

REC \$ 35.<sup>00</sup>  
AUD \$ 5.<sup>00</sup>  
R.M.F. \$ 1.<sup>00</sup>

COMPUTER   
RECORDED   
COMPARED

For Plat See  
2001-3853-A

C

003853  
FILED NO. \_\_\_\_\_  
BOOK 2001 PAGE 3853

PLAT AND CERTIFICATE  
FOR

2001 AUG 29 PM 12: 25

REPLAT OF LOTS 9,10,11,12,13 & 14 OF MAPLE LANE ESTATES  
IN THE CITY OF WINTERSET, MADISON COUNTY, IOWA

HICKI UTSLER  
RECORDER  
MADISON COUNTY, IOWA

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 proposed Replat of Lots 9, 10, 11, 12, 13 & 14 of Maple Lane Estates in the City of Winterset, Madison County, Iowa; and that the real estate comprising said plat is as follows:

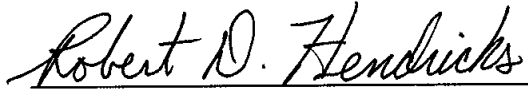
**Lots 9, 10, 11, 12, 13 & 14 of Maple Lane Estates in the City of Winterset, Madison County, Iowa.**

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

1. Proprietor's Statement for said Plat of Replat;
2. Consent of Mortgagee, Earlham Savings Bank;
3. Attorneys 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. Ground water hazard statement,

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

Dated this 27<sup>TH</sup> day of AUGUST 2001.

  
Robert Hendricks, Zoning Administrator

**PROPRIETOR'S STATEMENT FOR THE PLAT OF REPLAT OF  
LOTS 9, 10, 11, 12, 13 & 14 OF MAPLE LANE ESTATES  
IN THE CITY OF WINTERSET, MADISON COUNTY, IOWA**

Now, on this 18<sup>th</sup> day of July, 2001, the undersigned Genesis Homes, Inc., does certify that it is the sole owner and proprietor of the property described as Lots 9, 10, 11, 12 13 & 14 of Maple Lane Estates, an Addition to the City of Winterset, Madison County, Iowa. Said property is being replatted as the Plat of Replat of Lots 9, 10, 11, 12, 13 & 14 of Maple Lane Estates, City of Winterset, Madison County, Iowa, and the undersigned states that said Plat of Replat has been prepared with its free consent and in accordance with its desire.

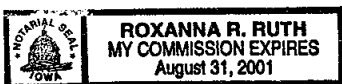
GENESIS HOMES, INC.

By: James E. Nervig  
James E. Nervig, President

STATE OF IOWA, COUNTY OF POLK, ss:

On this 18<sup>th</sup> day of July, 2001, before me, the undersigned, a Notary Public in and for the State, personally appeared James E. Nervig, to me personally known, who being by me duly sworn, did say that said person is the President of the corporation executing the within and foregoing instrument; that no seal has been procured by the corporation; that the instrument was signed on behalf of the corporation by authority of its Board of Directors; and that James E. Nervig, as officer acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by said person voluntarily executed.

Roxanna R. Ruth  
\_\_\_\_\_, Notary Public in and for said State



**CONSENT TO PLAT BY MORTGAGEE**

Now, on this 18<sup>th</sup> day of July, 2001, comes Earlham Savings Bank, the mortgagee named in a certain Mortgage dated May 16, 2001, and filed for record on May 17, 2001, in Book 2001, Page 2011, in the office of the Madison County Recorder, and hereby consents to the Dedication of the Plat of Replat of Lots 9, 10, 11, 12, 13 & 14 of Maple Lane Estates, City of Winterset, Madison County, Iowa.

**EARLHAM SAVINGS BANK**

By: Randy Friederich  
Printed Name: Randy Friederich  
Title: Asst. V.P.

STATE OF IOWA, COUNTY OF POLK, ss:

On this 18<sup>th</sup> day of July, 2001, before me, the undersigned, a Notary Public in and for the State, personally appeared Randy Friederich, to me personally known, who being by me duly sworn, did say that said person is the Asst. Vice President of the corporation executing the within and foregoing instrument; that (no seal has been procured by the) (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 Randy Friederich, as officer acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by said person voluntarily executed.

