietor



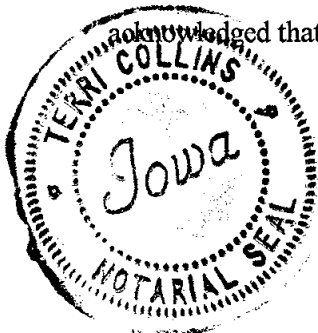
Woodrow W. Miner
Proprietor




Vicki L. Miner
Proprietor

STATE OF IOWA, COUNTY OF MADISON, ss:

On this 22nd day of May, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared DENNIS J. MINER, SHERRY MINER, WOODROW W. MINER and VICKI L. MINER to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.





Terri Collins Notary Public in and for said State.

Flander, Casper and Rosien, P. C.

ATTORNEYS AT LAW
223 EAST COURT AVENUE
P.O. BOX 67

LEONARD M. FLANDER
JOHN E. CASPER
JANE E. ROSIEN

WINTERSSET, IOWA 50273-0067

TELEPHONE: (515) 462-4912
FAX: (515) 462-3392

May 16, 2001

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 root of title to May 11, 2001 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 proprietors Dennis J. Miner, Sherry Miner, Woodrow W. Miner and Vicki L. Miner. In my opinion, no mortgages, liens or other encumbrances exist against the following described real property as of May 11, 2001 at 8:00 o'clock a.m.

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


The Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) except the East Quarter (1/4) thereof, of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, except 7.92 acres taken by Highway 169 and also except commencing at the Southwest corner of the Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence along the South line of said tract, South 89°21'59" East 157.04 feet to the point of beginning. Thence continuing along South line, South 89°21'59" East 436.13 feet; thence North 02°08'43" East 300 feet; thence North 89°21'59" West 436.13 feet to a point on the easterly right-of-way line of U.S. Highway 169; thence along said easterly right-of-way, Southerly 118.88 feet along a 5,834.58 foot radius curve concave westerly and having a chord bearing South 01°47'32" West, 118.87 feet; thence continuing along said right-of-way line, South 02°22'33" West, 181.13 feet to the point of beginning. Said tract of land contains 3.0000 acres and, also EXCEPT that part of the Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4), of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of the Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) of said Section Nineteen (19); thence on an assumed bearing of South 89°49'16" East along the north line of said Northwest Fractional Quarter (1/4) 216.78 feet to the easterly right of way line of U.S. Highway 169 and the point of beginning; thence continuing South 89°49'16" East

along said North line 898.28 feet; thence South 00°02'37" West 315.43 feet; thence North 87°07'00" West 896.15 feet to the easterly right of way line of said U.S. Highway 169; thence North 09°35'25" East along said easterly line 49.16 feet; thence North 02°51'23" West along said easterly line 224.96 feet to the point of beginning.

Dated at Winterset, Iowa on this 16th day of May, 2001.

FLANDER, CASPER AND ROSIEN, P.C.

By:



John E. Casper

**CERTIFICATE OF THE COUNTY TREASURER
OF MADISON COUNTY, IOWA
FOR
LAKERIDGE ACRES SUBDIVISION
IN MADISON COUNTY, IOWA**

I, Becky McDonald, do hereby certify that I am the duly elected and acting Treasurer of Madison County, Iowa; that I have examined the records in 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:

The Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) except the East Quarter (1/4) thereof, of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, except 7.92 acres taken by Highway 169 and also except commencing at the Southwest corner of the Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence along the South line of said tract, South 89°21'59" East 157.04 feet to the point of beginning. Thence continuing along South line, South 89°21'59" East 436.13 feet; thence North 02°08'43" East 300 feet; thence North 89°21'59" West 436.13 feet to a point on the easterly right-of-way line of U.S. Highway 169; thence along said easterly right-of-way, Southerly 118.88 feet along a 5,834.58 foot radius curve concave westerly and having a chord bearing South 01°47'32" West, 118.87 feet; thence continuing along said right-of-way line, South 02°22'33" West, 181.13 feet to the point of beginning. Said tract of land contains 3.0000 acres and, also EXCEPT that part of the Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4), of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of the Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) of said Section Nineteen (19); thence on an assumed bearing of South 89°49'16" East along the north line of said Northwest Fractional Quarter (1/4) 216.78 feet to the easterly right of way line of U.S. Highway 169 and the point of beginning; thence continuing South 89°49'16" East along said North line 898.28 feet; thence South 00°02'37" West 315.43 feet; thence North 87°07'00" West 896.15 feet to the easterly right of way line of said U.S. Highway 169; thence North 09°35'25" East along said easterly line 49.16 feet; thence North 02°51'23" West along said easterly line 224.96 feet to the point of beginning.

