

REC \$ 95<sup>00</sup>  
AUD \$ 5<sup>00</sup>  
R.M.F. \$ 1<sup>00</sup>

COMPUTER	<input checked="" type="checkbox"/>
RECORDED	<input checked="" type="checkbox"/>
COMPARED	<input type="checkbox"/>

## PLAT AND CERTIFICATE FOR AMERICANA ACRES MADISON COUNTY, IOWA

FILED NO. **000517**  
BOOK **2003** PAGE **517**  
**2003 JAN 30 AM 11:55**

MICKI 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 known and designated as Americana

Acres, and that the real estate comprising said plat is described as follows:

**FOR PLAT SEE  
2003-517A**

A parcel of land for a subdivision located in the Southwest Quarter of the Southwest Quarter of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Southwest Corner of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa; thence North 00°15'45" East 693.46 feet along the West line of the Southwest Quarter of the Southwest Quarter of said Section 35; thence South 89°40'27" East 658.18 feet to a point on the West line of Parcel "C"; thence South 28°57'24" West 39.06 feet along a line of Parcel "C"; thence South 00°40'43" West 382.86 feet along a line of Parcel "C"; thence South 16°16'53" West 108.26 feet along a line of Parcel "C"; thence South 00°24'08" West 139.13 feet along a line of Parcel "C"; thence South 89°40'27" East 25.00 feet along a line of Parcel "C"; thence South 00°18'39" West 33.11 feet along a line of EVAN ACRES Subdivision; to a point on the South line of said Southwest Quarter of the Southwest Quarter; thence North 89°40'27" West 631.40 feet to the Point of Beginning containing 10.021 acres including 0.480 acres of County Road right-of-way

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 Americana Acres;
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. Consent of Platting by Earlham Savings Bank;

7. Agreement with Madison County Engineer;

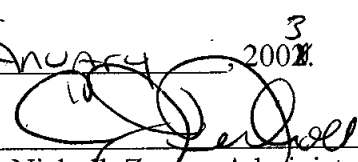
8. Resolution of the Board of Supervisors of Madison County, Iowa, approving said plat;

9. Deed of Restrictions; and

10. Groundwater Hazard Statement.

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

Dated this 28<sup>th</sup> day of January, 200~~8~~<sup>3</sup>.

  
\_\_\_\_\_  
C. J. Nicholson, Zoning Administrator of Madison  
County, Iowa

**DEDICATION OF PLAT  
OF  
AMERICANA ACRES**

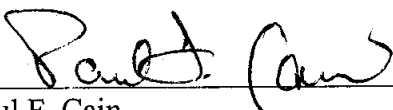
KNOW ALL MEN BY THESE PRESENTS:

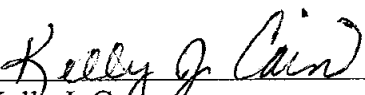
That we, Paul F. Cain and Kelly J. Cain, do hereby certify that we are the sole owners and proprietors of the following-described real estate:

A parcel of land for a subdivision located in the Southwest Quarter of the Southwest Quarter of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Southwest Corner of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa; thence North 00°15'45" East 693.46 feet along the West line of the Southwest Quarter of the Southwest Quarter of said Section 35; thence South 89°40'27" East 658.18 feet to a point on the West line of Parcel "C"; thence South 28°57'24" West 39.06 feet along a line of Parcel "C"; thence South 00°40'43" West 382.86 feet along a line of Parcel "C"; thence South 16°16'53" West 108.26 feet along a line of Parcel "C"; thence South 00°24'08" West 139.13 feet along a line of Parcel "C"; thence South 89°40'27" East 25.00 feet along a line of Parcel "C"; thence South 00°18'39" West 33.11 feet along a line of EVAN ACRES Subdivision; to a point on the South line of said Southwest Quarter of the Southwest Quarter; thence North 89°40'27" West 631.40 feet to the Point of Beginning containing 10.021 acres including 0.480 acres of County Road right-of-way

That the subdivision of the above-described real estate as shown by the final plat of Americana Acres is with the free consent and in accordance with the owners' desire as owners of said real estate.

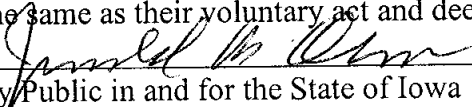
DATED this 13 day of Dec, 2002.

