

REC \$ 85⁰⁰
AUD \$ 5⁰⁰
R.M.F. \$ 7⁰⁰

FILED NO. 000197
BOOK 2003 PAGE 197
2003 JAN 13 PM 2:48

**PLAT AND CERTIFICATE
FOR RED FOX RIDGE ESTATES
MADISON COUNTY, IOWA**

COMPUTER	_____
RECORDED	_____
COMPARED	_____

MICHAEL 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 Red Fox Ridge Estates, and that the real estate comprising said plat is described as follows:

Parcel "E" described as that part of Parcel "A" located in the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Three (3), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 11.99 acres, as shown in the Plat of Survey filed in Book 3, Page 24 on June 18, 1997, in the Office of the Recorder 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:

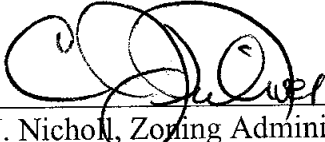
1. Dedication of Plat of Red Fox Ridge Estates;
2. Attorney's opinion;
3. Certificate of County Treasurer of Madison County, Iowa;
4. Certificate of County Recorder of Madison County, Iowa;
5. Certificate of Clerk of the District Court of Madison County, Iowa;
6. Resolution of the Board of Supervisors of Madison County, Iowa, approving said

plat;

7. Deed of Restrictions;
8. Consent to platting Wells Fargo Home Mortgage, Inc..

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

Dated this 11 day of November, 2002.



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

**DEDICATION OF PLAT
OF
RED FOX RIDGE ESTATES**

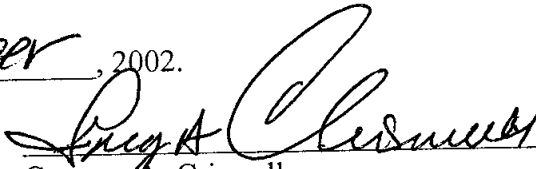
KNOW ALL MEN BY THESE PRESENTS:

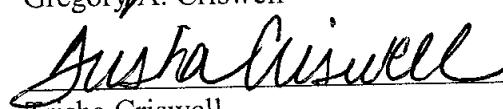
That we, Gregory A. Criswell and Trisha Criswell, do hereby certify that we are the sole owners and proprietors of the following-described real estate:

Parcel "E" described as that part of Parcel "A" located in the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Three (3), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 11.99 acres, as shown in the Plat of Survey filed in Book 3, Page 24 on June 18, 1997, in the Office of the Recorder of Madison County, Iowa.

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

DATED this 20 day of September, 2002.



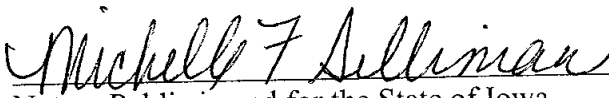
Gregory A. Criswell


Trisha Criswell

STATE OF IOWA :
: ss
MADISON COUNTY :

On this 20 day of September, 2002, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Gregory A. Criswell and Trisha Criswell, 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 WELLS FARGO HOME MORTGAGE, INC.**

Wells Fargo Home Mortgage, Inc. Does consent to the platting and subdivision of the following-described real estate:

Red Fox Ridge Estates, a Subdivision of Parcel "E" of Parcel "A" in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of the SW $\frac{1}{3}$ of Section 3, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, as shown by Plat recorded in Book 3, Page 24 in the Office of the Madison County Recorder, AND

Parcel "E" described as that part of Parcel "A" located in the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Three (3), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 11.99 acres, as shown in the Plat of Survey filed in Book 3, Page 24 on June 18, 1997, in the Office of the Recorder of Madison County, Iowa,

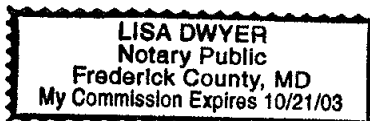
in accordance with the ordinances of Madison County, Iowa, and the laws of the State of Iowa. The undersigned holds a mortgage against said real estate.

Dated: August 13 _____, 2002.

WELLS FARGO HOME MORTGAGE, INC.

By *Edward A. DeBus*
Edward A. DeBus, Vice President

~~STATE OF IOWA~~ ^{Maryland} :
: SS
Frederick COUNTY :



On this 13 day of August, 2002, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Edward A. DeBus 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 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 him voluntarily executed.