Dated on this 15 day of May, 2001 at Winterset, Iowa.

Becky McDonald
Becky McDonald, Treasurer
of Madison County, Iowa



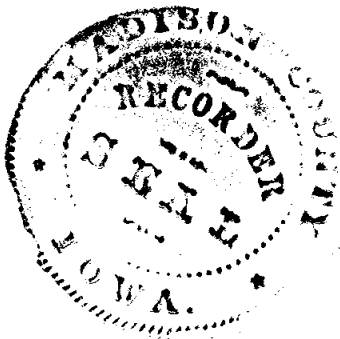
**CERTIFICATE OF THE COUNTY RECORDER
OF MADISON COUNTY, IOWA**


I, Michelle Utsler, do hereby certify that I am the duly elected and acting Recorder of Madison County, Iowa; that Dennis J. Miner and Sherry Miner, husband and wife, and Woodrow W. Miner and Vicki L. Miner, husband and wife are the fee simple owner and record title holder of the following described real estate:

The Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) except the East Quarter (1/4) thereof, of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, except 7.92 acres taken by Highway 169 and also except commencing at the Southwest corner of the Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence along the South line of said tract, South 89°21'59" East 157.04 feet to the point of beginning. Thence continuing along South line, South 89°21'59" East 436.13 feet; thence North 02°08'43" East 300 feet; thence North 89°21'59" West 436.13 feet to a point on the easterly right-of-way line of U.S. Highway 169; thence along said easterly right-of-way, Southerly 118.88 feet along a 5,834.58 foot radius curve concave westerly and having a chord bearing South 01°47'32" West, 118.87 feet; thence continuing along said right-of-way line, South 02°22'33" West, 181.13 feet to the point of beginning. Said tract of land contains 3.0000 acres and, also EXCEPT that part of the Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4), of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of the Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) of said Section Nineteen (19); thence on an assumed bearing of South 89°49'16" East along the north line of said Northwest Fractional Quarter (1/4) 216.78 feet to the easterly right of way line of U.S. Highway 169 and the point of beginning; thence continuing South 89°49'16" East along said North line 898.28 feet; thence South 00°02'37" West 315.43 feet; thence North 87°07'00" West 896.15 feet to the easterly right of way line of said U.S. Highway 169; thence North 09°35'25" East along said easterly line 49.16 feet; thence North 02°51'23" West along said easterly line 224.96 feet to the point of beginning.

and that this real estate is free and clear of all liens and encumbrances.

Dated at Winterset, Iowa on this 23rd day of May, 2001.




Michelle Utsler, Recorder of
Madison County, Iowa

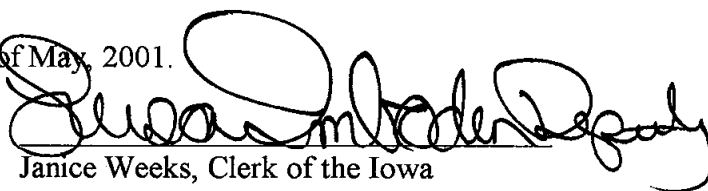
**CERTIFICATE OF THE CLERK OF THE DISTRICT COURT
OF MADISON COUNTY, IOWA**

I, Janice Weeks, do hereby certify that I am the duly 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:

The Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) except the East Quarter (1/4) thereof, of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, except 7.92 acres taken by Highway 169 and also except commencing at the Southwest corner of the Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence along the South line of said tract, South 89°21'59" East 157.04 feet to the point of beginning. Thence continuing along South line, South 89°21'59" East 436.13 feet; thence North 02°08'43" East 300 feet; thence North 89°21'59" West 436.13 feet to a point on the easterly right-of-way line of U.S. Highway 169; thence along said easterly right-of-way, Southerly 118.88 feet along a 5,834.58 foot radius curve concave westerly and having a chord bearing South 01°47'32" West, 118.87 feet; thence continuing along said right-of-way line, South 02°22'33" West, 181.13 feet to the point of beginning. Said tract of land contains 3.0000 acres and, also EXCEPT that part of the Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4), of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of the Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) of said Section Nineteen (19); thence on an assumed bearing of South 89°49'16" East along the north line of said Northwest Fractional Quarter (1/4) 216.78 feet to the easterly right of way line of U.S. Highway 169 and the point of beginning; thence continuing South 89°49'16" East along said North line 898.28 feet; thence South 00°02'37" West 315.43 feet; thence North 87°07'00" West 896.15 feet to the easterly right of way line of said U.S. Highway 169; thence North 09°35'25" East along said easterly line 49.16 feet; thence North 02°51'23" West along said easterly line 224.96 feet to the point of beginning.