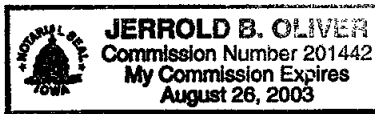
  
\_\_\_\_\_  
Paul F. Cain

  
\_\_\_\_\_  
Kelly J. Cain

STATE OF IOWA :  
: SS  
MADISON COUNTY :

On this 13 day of Dec, 2002, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Paul F. Cain and Kelly J. Cain, 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  
BY EARLHAM SAVINGS BANK**

Earlham Savings Bank does consent to the platting and subdivision of the following-described real estate:

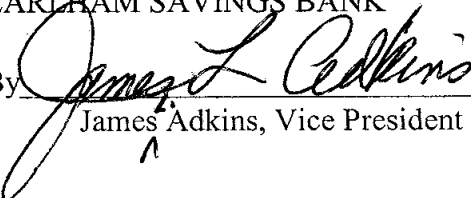
A parcel of land for a subdivision located in the Southwest Quarter of the Southwest Quarter of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Southwest Corner of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa; thence North 00°15'45" East 693.46 feet along the West line of the Southwest Quarter of the Southwest Quarter of said Section 35; thence South 89°40'27" East 658.18 feet to a point on the West line of Parcel "C"; thence South 28°57'24" West 39.06 feet along a line of Parcel "C"; thence South 00°40'43" West 382.86 feet along a line of Parcel "C"; thence South 16°16'53" West 108.26 feet along a line of Parcel "C"; thence South 00°24'08" West 139.13 feet along a line of Parcel "C"; thence South 89°40'27" East 25.00 feet along a line of Parcel "C"; thence South 00°18'39" West 33.11 feet along a line of EVAN ACRES Subdivision; to a point on the South line of said Southwest Quarter of the Southwest Quarter; thence North 89°40'27" West 631.40 feet to the Point of Beginning containing 10.021 acres including 0.480 acres of County Road right-of-way

in accordance with the ordinances of Madison County, Iowa, and the laws of the State of Iowa. the State of Iowa. The undersigned holds a mortgage against said real estate.

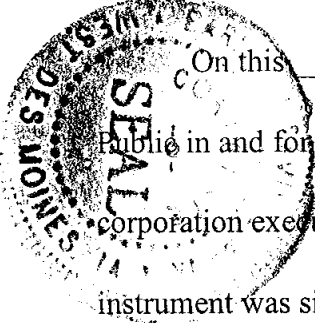
Dated: December 16, 2002.

EARLHAM SAVINGS BANK

By

  
James Adkins, Vice President

STATE OF IOWA :  
 : SS  
Madison COUNTY :



On this 16<sup>th</sup> day of December, 2002, before me, the undersigned, a Notary Public in and for said County and State, personally appeared James Adkins, Vice President, of said corporation executing the within and foregoing instrument; that said corporation has no seal; that said instrument was signed on behalf of said corporation by authority of its Board of Directors; and that the said James Adkins, as such officer, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by him voluntarily executed.

*Aura K. Miller*  
Notary Public in and for the State of Iowa

LAW OFFICES

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**JORDAN, OLIVER & WALTERS, P.C.**

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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

December 16, 2002

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:

A parcel of land for a subdivision located in the Southwest Quarter of the Southwest Quarter of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Southwest Corner of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa; thence North 00°15'45" East 693.46 feet along the West line of the Southwest Quarter of the Southwest Quarter of said Section 35; thence South 89°40'27" East 658.18 feet to a point on the West line of Parcel "C"; thence South 28°57'24" West 39.06 feet along a line of Parcel "C"; thence South 00°40'43" West 382.86 feet along a line of Parcel "C"; thence South 16°16'53" West 108.26 feet along a line of Parcel "C"; thence South 00°24'08" West 139.13 feet along a line of Parcel "C"; thence South 89°40'27" East 25.00 feet along a line of Parcel "C"; thence South 00°18'39" West 33.11 feet along a line of EVAN ACRES Subdivision; to a point on the South line of said Southwest Quarter of the Southwest Quarter; thence North 89°40'27" West 631.40 feet to the Point of Beginning containing 10.021 acres including 0.480 acres of County Road right-of-way

Title to said real estate is in Paul F. Cain and Kelly J. Cain, free and clear of all liens and encumbrances, except a Mortgage to Earlham Savings Bank in the principal sum of \$250,000, dated June 3, 1997, and filed June 6, 1997, in Mortgage Record 189, Page 245 of the Recorder's office of Madison County, Iowa.

