

FOR PLAT SEE
2003-5223A

REC \$ 110⁰⁰
AUD \$ 5⁰⁰
R.M.F. \$ 5⁰⁰

5223

FILED NO. _____

BOOK 2003 PAGE 5223

2003 SEP -2 AM 11: 55

**PLAT AND CERTIFICATE
FOR CLABAUGH SUBDIVISION,
MADISON COUNTY, IOWA**

NICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

I, C.J. Nicholl, Zoning Administrator Madison County, Iowa, do hereby

certify that the Plat to which this certificate is attached is a plat of a subdivision known and

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

designated as Clabaugh Subdivision; and that the real estate comprising the said plat is described

as follows:

A parcel of land in the South Half (1/2) of the Northwest Quarter (1/4) of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the West Quarter Corner of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa; thence North 00°00'00" East 690.78 feet along the West line of the Northwest Quarter (1/4) of said Section Twelve (12); thence North 89°17'11" East 858.97 feet along the South line of Parcel "B" to the Point of Beginning; thence continuing North 89°17'11" East 185.69 feet to the Southeast corner of Parcel "B"; thence North 88°41'59" East 909.19 feet along an existing fence line a portion of which is also a line of Parcel "C"; thence South 04°40'31" West 368.76 feet along an existing fence line which is a line of Parcel "C" to a point on the North line of a County Road G-68 right-of-way; thence North 78°57'34" West 82.78 feet along said County Road right-of-way; thence South 75°56'05" West 613.66 feet along said County Road right-of-way; thence South 08°33'41" East 10.00 feet along said County Road right-of-way; thence Westerly 135.97 feet along a 6436.80 foot curve concave Northerly with a 135.96 foot chord bearing South 82°02'37" West; thence North 07°21'04" West 10.00 feet along said County Road right-of-way; thence South 86°18'43" West 175.71 feet along said County Road right-of-way; thence North 08°45'37" West 513.96 feet to the Point of Beginning containing 10.533 acres,

I further certify that attached hereto are true and correct copies of the following

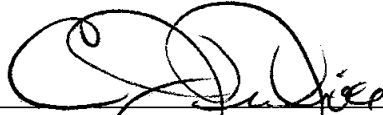
documents which have been submitted in connection with this plat:

1. Dedication of Plat for Clabaugh Subdivision.
2. Attorney's Opinion for Clabaugh Subdivision.
3. Certificate of the County Treasurer of Madison County, Iowa, for Clabaugh Subdivision.

4. Certificate of the County Recorder of Madison County, Iowa, for Clabaugh Subdivision.
5. Certificate of the Clerk of the District Court of Madison County, Iowa, for Clabaugh Subdivision.
6. Resolution of the Board of Supervisors of Madison County, Iowa, approving said Plat.
7. Agreement with Madison County Engineer.
8. Consent to Platting by Union State Bank for Clabaugh Subdivision.
9. Groundwater Hazard Statement.

All of the above described documents are duly certified by me in accordance with the Madison County Zoning Ordinance.

Dated this 26th day of AUGUST, 2003.



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

**DEDICATION OF PLAT
FOR
CLABAUGH SUBDIVISION**

KNOW ALL MEN BY THESE PRESENTS:

Robert B. Clabaugh, also known as Robert Bruce Clabaugh, and Sally J. Clabaugh, also known as Sally Johanna Clabaugh, are husband and wife, and do hereby certify that the Plat of Clabaugh Subdivision is prepared with their free consent in accordance with their desires as the sole proprietors and title holders of the following described real property, and that there is no need for any dedication to the public of land within the plat for streets, alleys, parks, open areas, school property or other public uses, because the Final Plat for Clabaugh Subdivision does not designate any land for streets, alleys, parks, open areas, school property or other public uses:

A parcel of land in the South Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the West Quarter Corner of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa; thence North $00^{\circ}00'00''$ East 690.78 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twelve (12); thence North $89^{\circ}17'11''$ East 858.97 feet along the South line of Parcel "B" to the Point of Beginning; thence continuing North $89^{\circ}17'11''$ East 185.69 feet to the Southeast corner of Parcel "B"; thence North $88^{\circ}41'59''$ East 909.19 feet along an existing fence line a portion of which is also a line of Parcel "C"; thence South $04^{\circ}40'31''$ West 368.76 feet along an existing fence line which is a line of Parcel "C" to a point on the North line of a County Road G-68 right-of-way; thence North $78^{\circ}57'34''$ West 82.78 feet along said County Road right-of-way; thence South $75^{\circ}56'05''$ West 613.66 feet along said County Road right-of-way; thence South $08^{\circ}33'41''$ East 10.00 feet along said County Road right-of-way; thence Westerly 135.97 feet along a 6436.80 foot curve concave Northerly with a 135.96 foot chord bearing South $82^{\circ}02'37''$ West; thence North $07^{\circ}21'04''$ West 10.00 feet along said County Road right-of-way; thence South $86^{\circ}18'43''$ West 175.71 feet along said County Road right-of-way; thence North $08^{\circ}45'37''$ West 513.96 feet to the Point of Beginning containing 10.533 acres,

DATED this 28th day of July, 2003.

Robert B. Clabaugh
Robert B. Clabaugh

Sally J. Clabaugh
Sally J. Clabaugh

STATE OF IOWA :
: ss
MADISON COUNTY :

On this 28th day of July, 2003, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Robert B. Clabaugh and Sally J. Clabaugh, 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.

Kim Leonard
Notary Public in and for the State of Iowa



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

July 21, 2003

ATTORNEY'S OPINION FOR CLABAUGH SUBDIVISION

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

Dear Mr. Nicholl:

This attorney's opinion is given, solely for purposes of the platting of the Clabaugh Subdivision, pursuant to Iowa Code Section 354.11 (3) and the Subdivision Regulations, Madison County, Iowa.

I, G. Stephen Walters, an attorney licensed to practice in the state of Iowa and practicing in Winterset, Madison County, Iowa, examined an abstract of title in one (1) part showing the title to the following described real estate:

A parcel of land in the South Half (½) of the Northwest Quarter (¼) of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the West Quarter Corner of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa; thence North 00°00'00" East 690.78 feet along the West line of the Northwest Quarter (¼) of said Section Twelve (12); thence North 89°17'11" East 858.97 feet along the South line of Parcel "B" to the Point of Beginning; thence continuing North 89°17'11" East 185.69 feet to the Southeast corner of Parcel "B"; thence North 88°41'59" East 909.19 feet along an existing fence line a portion of which is also a line of Parcel "C"; thence South 04°40'31" West 368.76 feet along an existing fence line which is a line of Parcel "C" to a point on the North line of a County Road G-68 right-of-way; thence North 78°57'34" West 82.78 feet along said County Road right-of-way; thence South 75°56'05" West 613.66 feet along said County Road right-of-way; thence South 08°33'41" East 10.00 feet along said County Road right-

of-way; thence Westerly 135.97 feet along a 6436.80 foot curve concave Northerly with a 135.96 foot chord bearing South 82°02'37" West; thence North 07°21'04" West 10.00 feet along said County Road right-of-way; thence South 86°18'43" West 175.71 feet along said County Road right-of-way; thence North 08°45'37" West 513.96 feet to the Point of Beginning containing 10.533 acres,

by Madison County Abstract Company.

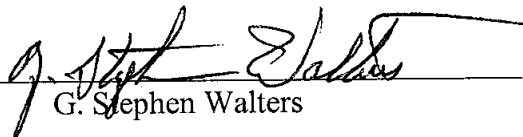
Title to the above described real property is in: ROBERT B. CLABAUGH and SALLY J. CLABAUGH, who are husband and wife and are the sole proprietors, and there are no holders of mortgages, liens or other encumbrances against the real property described above except as follows:

1. Entry No. 67 shows a Mortgage from Robert B. Clabaugh and Sally J. Clabaugh, husband and wife, to Union State Bank, dated June 25, 2003, and recorded June 30, 2003, in Book 2003, commencing on Page 3830 in the office of the Madison County, Iowa, Recorder, which secures the repayment of \$74,000, plus interest. A statement should be secured from this mortgage holder stating that the plat is prepared with its free consent and in accordance with its desire. Since there are no areas in the Clabaugh Subdivision Final Plat which are conveyed to Madison County or dedicated to the public or Madison County, there is no need for a release of this Mortgage as to any such areas.