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 10th day of May, 2001.



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

**DEED OF RESTRICTIONS
LAKERIDGE ACRES SUBDIVISION
IN MADISON COUNTY, IOWA**

I, Dennis J. Miner and Sherry Miner, husband and wife, and Woodrow W. Miner and Vicki L. Miner, husband and wife, are now the fee simple owner and record titleholder of the following-described real estate:

The Northwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) except the East Quarter ($\frac{1}{4}$) thereof, of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, except 7.92 acres taken by Highway 169 and also except commencing at the Southwest corner of the Northwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence along the South line of said tract, South $89^{\circ}21'59''$ East 157.04 feet to the point of beginning. Thence continuing along South line, South $89^{\circ}21'59''$ East 436.13 feet; thence North $02^{\circ}08'43''$ East 300 feet; thence North $89^{\circ}21'59''$ West 436.13 feet to a point on the easterly right-of-way line of U.S. Highway 169; thence along said easterly right-of-way, Southerly 118.88 feet along a 5,834.58 foot radius curve concave westerly and having a chord bearing South $01^{\circ}47'32''$ West, 118.87 feet; thence continuing along said right-of-way line, South $02^{\circ}22'33''$ West, 181.13 feet to the point of beginning. Said tract of land contains 3.0000 acres and, also EXCEPT that part of the Northwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$), of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of the Northwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of said Section Nineteen (19); thence on an assumed bearing of South $89^{\circ}49'16''$ East along the north line of said Northwest Fractional Quarter ($\frac{1}{4}$) 216.78 feet to the easterly right of way line of U.S. Highway 169 and the point of beginning; thence continuing South $89^{\circ}49'16''$ East along said North line 898.28 feet; thence South $00^{\circ}02'37''$ West 315.43 feet; thence North $87^{\circ}07'00''$ West 896.15 feet to the easterly right of way line of said U.S. Highway 169; thence North $09^{\circ}35'25''$ East along said easterly line 49.16 feet; thence North $02^{\circ}51'23''$ West along said easterly line 224.96 feet to the point of beginning.

The undersigned owner does 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 parcels shall be used only for single-family residential purposes. The residential

dwelling structure shall be at least 1500 square feet in area on the main level. No mobile homes shall be erected or places on any of said parcels. No modular homes and manufactures homes shall be permitted to be erected or placed on said parcels. For the purpose of this Deed of Restrictions 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. Said parcels described above shall not 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 protective covenants. All accessory structures shall be one-story not exceeding fifteen (15) feet in height and shall be constructed of wood.

6. The titleholder of each parcel, vacant or improved, shall keep his parcel or parcels 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, 2021, 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.

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 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.

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 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 erection 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 purchasers of their obligations with respect to such fencing.

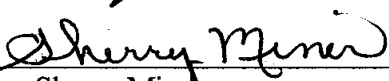
11. With respect to exterior partition fences it shall be the responsibility and obligation of each parcel owner to maintain a lawful partition fence separating his parcel from adjoining unplatted real estate.

12. 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.

13. No animals shall be kept or maintained on any of the parcels except ordinary household pets.

Dated this 22nd day of May, 2001.


Dennis J. Miner



Sherry Miner

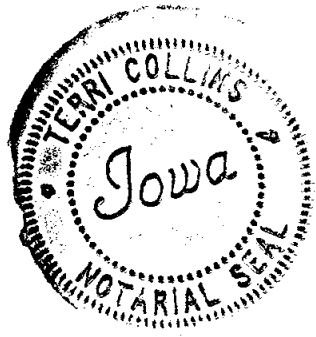

Woodrow W. Miner


Vicki L. Miner

STATE OF IOWA :
 : ss
MADISON COUNTY :

On this 22nd day of May, 2001, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Dennis J. Miner, Sherry Miner, Woodrow W. Miner and Vicki L. Miner to me known to be the identical persons named in and who executed the within and foregoing instrument and acknowledged the same as their voluntary act and deed.