The real estate is subject to easements to Warren Water, Inc., granting a perpetual easement with the

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Page Two  
December 16, 2002

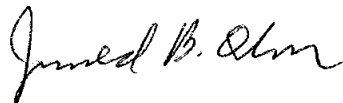
right to erect, construct, install, lay, and thereafter use, operate, inspect, repair, maintain, replace, and remove water lines and appurtenances thereto, over and across the real estate under examination. The easements recite that it shall be 32 feet in width, the centerline of which shall be the water pipeline and necessary appurtenances. The recording information for these easements to Warren Water, Inc., for such purposes are as follows:

1. Easement dated February 11, 1997, and filed February 27, 1998, in Deed Record 138, Page 620 of the Recorder's office of Madison County, Iowa.
2. Easement dated March 20, 1998, and filed May 22, 1998, in Deed Record 140, Page 226 of the Recorder's office of Madison County, Iowa.
3. Easement dated November 13, 2000, and filed December 5, 2000, in Deed Record 144, Page 429 of the Recorder's office of Madison County, Iowa.
4. Easement dated December 5, 2000, and filed December 19, 2000, in Deed Record 144, Page 584 of the Recorder's office of Madison County, Iowa.

Respectfully submitted,

JORDAN, OLIVER & WALTERS, P.C.

By



Jerrold B. Oliver

JBO:hd



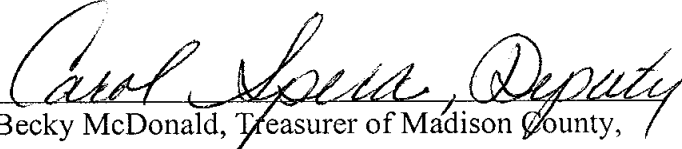
**CERTIFICATE OF THE COUNTY TREASURER**  
**OF MADISON COUNTY, IOWA**

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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:

A parcel of land for a subdivision located in the Southwest Quarter of the Southwest Quarter of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Southwest Corner of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa; thence North 00°15'45" East 693.46 feet along the West line of the Southwest Quarter of the Southwest Quarter of said Section 35; thence South 89°40'27" East 658.18 feet to a point on the West line of Parcel "C"; thence South 28°57'24" West 39.06 feet along a line of Parcel "C"; thence South 00°40'43" West 382.86 feet along a line of Parcel "C"; thence South 16°16'53" West 108.26 feet along a line of Parcel "C"; thence South 00°24'08" West 139.13 feet along a line of Parcel "C"; thence South 89°40'27" East 25.00 feet along a line of Parcel "C"; thence South 00°18'39" West 33.11 feet along a line of EVAN ACRES Subdivision; to a point on the South line of said Southwest Quarter of the Southwest Quarter; thence North 89°40'27" West 631.40 feet to the Point of Beginning containing 10.021 acres including 0.480 acres of County Road right-of-way

DATED at Winterset, Iowa, this 16<sup>th</sup> day of December, 2002.

  
Becky McDonald, Treasurer of Madison County,  
Iowa

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

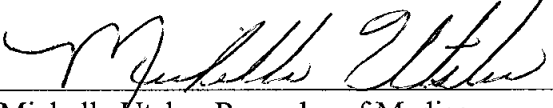
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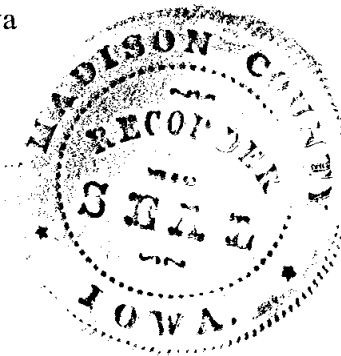
I, Michelle Utsler, do hereby certify that I am the duly elected and acting Recorder of Madison County, Iowa; that Paul F. Cain and Kelly J. Cain are the fee simple owners and record titleholders of the following-described real estate, to-wit:

