

COMPUTER   
RECORDED   
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**PLAT AND CERTIFICATE  
FOR HIGH POINT ESTATES  
MADISON COUNTY, IOWA**

FILED NO. **003466**  
BOOK **2001** PAGE **3466**  
2001 AUG -8 PM 3: 01  
NICKI UTSLER  
RECORDER  
MADISON COUNTY, IOWA

I, C. J. Nicholl, Zoning Administrator of Madison County, Iowa, do hereby certify that the plat to which this certificate is attached is a plat of a subdivision known and designated as High Point Estates and that the real estate comprising said plat is described as follows:

REC \$ **65<sup>00</sup>**  
AUD \$ **5<sup>00</sup>**  
R.M.F. \$ **1<sup>00</sup>**

The North Half (1/2) of the Northeast Fractional Quarter (1/4) of the Northeast Fractional Quarter (1/4) of Section Twelve (12) in Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, except the following: Commencing at the Northwest Corner of said tract, thence East 20 feet, thence South 650 feet, thence West 20 feet to the West line of said tract, thence North along the West line of said tract to the point of beginning, all included in and forming a part of Madison County, Iowa

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

1. Dedication of Plat of High Point Estates;
2. Attorney's opinion;
3. Certificate of County Treasurer of Madison County, Iowa;
4. Certificate of County Recorder of Madison County, Iowa;
5. Certificate of Clerk of the District court of Madison County, Iowa;
6. Resolution of the Board of Supervisors of Madison County, Iowa, approving said plat;
7. Consent to Platting by Bank of America, FSB.

**FOR PLAT SEE  
RECORD 2001,  
PAGE 3466A**

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

Dated this 6<sup>th</sup> day of July, 2001.



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C. J. Nicholl, Zoning Administrator of Madison  
County, Iowa

**DEDICATION OF PLAT  
OF  
HIGH POINT ESTATES**

KNOW ALL MEN BY THESE PRESENTS:

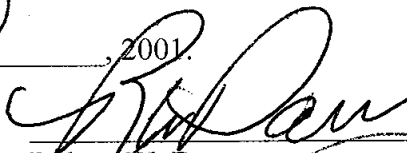

That we, Robert W. Darr and Virginia L. Darr, husband and wife, do hereby certify that we are the sole owners and proprietors of the following-described real state:

The North Half (1/2) of the Northeast Fractional Quarter (1/4) of the Northeast Fractional Quarter (1/4) of Section Twelve (12) in Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, except the following: Commencing at the Northwest Corner of said tract, thence East 20 feet, thence South 650 feet, thence West 20 feet to the West line of said tract, thence North along the West line of said tract to the point of beginning, all included in and forming a part of Madison County, Iowa

That the subdivision of the above-described real estate as shown by the final plat of High Point Estates is with the free consent and in accordance with the owners' desires as owners of said real estate.

A building setback line of fifty (50) feet from all streets, roads and private drives is hereby provided.

DATED this 31 day of March, 2001.

  
\_\_\_\_\_  
Robert W. Darr  
  
\_\_\_\_\_  
Virginia L. Darr

STATE OF IOWA :  
: ss  
Polk COUNTY :

On this 31<sup>st</sup> day of March, 2001, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Robert W. Darr and Virginia L. Darr, husband and wife, to me known to be the identical persons named in and who executed the within and foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

  
\_\_\_\_\_  
Notary Public in and for the State of Iowa



**CONSENT TO PLATTING  
OF HIGH POINT ESTATES**

Bank of America, FSB, does hereby consent to the platting and subdivision of the following-described real estate:

The North Half (1/2) of the Northeast Fractional Quarter (1/4) of the Northeast Fractional Quarter (1/4) of Section Twelve (12) in Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, except the following: Commencing at the Northwest Corner of said tract, thence East 20 feet, thence South 650 feet, thence West 20 feet to the West line of said tract, thence North along the West line of said tract to the point of beginning, all included in and forming a part of Madison County, Iowa

in accordance with ordinances of the State of Iowa. The undersigned holds a mortgage against said real estate.

Dated: March 28, 2001.

BANK OF AMERICA, FSB

By Evie L. Cochrone

STATE OF Virginia :  
  : ss  
Henrico COUNTY :

On this 28<sup>th</sup> day of March, 2001, before me, the undersigned, a

Notary Public in and for said County and State, personally appeared

Evie L. Cochrone of said corporation executing the within and foregoing instrument;

that the seal affixed thereto is the seal of said corporation; that said instrument was signed on

behalf of said corporation by authority of its Board of Directors; and that the said

Asst. Vice President as such officer, acknowledged the execution of said instrument to

be the voluntary act and deed of said corporation, by it and by his voluntarily executed.