Lisa Dwyer
Notary Public in and for the State of ~~Iowa~~ Maryland

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
E-MAIL JOWLAW@AOL.COM

LEWIS H. JORDAN

JERROLD B. OLIVER

G. STEPHEN WALTERS

July 17, 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:

Parcel "E" described as that part of Parcel "A" located in the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Three (3), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 11.99 acres, as shown in the Plat of Survey filed in Book 3, Page 24 on June 18, 1997, in the Office of the Recorder of Madison County, Iowa.

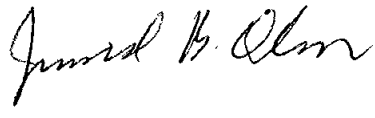
Title to said real estate is in Gregory A. Criswell and Trisha Criswell, husband and wife, as joint tenants with full rights of survivorship and not as tenants in common, subject to the following liens and encumbrances:

1. A Mortgage to Wells Fargo Home Mortgage, Inc., a California Corporation, dated December 13, 2001, and filed December 19, 2001, in Book 2001, Page 5710 of the Recorder's Office of Madison County, Iowa.
2. The abstract is subject to the following easements:
 - a. Easement to Warren Water District, acknowledged July 1, 1999, and filed July 12, 1999, in Deed Record 140, Page 713 of the Recorder's office of Madison County, Iowa.
 - b. Water usage and line easement to James L. Thalacker and Sara A. Thalacker, husband and wife, dated April 14, 2000, and April 20, 2000, and filed April 21, 2000, in Deed Record 142, Page 490 of the Recorder's office of Madison County, Iowa.

Page Two
July 17, 2002

Respectfully submitted,

JORDAN, OLIVER & WALTERS, P.C.

By 
Jerrold B. Oliver

JBO:hd

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:

Parcel "E" described as that part of Parcel "A" located in the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Three (3), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 11.99 acres, as shown in the Plat of Survey filed in Book 3, Page 24 on June 18, 1997, in the Office of the Recorder of Madison County, Iowa.

DATED at Winterset, Iowa, this 16 day of October, 2002.

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 Gregory A. Criswell and Trisha Criswell are the fee simple owners and record titleholders of the following-described real estate, to-wit:

Parcel "E" described as that part of Parcel "A" located in the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Three (3), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 11.99 acres, as shown in the Plat of Survey filed in Book 3, Page 24 on June 18, 1997, in the Office of the Recorder of Madison County, Iowa,

and that said real estate is free and clear of all liens and encumbrances, except for a Mortgage to Wells Fargo Home Mortgage, Inc.

DATED at Winterset, Iowa, this 15 day of August, 2002.

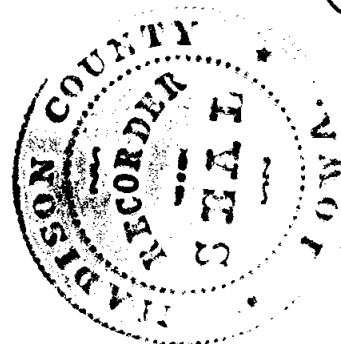
Michelle Utsler

by

Raige Nicole Henry

Michelle Utsler, Recorder of Madison
County, Iowa

Deputy



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

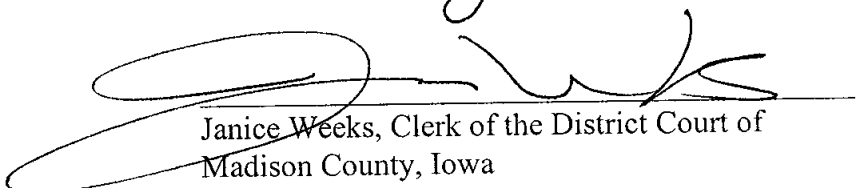
I, Janice Weeks, do hereby certify that I am the duly elected and acting Clerk of the District Court of Madison County, Iowa; that I have examined the records in my office, and that the following-described real estate, to-wit:

Parcel "E" described as that part of Parcel "A" located in the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Three (3), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 11.99 acres, as shown in the Plat of Survey filed in Book 3, Page 24 on June 18, 1997, in the Office of the Recorder of Madison County, Iowa,

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

DATED at Winterset, Iowa, this 20th day of Aug, 2002.