A parcel of land for a subdivision located in the Southwest Quarter of the Southwest Quarter of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Southwest Corner of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa; thence North 00°15'45" East 693.46 feet along the West line of the Southwest Quarter of the Southwest Quarter of said Section 35; thence South 89°40'27" East 658.18 feet to a point on the West line of Parcel "C"; thence South 28°57'24" West 39.06 feet along a line of Parcel "C"; thence South 00°40'43" West 382.86 feet along a line of Parcel "C"; thence South 16°16'53" West 108.26 feet along a line of Parcel "C"; thence South 00°24'08" West 139.13 feet along a line of Parcel "C"; thence South 89°40'27" East 25.00 feet along a line of Parcel "C"; thence South 00°18'39" West 33.11 feet along a line of EVAN ACRES Subdivision; to a point on the South line of said Southwest Quarter of the Southwest Quarter; thence North 89°40'27" West 631.40 feet to the Point of Beginning containing 10.021 acres including 0.480 acres of County Road right-of-way

and that said real estate is free and clear of all liens and encumbrances, except for a Mortgage held by Earlham Savings Bank in the principal amount of \$250,000, dated June 3, 1997, and filed June 6, 1997, in Mortgage Record 189, Page 245 of the Recorder's office of Madison County, Iowa.

DATED at Winterset, Iowa, this 17<sup>TH</sup> day of DECEMBER, 2002.

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



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

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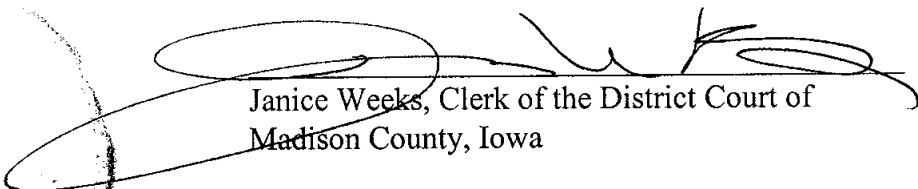
I, Janice Weeks, do hereby certify that I am the duly elected and acting Clerk of the District Court of Madison County, Iowa; that I have examined the records in my office, and that the following-described real estate, to-wit:

A parcel of land for a subdivision located in the Southwest Quarter of the Southwest Quarter of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Southwest Corner of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa; thence North 00°15'45" East 693.46 feet along the West line of the Southwest Quarter of the Southwest Quarter of said Section 35; thence South 89°40'27" East 658.18 feet to a point on the West line of Parcel "C"; thence South 28°57'24" West 39.06 feet along a line of Parcel "C"; thence South 00°40'43" West 382.86 feet along a line of Parcel "C"; thence South 16°16'53" West 108.26 feet along a line of Parcel "C"; thence South 00°24'08" West 139.13 feet along a line of Parcel "C"; thence South 89°40'27" East 25.00 feet along a line of Parcel "C"; thence South 00°18'39" West 33.11 feet along a line of EVAN ACRES Subdivision; to a point on the South line of said Southwest Quarter of the Southwest Quarter; thence North 89°40'27" West 631.40 feet to the Point of Beginning containing 10.021 acres including 0.480 acres of County Road right-of-way

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

DATED at Winterset, Iowa, this 13<sup>th</sup> day of Dec., 2002.



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

**DEED OF RESTRICTIONS**  
**AMERICANA ACRES**  
**MADISON COUNTY, IOWA**

We, Paul F. Cain and Kelly J. Cain, husband and wife, are now the fee simple owners and record titleholders of the following-described real estate:

A parcel of land for a subdivision located in the Southwest Quarter of the Southwest Quarter of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Southwest Corner of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa; thence North 00°15'45" East 693.46 feet along the West line of the Southwest Quarter of the Southwest Quarter of said Section 35; thence South 89°40'27" East 658.18 feet to a point on the West line of Parcel "C"; thence South 28°57'24" West 39.06 feet along a line of Parcel "C"; thence South 00°40'43" West 382.86 feet along a line of Parcel "C"; thence South 16°16'53" West 108.26 feet along a line of Parcel "C"; thence South 00°24'08" West 139.13 feet along a line of Parcel "C"; thence South 89°40'27" East 25.00 feet along a line of Parcel "C"; thence South 00°18'39" West 33.11 feet along a line of EVAN ACRES Subdivision; to a point on the South line of said Southwest Quarter of the Southwest Quarter; thence North 89°40'27" West 631.40 feet to the Point of Beginning containing 10.021 acres including 0.480 acres of County Road right-of-way

which real estate is being platted as Americana Acres, Madison County, Iowa.