Sylvia C. Harris  
Notary Public in and for the State of Virginia



Commission Expires September, 30 2003

LAW OFFICES

JORDAN, OLIVER & WALTERS, P.C.

FARMERS & MERCHANTS STATE BANK BUILDING  
POST OFFICE BOX 230  
WINTERSSET, IOWA 50273-0230

TELEPHONE (515)462-3731  
FAX (515)462-3734

LEWIS H. JORDAN

JERROLD B. OLIVER

G. STEPHEN WALTERS

May 3, 2001

Mr. C. J. Nicholl  
Madison County Zoning Administrator  
Madison County Courthouse  
Winterset, IA 50273

Dear Mr. Nicholl:

This attorney's opinion is given in accordance with Section 6, subparagraph C1, of the Madison County Subdivision Ordinance. I, Jerrold B. Oliver, an attorney at law of Winterset, Madison County, Iowa, do hereby state that this attorney's opinion of title concerns the following described real estate:

The North Half ( $\frac{1}{2}$ ) of the Northeast Fractional Quarter ( $\frac{1}{4}$ ) of the Northeast Fractional Quarter ( $\frac{1}{4}$ ) of Section Twelve (12) in Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, except the following: Commencing at the Northwest Corner of said tract, thence East 20 feet, thence South 650 feet, thence West 20 feet to the West line of said tract, thence North along the West line of said tract to the point of beginning, all included in and forming a part of Madison County, Iowa

Title to said real estate is in Robert W. Darr and Virginia L. Darr, husband and wife, with full rights of survivorship and not as tenants in common, free and clear of all liens and encumbrances, except a Mortgage from Robert W. Darr and Virginia L. Darr, husband and wife, to Firststar Home Mortgage Corporation, in the principal sum of \$96,400, recorded in mortgage record 179, page 344 of the Recorder's office of Madison County, Iowa. This Mortgage has been assigned by Firststar Home Mortgage Corporation, to Bank of America, FSB, a U.S. Corporation, as shown by Mortgage Assignment recorded in mortgage record 189, page 821 of the Recorder's office of Madison County, Iowa. This Mortgage is a lien against a portion of the real estate described as follows:

That part of the Northeast Quarter of the Northeast Quarter of Section 12, Township 76 North, Range 26 West of the 5th P.M., Madison County, Iowa, described as follows:  
Beginning at the Northeast corner of said Section 12; thence on an assumed bearing of

Mr. C. J. Nicholl  
May 3, 2001  
Page Two

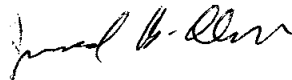
South 81°24'59" West along the North line of said Northeast Quarter of the Northeast Quarter a distance of 418.78 feet; thence South 00°00'00" East 335.63 feet; thence North 81°24'59" East 418.76 feet to the East line of said Northeast Quarter of the Northeast Quarter; thence North 00°00'00" East along said East line 335.63 feet to the point of beginning. Said tract contains 3.19 acres and is subject to a Madison County Highway Easement over the Easterly 0.41 acres thereof.

We call your attention to the following easements to which the real estate is subject:

1. A perpetual easement with the right to erect, construct, install, lay, and thereafter use, operate, inspect, repair, maintain, replace and remove water lines and appurtenances thereto, over and across a strip of land 32 feet in width, the centerline of which shall be the water pipeline and necessary appurtenances.
2. An easement to MidAmerica Energy to construct, maintain, and operate an electric supply line, communication lines, or cables, and the poles and other necessary equipment upon, over and across a strip of land 10 feet in width.

Respectfully submitted,

JORDAN, OLIVER & WALTERS, P.C.