Notary Public in and for the State of Iowa



**RESOLUTION APPROVING FINAL PLAT OF THE
LAKERIDGE ACRES 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 Lakeridge Acres Subdivision in Madison County, Iowa;

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

The Northwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) except the East Quarter ($\frac{1}{4}$) thereof, of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, except 7.92 acres taken by Highway 169 and also except commencing at the Southwest corner of the Northwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence along the South line of said tract, South $89^{\circ}21'59''$ East 157.04 feet to the point of beginning. Thence continuing along South line, South $89^{\circ}21'59''$ East 436.13 feet; thence North $02^{\circ}08'43''$ East 300 feet; thence North $89^{\circ}21'59''$ West 436.13 feet to a point on the easterly right-of-way line of U.S. Highway 169; thence along said easterly right-of-way, Southerly 118.88 feet along a 5,834.58 foot radius curve concave westerly and having a chord bearing South $01^{\circ}47'32''$ West, 118.87 feet; thence continuing along said right-of-way line, South $02^{\circ}22'33''$ West, 181.13 feet to the point of beginning. Said tract of land contains 3.0000 acres and, also EXCEPT that part of the Northwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$), of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of the Northwest Fractional Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of said Section Nineteen (19); thence on an assumed bearing of South $89^{\circ}49'16''$ East along the north line of said Northwest Fractional Quarter ($\frac{1}{4}$) 216.78 feet to the easterly right of way line of U.S. Highway 169 and the point of beginning; thence continuing South $89^{\circ}49'16''$ East along said North line 898.28 feet; thence South $00^{\circ}02'37''$ West 315.43 feet; thence North $87^{\circ}07'00''$ West 896.15 feet to the easterly right of way line of said U.S. Highway 169; thence North $09^{\circ}35'25''$ East along said easterly line 49.16 feet; thence North $02^{\circ}51'23''$ West along said easterly line 224.96 feet to the point of beginning.

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 within two (2) miles of the City of Winterset, Iowa incorporated under the laws of the State of Iowa and is thereby subject to the concurrent jurisdiction of the subdivision laws or ordinances of that City; and,

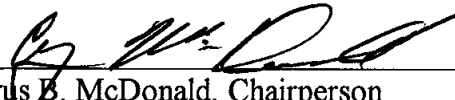
Whereas, the City of Winterset, Iowa has duly adopted a Resolution by its Council and approved by its Mayor approving the proposed Subdivision in all respects insofar as the Subdivision concerns the City of Winterset, Iowa; and,

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 Lakeridge Acres 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 26 day of JUNE, 2001, at Winterset, Iowa.

Madison County Board of Supervisors

By 
Cyrus B. McDonald, Chairperson
Madison County Board of Supervisors

Attest:


Joan Welch, Madison County Auditor
Secretary of the Board of Supervisors

PREPARER

INFORMATION John E. Casper 223 East Court Ave., Winterset, IA 50273 Telephone: (515-462-4912

AGREEMENT

THIS AGREEMENT made and entered into by and between Lakeridge Acres Subdivision and Todd Hagan, Madison County Engineer.

NOW THEREFORE IT IS AGREED as follows:

1. The proprietors of Lakeridge Acres Subdivision, a Plat of the following-described real estate:

The Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) except the East Quarter (1/4) thereof, of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, except 7.92 acres taken by Highway 169 and also except commencing at the Southwest corner of the Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence along the South line of said tract, South 89°21'59" East 157.04 feet to the point of beginning. Thence continuing along South line, South 89°21'59" East 436.13 feet; thence North 02°08'43" East 300 feet; thence North 89°21'59" West 436.13 feet to a point on the easterly right-of-way line of U.S. Highway 169; thence along said easterly right-of-way, Southerly 118.88 feet along a 5,834.58 foot radius curve concave westerly and having a chord bearing South 01°47'32" West, 118.87 feet; thence continuing along said right-of-way line, South 02°22'33" West, 181.13 feet to the point of beginning. Said tract of land contains 3.0000 acres and, also EXCEPT that part of the Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4), of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of the Northwest Fractional Quarter (1/4) of the Southwest Quarter (1/4) of said Section Nineteen (19); thence on an assumed bearing of South 89°49'16" East along the north line of said Northwest Fractional Quarter (1/4) 216.78 feet to the easterly right of way line of U.S. Highway 169 and the point of beginning; thence continuing South 89°49'16" East along said North line 898.28 feet; thence South 00°02'37" West 315.43 feet; thence North 87°07'00" West 896.15 feet to the easterly right of way line of said U.S. Highway 169; thence North 09°35'25" East along said easterly line 49.16 feet; thence North 02°51'23" West along said easterly line 224.96 feet to the point of beginning.

hereby agree that all private roads located within Lakeridge Acres Subdivision 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.