Said owners do hereby impose and subject said real estate to certain regulations, covenants, restrictions and easements as to the use and occupancy thereof, as follows:

1. All lots in said plat shall be used only for single-family residential purposes. No structure shall be erected on any lot except the residential dwelling structure, which shall be at least 1300 square feet in area, a one- to three-car garage and certain accessory buildings provided that accessory buildings other than garages may not be erected in excess of 1000 square feet in area. No mobile homes, earth homes, or berm homes shall be erected or placed on any of the lots in Americana Acres. No hog confinement, nursery or finishing structure, cattle finishing structure, poultry laying or raising houses shall be erected on any of the lots in said Americana Acres.
-

2. The requirements contained in the Madison County Zoning Ordinance as to lot area, width and yard requirements shall apply to all lots within the subdivision. A setback of fifty from all streets, roads, and private drives shall apply.
  3. No lot in the plat shall be further subdivided, except that a lot may be divided and sold to or with adjoining lots to increase their size.
  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 building lot unless the design and location is in harmony with the existing structures and locations in the tract and does not violate any of these protective covenants.
  6. The titleholder of each lot, vacant or improved, shall keep his lot or lots 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, 2023, 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 lots, it is agreed to delete and said covenants in whole or in part. No new or additional covenants shall be added unless all of the owners of the lots in said Americana Acres 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 lot or lots in the subdivision to institute proceedings in law or in equity against the person or persons violation 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 lot owner decides to erect a fence upon his lot, the total cost of installation of such fence shall be borne by said lot owner as well as the cost of all future maintenance of the fence. No adjoining lot owner shall be required to participate in the cost of the erection or maintenance of any fence. Any fence erected shall be the sole property of the lot owner and can be removed by such lot owner at his discretion. Nothing in this paragraph shall be deemed to preclude a fencing agreement between adjoining lot owners for erection and maintenance of a common fence; however, for any such common fence agreement to be enforceable upon future lot owners, such fencing agreement must be in writing and filed 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 lot owner to maintain a lawful partition fence separating his lot from adjoining unplatted real estate.

12. There is no common sewage system available for use within Americana Acres and it shall be the responsibility of each of the owners of the respective lots within the Americana Acres to provide a septic tank for use with the residence constructed upon each lot.

13. No animals shall be kept or maintained on any of the lots in Americana Acres except ordinary household pets.

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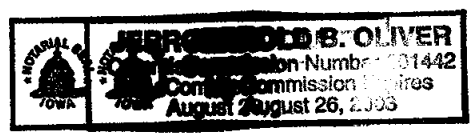
Dated this 13 day of December, 2002.

Paul F. Cain  
Paul F. Cain

Kelly J. Cain  
Kelly J. Cain

STATE OF IOWA :  
:SS  
MADISON COUNTY :

On this 13 day of Dec, 2002, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Paul F. Cain and Kelly J. Cain, 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.



James B. Oliver  
Notary Public in and for the State of Iowa

**RESOLUTION APPROVING FINAL PLAT  
OF AMERICANA ACRES  
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 Americana Acres; and

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

A parcel of land for a subdivision located in the Southwest Quarter of the Southwest Quarter of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Southwest Corner of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa; thence North  $00^{\circ}15'45''$  East 693.46 feet along the West line of the Southwest Quarter of the Southwest Quarter of said Section 35; thence South  $89^{\circ}40'27''$  East 658.18 feet to a point on the West line of Parcel "C"; thence South  $28^{\circ}57'24''$  West 39.06 feet along a line of Parcel "C"; thence South  $00^{\circ}40'43''$  West 382.86 feet along a line of Parcel "C"; thence South  $16^{\circ}16'53''$  West 108.26 feet along a line of Parcel "C"; thence South  $00^{\circ}24'08''$  West 139.13 feet along a line of Parcel "C"; thence South  $89^{\circ}40'27''$  East 25.00 feet along a line of Parcel "C"; thence South  $00^{\circ}18'39''$  West 33.11 feet along a line of EVAN ACRES Subdivision; to a point on the South line of said Southwest Quarter of the Southwest Quarter; thence North  $89^{\circ}40'27''$  West 631.40 feet to the Point of Beginning containing 10.021 acres including 0.480 acres of County Road right-of-way

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, Paul F. Cain and Kelly J. Cain; 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, 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,

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Iowa, that title in fee simple is in said proprietors, and that it is free from encumbrance, except a Mortgage held by Earlham Savings Bank; and

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 Americana Acres 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 Americana Acres 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 28<sup>th</sup> day of JANUARY, 200~~0~~<sup>3</sup>



Bob Weeks, Chairman, Board of Supervisors,  
Madison County, Iowa

ATTEST:

  
Madison County Auditor

**AGREEMENT**

This Agreement, made and entered into, by and between, the proprietors of Americana Acres and Todd Hagan, Madison County Engineer.