By   
Jerrold B. Oliver

JBO:hd

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

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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:

The North Half (½) of the Northeast Fractional Quarter (¼) of the Northeast Fractional Quarter (¼) of Section Twelve (12) in Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, except the following: Commencing at the Northwest Corner of said tract, thence East 20 feet, thence South 650 feet, thence West 20 feet to the West line of said tract, thence North along the West line of said tract to the point of beginning, all included in and forming a part of Madison County, Iowa

DATED at Winterset, Iowa, this 14 day of May, 2014

Becky McDonald  
Becky McDonald, Treasurer  
Iowa



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

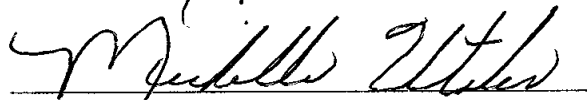
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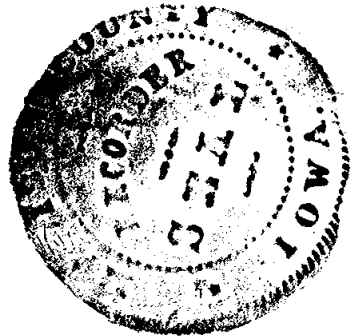
I, Michelle Utsler, do hereby certify that I am the duly elected and acting Recorder of Madison County, Iowa; that Robert W. Darr and Virginia L. Darr, husband and wife, are the fee simple owners and record titleholders of the following-described real estate, to-wit:

The North Half (1/2) of the Northeast Fractional Quarter (1/4) of the Northeast Fractional Quarter (1/4) of Section Twelve (12) in Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, except the following: Commencing at the Northwest Corner of said tract, thence East 20 feet, thence South 650 feet, thence West 20 feet to the West line of said tract, thence North along the West line of said tract to the point of beginning, all included in and forming a part of Madison County, Iowa

and that said real estate is free and clear of all liens and encumbrances, except for a mortgage held by Bank of America, FSB, against said real estate.

DATED at Winterset, Iowa, this 11<sup>th</sup> day of May, 2001.

  
\_\_\_\_\_  
Michelle Utsler, Recorder of Madison  
County, Iowa





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

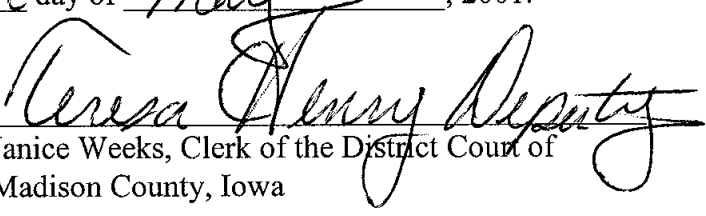
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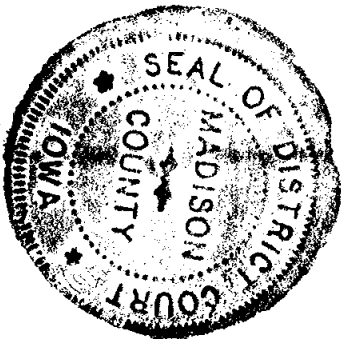
I, Janice Weeks, do hereby certify that I am the duly elected and acting Clerk of the District Court of Madison County, Iowa; that I have examined the records in my office, and that the following-described real estate, to-wit:

The North Half ( $\frac{1}{2}$ ) of the Northeast Fractional Quarter ( $\frac{1}{4}$ ) of the Northeast Fractional Quarter ( $\frac{1}{4}$ ) of Section Twelve (12) in Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, except the following: Commencing at the Northwest Corner of said tract, thence East 20 feet, thence South 650 feet, thence West 20 feet to the West line of said tract, thence North along the West line of said tract to the point of beginning, all included in and forming a part of Madison County, Iowa

is free from all judgments, attachments, mechanic's or other liens.

DATED at Winterset, Iowa, this 8th day of May, 2001.

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



**AGREEMENT**

This Agreement, made and entered into, by and between, the proprietors of High Point Estates, and Todd Hagan, Madison County Engineer.


NOW THEREFORE IT IS AGREED AS FOLLOWS:


1. The proprietors of High Point Estates, a Plat of the following described real estate:

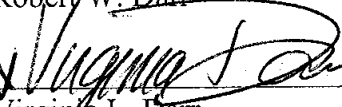
The North Half (1/2) of the Northeast Fractional Quarter (1/4) of the Northeast Fractional Quarter (1/4) of Section Twelve (12) in Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, except the following: Commencing at the Northwest Corner of said tract, thence East 20 feet, thence South 650 feet, thence West 20 feet to the West line of said tract, thence North along the West line of said tract to the point of beginning, all included in and forming a part of Madison County, Iowa

hereby agree that all private roads located within High Point Estates 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.