2. Entry No. 20 shows a Right-of-Way Agreement between Mary Catherine Phillips, Elmer C. Phillips, Albert Alexander and Carol Alexander, and Williams Brothers Pipe Line Company, a Delaware Corporation, its successors and assigns, dated September 26, 1969, and recorded October 9, 1969, in Deed Record 100 on Page 41 which grants an easement and right-of-way for purposes of a pipeline or pipelines and appurtenances for the transportation of liquids, gasses and/or solids by the grantee on over and through the Northwest Quarter of the above described Section Twelve, with the right-of-way being 50 feet wide, and there being a right of egress and ingress to and from the easement and right-of-way. Since this is in the nature of a utility easement, no consent, pursuant to Iowa Code Section 354.11 (2) (3) is required for this right-of-way agreement. Also, since the Mortgage from Williams Pipe Line Company, LLC, to State Street Bank and Trust Company, as Collateral Agent, shown at Entry No. 75, dated October 1, 2002, and recorded November 6, 2002, in Book 2002 commencing on Page 5462, encumbers only this easement, and not the underlying property, there is no necessity for any consent to this platting to be secured from State Street Bank and Trust Company.

Respectfully submitted,

JORDAN, OLIVER & WALTERS, P.C.

By 
G. Stephen Walters

**CERTIFICATE OF THE COUNTY TREASURER
OF MADISON COUNTY, IOWA,
FOR CLABAUGH SUBDIVISION**

I, G. JoAnn Collins, 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 the following-described real property is free from certified taxes and certified special assessments, which would form a lien against it:

A parcel of land in the South Half (½) of the Northwest Quarter (¼) of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the West Quarter Corner of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa; thence North 00°00'00" East 690.78 feet along the West line of the Northwest Quarter (¼) of said Section Twelve (12); thence North 89°17'11" East 858.97 feet along the South line of Parcel "B" to the Point of Beginning; thence continuing North 89°17'11" East 185.69 feet to the Southeast corner of Parcel "B"; thence North 88°41'59" East 909.19 feet along an existing fence line a portion of which is also a line of Parcel "C"; thence South 04°40'31" West 368.76 feet along an existing fence line which is a line of Parcel "C" to a point on the North line of a County Road G-68 right-of-way; thence North 78°57'34" West 82.78 feet along said County Road right-of-way; thence South 75°56'05" West 613.66 feet along said County Road right-of-way; thence South 08°33'41" East 10.00 feet along said County Road right-of-way; thence Westerly 135.97 feet along a 6436.80 foot curve concave Northerly with a 135.96 foot chord bearing South 82°02'37" West; thence North 07°21'04" West 10.00 feet along said County Road right-of-way; thence South 86°18'43" West 175.71 feet along said County Road right-of-way; thence North 08°45'37" West 513.96 feet to the Point of Beginning containing 10.533 acres,

DATED at Winterset, Iowa, this 28th day of July, 2003.

G. JoAnn Collins

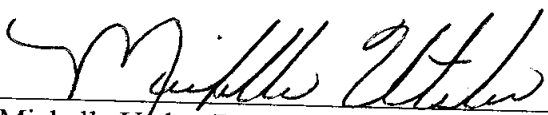
G. JoAnn Collins, Treasurer of Madison County, Iowa

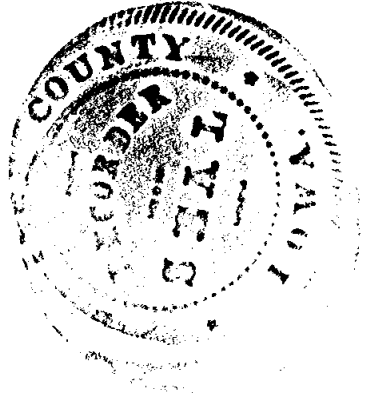
**CERTIFICATE OF THE COUNTY RECORDER
OF MADISON COUNTY, IOWA,
FOR CLABAUGH SUBDIVISION**