LAKERIDGE ACRES SUBDIVISION

By *Dennis J. Miner*
Dennis J. Miner
Proprietor

Todd Hagen
Todd Hagen, Madison County Engineer

By *Sherry Miner*
Sherry Miner
Proprietor

By *Woodrow W. Miner*
Woodrow W. Miner
Proprietor

Vicki L. Miner
Vicki L. Miner
Proprietor

RESOLUTION 2001-56

RESOLUTION APPROVING FINAL PLAT
OF LAKERIDGE ACRES SUBDIVISION TO
MADISON COUNTY, IOWA

WHEREAS, there is filed in the Office of the Zoning Administrator of the City of Winterset, Iowa, a registered land surveyor's plat of a proposed subdivision known as the Lakeridge Acres Subdivision to Madison County, Iowa; and,

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

The Northwest Fractional Quarter (¼) of the Southwest Quarter (¼) except the East Quarter (¼) thereof, of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, except 7.92 acres taken by Highway 169 and also except commencing at the Southwest corner of the Northwest Fractional Quarter (¼) of the Southwest Quarter (¼) of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence along the South line of said tract, South 89°21'59" East 157.04 feet to the point of beginning. Thence continuing along South line, South 89°21'59" East 436.13 feet; thence North 02°08'43" East 300 feet; thence North 89°21'59" West 436.13 feet to a point on the easterly right-of-way line of U.S. Highway 169; thence along said easterly right-of-way, Southerly 118.88 feet along a 5,834.58 foot radius curve concave westerly and having a chord bearing South 01°47'32" West, 118.87 feet; thence continuing along said right-of-way line, South 02°22'33" West, 181.13 feet to the point of beginning. Said tract of land contains 3.0000 acres and, also EXCEPT that part of the Northwest Fractional Quarter (¼) of the Southwest Quarter (¼), of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of the Northwest Fractional Quarter (¼) of the Southwest Quarter (¼) of said Section Nineteen (19); thence on an assumed bearing of South 89°49'16" East along the North line of said Northwest Fractional Quarter (¼) 216.78 feet to the easterly right of way line of U.S. Highway 169 and the point of beginning; thence continuing South 89°49'16" East along said North line 898.28 feet; thence South 00°02'37" West 315.43 feet; thence North 87°07'00" West 896.15 feet to the easterly right of way line of said U.S. Highway 169; thence North 09°35'25" East along said easterly line 49.16 feet; thence North 02°51'23" West along said easterly line 224.96 feet to the point of beginning.

WHEREAS, there is also filed with this survey plat a dedication of the 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, Dennis J. Miner and Sherry Miner, and Woodrow W. Miner and Vicki L. Miner,

WHEREAS, this survey plat is accompanied by an opinion from an attorney at law who has examined the abstract of title of the land being platted showing that title in fee simple is in the proprietors and that the platted land is free from mortgages, liens or other encumbrances; and

WHEREAS, this survey plat is accompanied by a Certificate of the County Treasurer of Madison County, Iowa, certifying that the land being platted is free from certified taxes and certified special assessments; and,

WHEREAS, the Planning and Zoning Commission of the City of Winterset has reviewed this subdivision of plat has recommended approval of the proposed subdivision known as the Lakeridge Acres Subdivision to Madison County, Iowa; and,

WHEREAS, the Planning and Zoning Commission recommends waiving the installation of public improvements required by the Subdivision Ordinance of the City of Winterset, Iowa,

WHEREAS, this subdivision is submitted to the City of Winterset, Iowa under its concurrent jurisdiction as provided by law; and,

WHEREAS, the City Council of the City of Winterset, Iowa, finds that said plat, with the exception of installation of public improvements, conforms to the provisions of the Subdivision Ordinance of the City of Winterset, Iowa, and that the Subdivision plat and accompanying documents should be approved by the City Council.

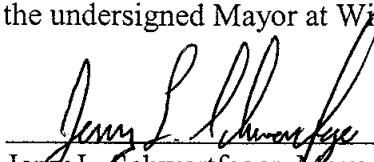
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winterset, Iowa;

1. That the subdivision plat, known as Lakeridge Acres Subdivision to Madison County, Iowa be and is hereby approved in all respects.

2. That the installation of public improvement required by the Subdivision Ordinance is hereby waived.


3. That the City Administrator of the City of Winterset is hereby directed to certify this Resolution which shall be affixed to this Subdivision plat to the County Recorder of Madison County, Iowa.

Passed by the City Council and approved by the undersigned Mayor at Winterset, Iowa, on this 21st day of May 2001.



Jerry L. Schwertfeger, Mayor of the
City of Winterset, Iowa

ATTEST:



Mark J. Nitchals, City Administrator
of the City of Winterset, Iowa