PROPRIETORS NORTH RIVER VIEW  
ESTATES

By   
Robert W. Darr

  
Todd Hagan, Madison County Engineer

By   
Virginia L. Darr

**RESOLUTION APPROVING FINAL PLAT  
OF HIGH POINT ESTATES  
MADISON COUNTY, IOWA**

WHEREAS, there was filed in the Office of the Zoning Administrator of Madison County, Iowa, a registered land surveyor's plat of a proposed subdivision known as High Point Estates; and

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

The North Half ( $\frac{1}{2}$ ) of the Northeast Fractional Quarter ( $\frac{1}{4}$ ) of the Northeast Fractional Quarter ( $\frac{1}{4}$ ) of Section Twelve (12) in Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, except the following: Commencing at the Northwest Corner of said tract, thence East 20 feet, thence South 650 feet, thence West 20 feet to the West line of said tract, thence North along the West line of said tract to the point of beginning, all included in and forming a part of Madison County, Iowa

WHEREAS, there was also filed with said plat a dedication of said plat containing a statement to the effect that the subdivision as it appears on the plat is with the free consent and in accordance with the desire of the proprietors, Robert W. Darr and Virginia L. Darr, husband and wife; and

WHEREAS, said plat was accompanied by a complete abstract of title and an opinion from an attorney at law showing that title in fee simple is in said proprietors and that the platted land is free from encumbrance, except for a mortgage to Bank of America, FSB, against said real estate, and certified statements from the Treasurer of Madison County, Iowa, that said platted land is free from taxes, and the Clerk of the District Court of Madison County, Iowa, that said land is free from all judgments, attachments, mechanic's or other liens, and the Recorder of Madison County, Iowa, that title in fee simple is in said proprietors, and that it is free from encumbrance except for the mortgage to Bank of America, FSB, against said real estate; and

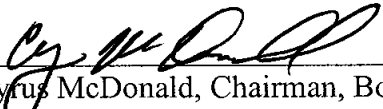
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WHEREAS, the Board of Supervisors, Madison County, Iowa, finds that said plat conforms to the provisions of the Zoning Ordinance of Madison County, Iowa, and that the plat, papers and documents presented therewith should be approved by the Board of Supervisors, and that said plat, known as High Point Estates should be approved by the Board of Supervisors, Madison County, Iowa.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors, Madison County, Iowa:

1. That said plat, known as High Point Estates prepared in connection with said plat and subdivision is hereby approved.
2. The Zoning Administrator of Madison County, 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 26 day of JUNE, 2001.