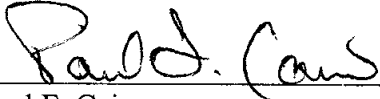
NOW THEREFORE IT IS AGREED AS FOLLOWS:


1. The proprietors of Americana Acres a Plat of the following described real estate:

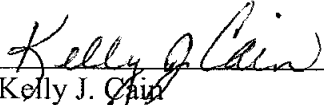
A parcel of land for a subdivision located in the Southwest Quarter of the Southwest Quarter of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Southwest Corner of Section 35, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa; thence North 00°15'45" East 693.46 feet along the West line of the Southwest Quarter of the Southwest Quarter of said Section 35; thence South 89°40'27" East 658.18 feet to a point on the West line of Parcel "C"; thence South 28°57'24" West 39.06 feet along a line of Parcel "C"; thence South 00°40'43" West 382.86 feet along a line of Parcel "C"; thence South 16°16'53" West 108.26 feet along a line of Parcel "C"; thence South 00°24'08" West 139.13 feet along a line of Parcel "C"; thence South 89°40'27" East 25.00 feet along a line of Parcel "C"; thence South 00°18'39" West 33.11 feet along a line of EVAN ACRES Subdivision; to a point on the South line of said Southwest Quarter of the Southwest Quarter; thence North 89°40'27" West 631.40 feet to the Point of Beginning containing 10.021 acres including 0.480 acres of County Road right-of-way

hereby agree that all private roads located within Americana Acres 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 AMERICANA ACRES