Diane L. Porter  
10-07-03, Notary Public in and for said State



**PETOSA, PETOSA, BOECKER & NERVIG, L.L.P.**  
ATTORNEYS AND COUNSELORS AT LAW  
1350 N.W. 138TH STREET, SUITE 100  
CLIVE, IOWA 50325-8308

TELECOPIER  
(515) 222-9121

TELEPHONE  
(515) 222-9400

July 19, 2001

Our Reference No. JN-438

City of Winterset  
City Hall  
101 East Jefferson  
Winterset, Iowa 50273

To Whom it May Concern:

Pursuant to your request, we have examined the Abstract of Title to the following described real estate in Madison County, Iowa:

Lots Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14) of Maple Lane Estates, an Addition to the City of Winterset, Madison County, Iowa,

which real estate is being replatted as the Plat of Replat of Lots 9, 10, 11, 12, 13 & 14 of Maple Lane Estates, City of Winterset, Madison County, Iowa

Said Abstract is now continued to May 18, 2001, at 8:00 A.M., by Continuation 65467, prepared by Security Abstract & Title Company. Based entirely upon our examination of the Abstract, it is our opinion that, as of the date of the final continuation mentioned above, good and marketable title to the above-described real estate is held by **Genesis Homes, Inc.**, as proprietor.

Said property is subject to no mortgages, liens or other encumbrances, except only for the following:

**Mortgage:** Entry 45 of Continuation 65467 shows a Mortgage in the amount of \$179,000.00, from Genesis Homes, Inc., as mortgagor, to Earlham Savings Bank, as mortgagee, dated May 16, 2001, and filed May 17, 2001, in Book 2001, Page 2011 in the Recorder's Office in Madison County, Iowa. This Mortgage is a first lien on the subject real estate.

This opinion is given pursuant to the requirements of Chapter 354 of the Code of Iowa..

Respectfully submitted,

PETOSA, PETOSA, BOECKER & NERVIG, L.L.P.

  
By: Ronald W. Kepford

**CERTIFICATE OF THE COUNTY TREASURER  
OF 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 my office, and that there are no unpaid taxes forming a lien against the following described real estate, to-wit:

Lots 9, 10, 11, 12, 13 & 14 of Maple Lane Estates, an Addition to the City of Winterset, Madison County, Iowa.

DATED at Winterset, Iowa, this 20 day of July, 2001.



Becky McDonald  
Becky McDonald, Treasurer of Madison County, Iowa

**RESOLUTION OF THE CITY OF WINTERSET  
APPROVING FINAL PLAT OF REPLAT OF LOTS 9, 10,  
11, 12, 13 & 14 OF MAPLE LANE ESTATES IN THE  
CITY OF WINTERSET, MADISON COUNTY, IOWA**

WHEREAS, there was filed in the office of the Zoning Administrator of the City of Winterset a licensed land surveyor's plat of a proposed Replat of Lots 9, 10, 11, 12, 13 & 14 of Maple Lane Estates in the City of Winterset, Madison County, Iowa; and

WHEREAS, there was also filed with said plat a statement by the proprietor, Genesis Homes, Inc., that the plat is prepared with its free consent and in accordance with its desire; a statement from Earlham Savings Bank, the holder of the mortgage on the platted land, consenting to the plat; an opinion by an attorney-at-law, who has examined the abstract of title of the land being platted, and who states in the opinion that title is in fee simple in the proprietor, Genesis Homes, Inc., and that the platted land is free from encumbrance except for a mortgage held by Earlham Savings Bank, recorded in Book 2001, Page 2011, in the office of the Madison County Recorder; and a certificate of the Madison County Treasurer certifying that the platted land is free from certified taxes and special assessments; 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;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINTERSET, IOWA, AS FOLLOWS:

1. That said plat, known as the Plat of Replat of Lots 9, 10, 11, 12, 13 & 14 of Maple Lane Estates, City of Winterset, Madison County, Iowa, is approved.
2. That the Mayor and City Clerk of the City of Winterset are hereby directed to certify this Resolution which shall be affixed to the 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 therewith.

**PASSED AND ADOPTED** this 20th day of August, 2001.

\* *Jerry Schwertfeger*  
Jerry Schwertfeger, Mayor

ATTEST:

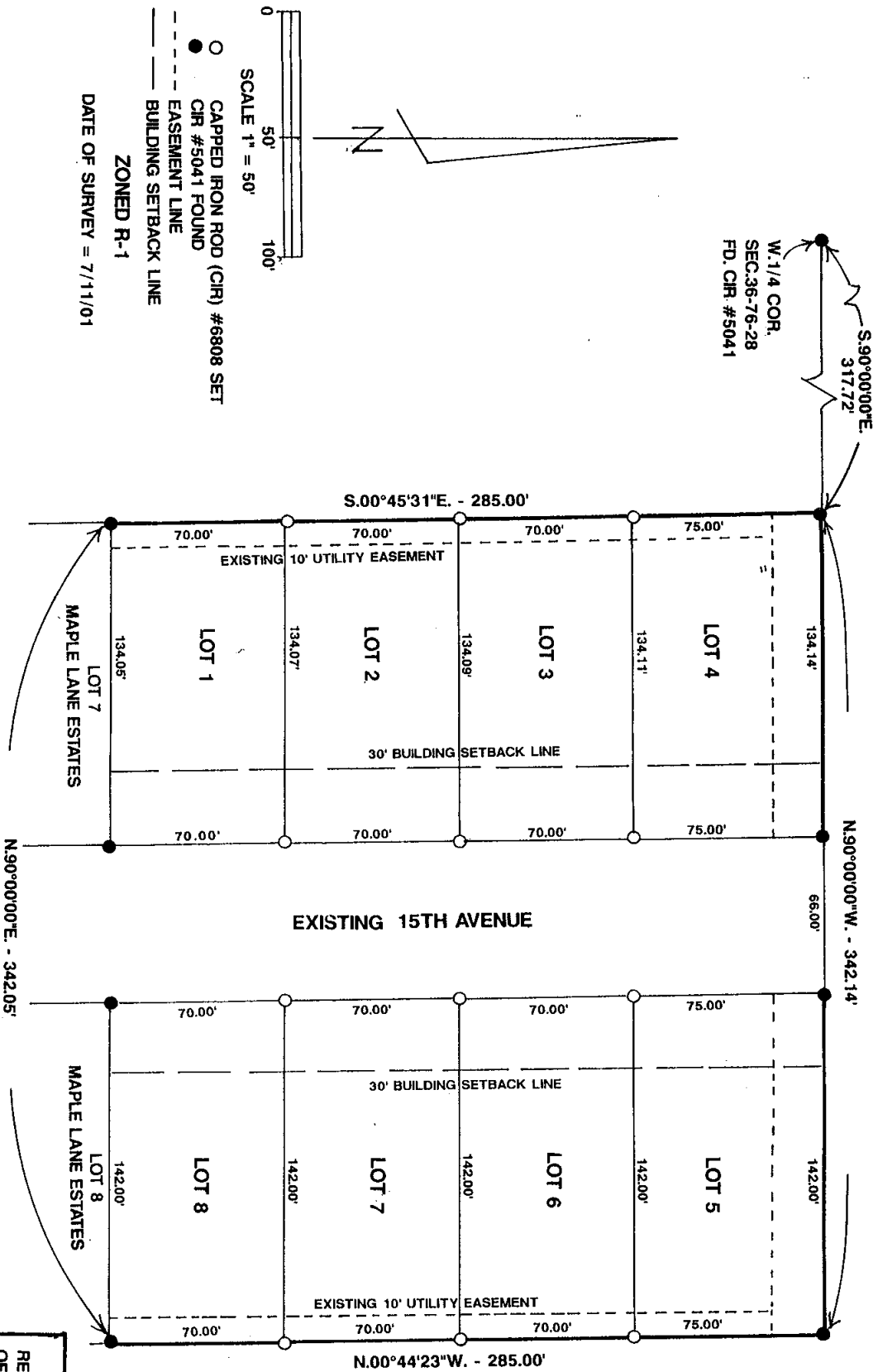
*Mark Nitchals*  
Mark Nitchals, City Clerk

2001 AUG 29 PM 12: 25

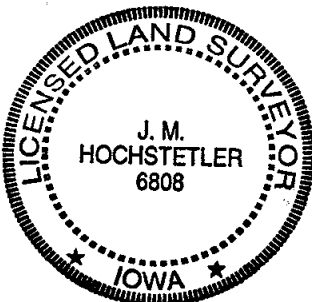
MICKI UTSLER  
 RECORDER  
 MADISON COUNTY, IOWA

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

LEGAL DESCRIPTION:  
 LOTS 9, 10, 11, 12, 13 & 14 OF MAPLE LANE ESTATES, CITY OF WINTERSET, MADISON COUNTY, IOWA.



FINAL PLAT OF  
 REPLAT OF LOTS 9, 10, 11, 12, 13 & 14 OF MAPLE LANE ESTATE  
 IN THE CITY OF WINTERSET, MADISON COUNTY, IOWA.



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 8/27/01  
 My license renewal date is December 31, 2001  
 Pages or sheets covered by this seal: 1

FINAL PLAT

REPLAT OF LOTS 9, 10, 11, 12, 13 & 14  
 OF MAPLE LANE ESTATES

OWNER/DEVELOPER:  
 GENESIS HOME, INC.  
 C/O JAMES E. NERVIG, PRESIDENT  
 5732 COACHLIGHT COURT  
 WEST DES MOINES, IOWA 50266

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