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

**DEED OF RESTRICTIONS
RED FOX RIDGE ESTATES
MADISON COUNTY, IOWA**

We, Gregory A. Criswell and Trisha Criswell, are now the fee simple owners and record titleholders of the following-described real estate:

Parcel "E" described as that part of Parcel "A" located in the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Three (3), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 11.99 acres, as shown in the Plat of Survey filed in Book 3, Page 24 on June 18, 1997, in the Office of the Recorder of Madison County, Iowa,

which real estate is being platted as Red Fox Ridge Estates, 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 1250 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, modular homes, or berm homes shall be erected or placed on any of the lots in Red Fox Ridge Estates . 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 Red Fox Ridge Estates.

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, 2020, 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 Red Fox Ridge Estates 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 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.


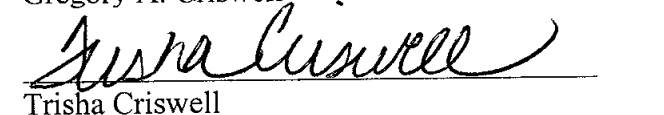
10. If any lot owner decides to erect a fence upon his lot, the total cost of installation of such fence shall be borne by said lot owner as well as the cost of all future maintenance of the fence. No adjoining lot owner shall be required to participate in the cost of the erection or maintenance of any 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 Red Fox Ridge Estates, and it shall be the responsibility of each of the owners of the respective lots within the Red Fox Ridge Estates 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 Red Fox Ridge Estates except ordinary household pets and horses.

Dated this 20 day of September, 2002.


Gregory A. Criswell

Trisha Criswell

STATE OF IOWA :
 :SS
MADISON COUNTY :

On this 20 day of September, 2002, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Gregory A. Criswell and Trisha Criswell, 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.



Michelle F. Silliman
Notary Public in and for the State of Iowa

**RESOLUTION APPROVING FINAL PLAT
OF RED FOX RIDGE 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 known as Red Fox Ridge Estates; and

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

Parcel "E" described as that part of Parcel "A" located in the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Three (3), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 11.99 acres, as shown in the Plat of Survey filed in Book 3, Page 24 on June 18, 1997, in the Office of the Recorder 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, Gregory A. Criswell and Trisha Criswell.

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 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 against said real estate, except for a Mortgage to Wells Fargo Home Mortgage, Inc.; and


WHEREAS, the Board of Supervisors, Madison County, 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 Board of Supervisors, and that said plat, known as Red Fox Ridge 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 Red Fox Ridge Estates, prepared in connection with said plat and 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 29 day of OCTOBER, 2002.



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

ATTEST:


Madison County Auditor

AGREEMENT

This Agreement, made and entered into, by and between Gregory A. Criswell and Trisha Criswell, the proprietors of Red Fox Ridge Estates, and Todd Hagan, Madison County Engineer.


NOW THEREFORE IT IS AGREED AS FOLLOWS:


1. The proprietors of Red Fox Ridge Estates, a Plat of the following described real estate:

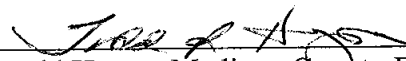
Parcel "E" described as that part of Parcel "A" located in the Southwest Quarter (SW¹/₄) of the Northwest Quarter (NW¹/₄) and the Northwest Quarter (NW¹/₄) of the Southwest Quarter (SW¹/₄) of Section Three (3), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 11.99 acres, as shown in the Plat of Survey filed in Book 3, Page 24 on June 18, 1997, in the Office of the Recorder of Madison County, Iowa,

hereby agree that all private roads located within Red Fox Ridge 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.