  
\_\_\_\_\_  
Paul F. Cain

  
\_\_\_\_\_  
Todd Hagan, Madison County Engineer

  
\_\_\_\_\_  
Kelly J. Cain

FOR DEDICATION,  
RESOLUTION &  
CERTIFICATES SEE  
RECORD 2003-517

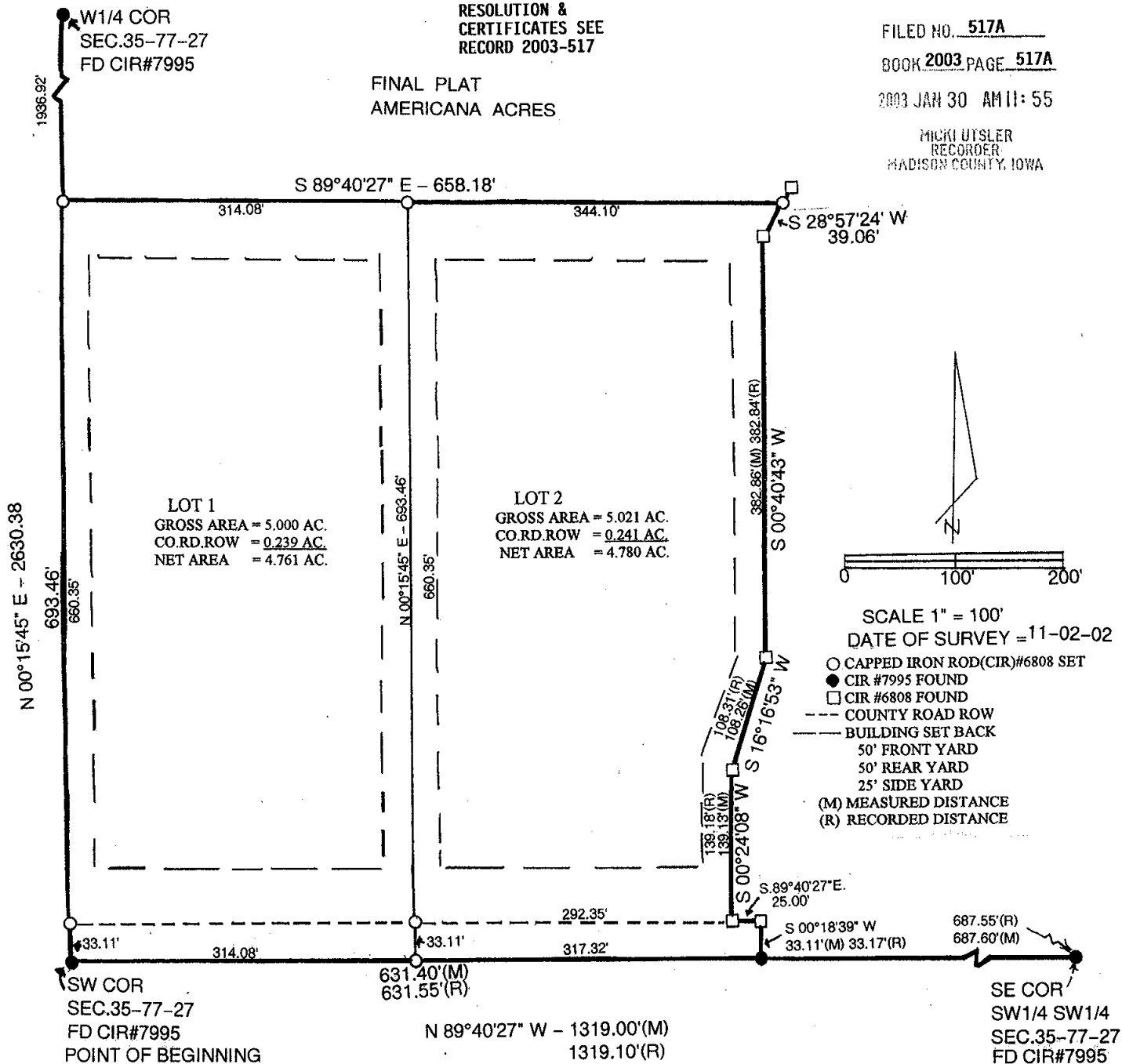
FILED NO. **517A**

BOOK **2003** PAGE **517A**

2003 JAN 30 AM 11:55

MICKI UTSLER  
RECORDER  
MADISON COUNTY, IOWA

FINAL PLAT  
AMERICANA ACRES



LEGAL DESCRIPTION:

A parcel of land for a subdivision located in the Southwest Quarter of the Southwest Quarter of Section 35, Township 77 North, Range 27 West of the 5<sup>th</sup> P.M., Madison County, Iowa more particularly described as follows:  
Beginning at the Southwest Corner of Section 35, Township 77 North, Range 27 West of the 5<sup>th</sup> P.M., Madison County, Iowa; thence North 00°15'45" East 693.46 feet along the West line of the Southwest Quarter of the Southwest Quarter of said Section 35; thence South 89°40'27" East 658.18 feet to a point on the West line of Parcel "C"; thence South 28°57'24" West 39.06 feet along a line of Parcel "C"; thence South 00°40'43" West 382.86 feet along a line of Parcel "C"; thence South 16°16'53" West 108.26 feet along a line of Parcel "C"; thence South 00°24'08" West 139.13 feet along a line of Parcel "C"; thence South 89°40'27" East 25.00 feet along a line of Parcel "C"; thence South 00°18'39" West 33.11 feet along a line of EVAN ACRES Subdivision; to a point on the South line of said Southwest Quarter of the Southwest Quarter; thence North 89°40'27" West 631.40 feet to the Point of Beginning containing 10.021 acres including 0.480 acres of County Road right-of-way.

REC'D DEC 18 2002

APPROVED

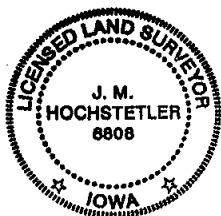
JAN 28 2003

FINAL PLAT

AMERICANA ACRES

OWNER/DEVELOPER:  
PAUL F. & KELLY J. CAIN  
2391 OSAGE TRAIL  
WINTERSSET, IOWA 50273

LAND SURVEYOR:  
VANCE & HOCHSTETLER, P.C.  
CONSULTING ENGINEERS  
110 WEST GREEN STREET  
WINTERSSET, IOWA 50273



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 1/19/02  
My license renewal date is December 31, 2003  
Pages or sheets covered by this seal: 1