  
Cyrus McDonald, Chairman, Board of Supervisors,  
Madison County, Iowa

ATTEST:   
Madison County Auditor

# FINAL PLAT HIGH POINT ESTATES

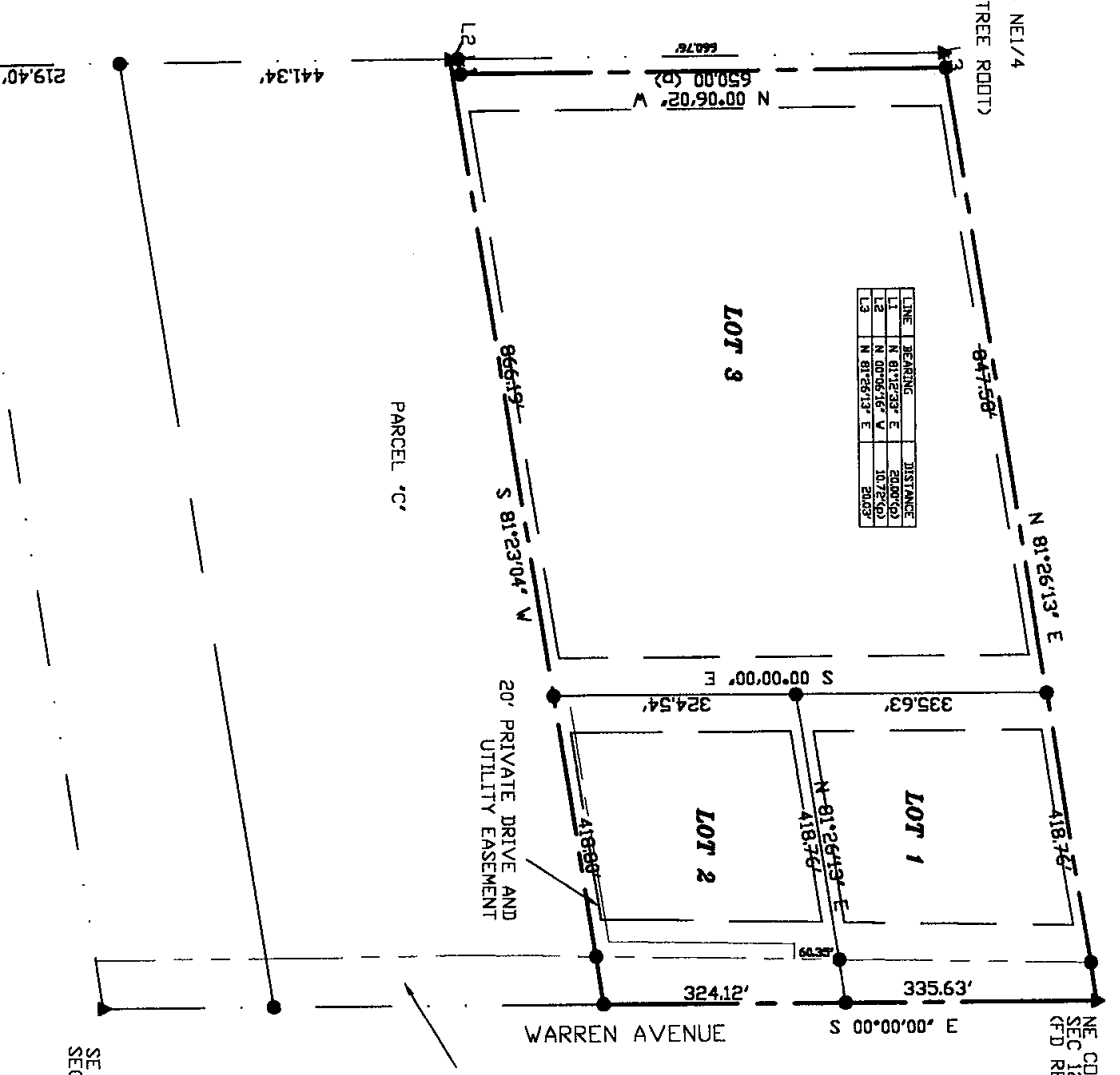
THE NORTH HALF (N1/2) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION TWELVE (12), TOWNSHIP SEVENTY SIX (76) NORTH, RANGE TWENTY SIX (26) WEST OF THE 5TH P.M., EXCEPT COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT, THENCE EAST 20 FEET, THENCE SOUTH 630 FEET, THENCE WEST 20 FEET TO THE WEST LINE OF SAID TRACT, THENCE NORTH ALONG THE WEST LINE OF SAID TRACT, THENCE NORTH ALONG THE WEST LINE OF SAID TRACT TO THE POINT OF BEGINNING, ALL INCLUDED IN AND FORMING A PART OF MADISON COUNTY, IOWA, CONTAINING 18.97 ACRES INCLUDING 0.85 ACRES OF COUNTY ROAD RIGHT OF WAY.

FOR DEDICATION,  
RESOLUTION &  
CERTIFICATION SEE  
RECORD 2001-3466

FILED NO. 3466A  
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MICKI UTSLER  
RECORDER  
MADISON COUNTY, IOWA

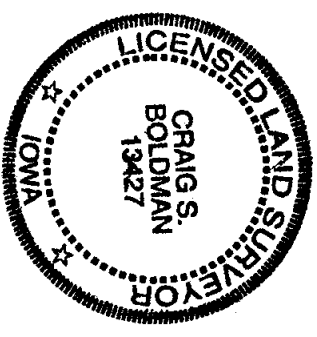
LOT AREAS  
LOT 1=319 Acres(-0.41 Acres R.O.W.)  
LOT 2=308 Acres(-0.44 Acres R.O.W.)  
LOT 3=12.70 Acres



LINE	BEARING	DISTANCE
1	N 81°26'13" E	418.76'
2	N 00°00'00" E	335.63'
3	N 81°26'13" E	418.76'

## LEGEND

- These standard symbols will be found in the drawing.
- ▲ section corner found as noted
  - set 1/2" rebar orange cap 13427
  - found monument as noted
  - △ set 1/2" rebar orange cap 13427



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.

SIGNATURE: *Craig S. Boldman*  
NAME: CRAIG S. BOLDMAN  
DATE: 7/31/01  
MY LICENSE RENEWAL DATE IS: DECEMBER 31, 2002

Proj. #00051