PROPRIETOR RED FOX RIDGE ESTATES

By 
Gregory A. Criswell

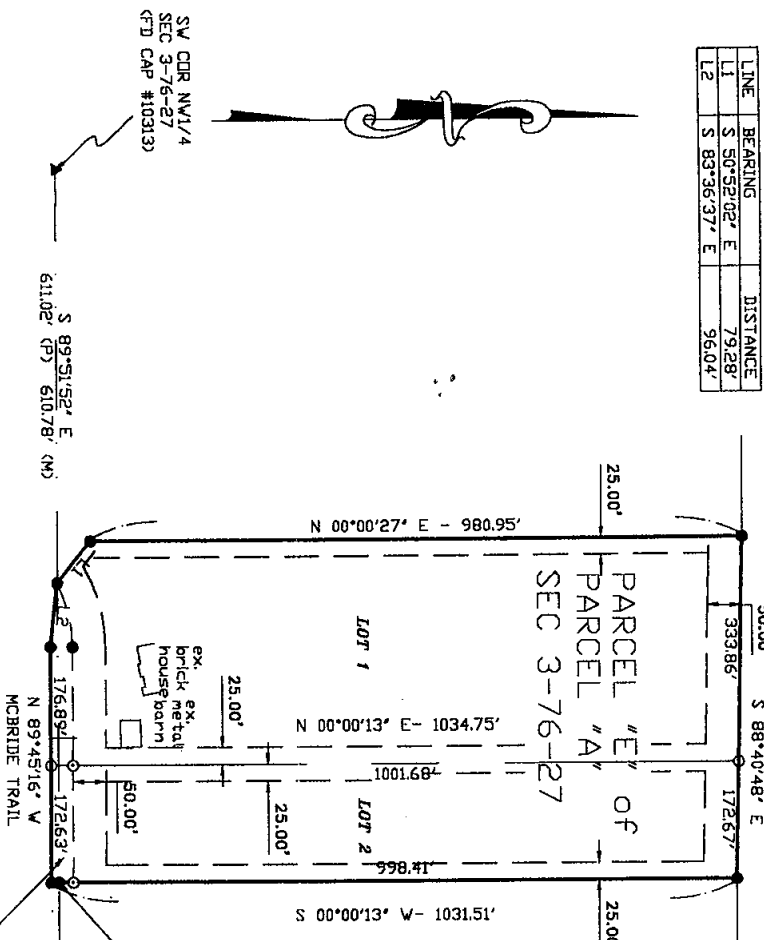
By 
Trisha Criswell


Todd Hagan, Madison County Engineer

RED FOX RIDGE ESTATES

A SUBDIVISION OF PARCEL "E" OF PARCEL "A" IN THE SW/4 OF THE NW/4 AND NW/4 OF THE SW/2 OF SECTION 9, TOWNSHIP 76 NORTH, RANGE 27 WEST OF THE 5TH P.M. MADISON COUNTY, IOWA, AS SHOWN BY PLAT RECORDED IN BOOK 3 PAGE 24 IN THE OFFICE OF THE MADISON COUNTY RECORDER.

LINE	BEARING	DISTANCE
L1	S 50°52'02" E	79.28'
L2	S 83°36'37" E	96.04'



LOT AREAS
 Lot 1= 7.89 Acres (-0.18 Right of Way Acres)
 Lot 2= 4.09 Acres (-0.13 Right of Way Acres)

OWNER/DEVELOPER
 GREGORY AND TRISHA CRISWELL
 1655 MCBRIDE TRAIL
 VAN METER, IA 50261
 (515) 462-2595

SURVEYOR
 BOLDMAN LAND SURVEYING P.C.
 P.O. BOX 66
 WINTERSSET, IA 50273
 (515) 462-9242

FILED NO. 197-A
 3003/2003, PAGE 197-A
 2003 JUN 13 PM 2:48

NOTES:

- ZONING- AGRICULTURAL
- SETBACKS
 FRONT YARD-50 FEET
 REAR YARD-50 FEET
 SIDE YARD- 25 FEET
- UTILITIES
 WATER-WARREN RURAL WATER
 GAS- PROPANE
 ELECTRIC- MID AMERICAN ENERGY
 SEWER- PRIVATE SEPTIC

FOR DEDICATION,
 RESOLUTION &
 CERTIFICATES, SEE
 RECORD 2003-197

APPROVED

OCT 29 2002



Final Plat

REQUESTED BY: Greg Criswell	BOLDMAN LAND SURVEYING,LLC. P.O. BOX 66 WINTERSSET,IA, 50273
SURVEYED 8/22-28/00	SCALE 1"=200'
PROJECT NO. 00064	DATE 9/11/02
	DVNER Greg Criswell

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: *9/11/02*
 MY LICENSE RENEWAL DATE IS: DECEMBER 31, 2002

LEGEND
 These standard symbols will be found in the drawing:
 ▲ section corner found as noted
 ○ set 1/2" rebar orange cap 13427
 ● found 5/8" rebar w/ cap #7995
 --- setback lines