I, Michelle Utsler, do hereby certify that I am the duly elected and acting Recorder of Madison County, Iowa; that Robert B. Clabaugh and Sally J. Clabaugh are husband and wife, and are the fee simple owners and record title holders of the following described real estate; and that the following described real estate is free from mortgages, liens or other encumbrances for subdivision platting purposes, except a mortgage from Robert Bruce Clabaugh and Sally Johanna Clabaugh, husband and wife, to Union State Bank, dated June 25, 2003, and recorded June 30, 2003, in Book 2003 commencing on Page 3830 in the office of the Madison County, Iowa, Recorder, which secures the repayment of \$74,000 plus interest:

A parcel of land in the South Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the West Quarter Corner of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa; thence North 00°00'00" East 690.78 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twelve (12); thence North 89°17'11" East 858.97 feet along the South line of Parcel "B" to the Point of Beginning; thence continuing North 89°17'11" East 185.69 feet to the Southeast corner of Parcel "B"; thence North 88°41'59" East 909.19 feet along an existing fence line a portion of which is also a line of Parcel "C"; thence South 04°40'31" West 368.76 feet along an existing fence line which is a line of Parcel "C" to a point on the North line of a County Road G-68 right-of-way; thence North 78°57'34" West 82.78 feet along said County Road right-of-way; thence South 75°56'05" West 613.66 feet along said County Road right-of-way; thence South 08°33'41" East 10.00 feet along said County Road right-of-way; thence Westerly 135.97 feet along a 6436.80 foot curve concave Northerly with a 135.96 foot chord bearing South 82°02'37" West; thence North 07°21'04" West 10.00 feet along said County Road right-of-way; thence South 86°18'43" West 175.71 feet along said County Road right-of-way; thence North 08°45'37" West 513.96 feet to the Point of Beginning containing 10.533 acres,

DATED at Winterset, Iowa, this 25th day of July, 2003.


Michelle Utzler, Recorder of Madison County, Iowa

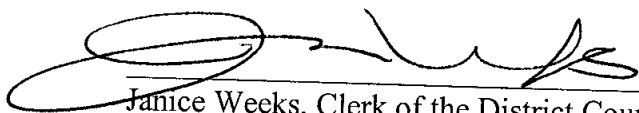


**CERTIFICATE OF THE CLERK OF THE DISTRICT
COURT OF MADISON COUNTY, IOWA,
FOR CLABAUGH SUBDIVISION**

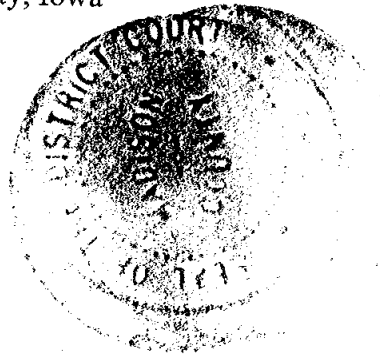
I, Janice Weeks, do hereby certify that I am the duly elected and acting Clerk of the District Court of Madison County, Iowa; that I have examined the records in my office; and that the following described real estate is free from all judgment liens, attachments, mechanic's liens, or other liens of record in the office of the Madison County, Iowa, Clerk of Court which would be liens against the following described real property:

A parcel of land in the South Half (½) of the Northwest Quarter (¼) of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the West Quarter Corner of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa; thence North 00°00'00" East 690.78 feet along the West line of the Northwest Quarter (¼) of said Section Twelve (12); thence North 89°17'11" East 858.97 feet along the South line of Parcel "B" to the Point of Beginning; thence continuing North 89°17'11" East 185.69 feet to the Southeast corner of Parcel "B"; thence North 88°41'59" East 909.19 feet along an existing fence line a portion of which is also a line of Parcel "C"; thence South 04°40'31" West 368.76 feet along an existing fence line which is a line of Parcel "C" to a point on the North line of a County Road G-68 right-of-way; thence North 78°57'34" West 82.78 feet along said County Road right-of-way; thence South 75°56'05" West 613.66 feet along said County Road right-of-way; thence South 08°33'41" East 10.00 feet along said County Road right-of-way; thence Westerly 135.97 feet along a 6436.80 foot curve concave Northerly with a 135.96 foot chord bearing South 82°02'37" West; thence North 07°21'04" West 10.00 feet along said County Road right-of-way; thence South 86°18'43" West 175.71 feet along said County Road right-of-way; thence North 08°45'37" West 513.96 feet to the Point of Beginning containing 10.533 acres,

DATED at Winterset, Iowa, this 24th day of July, 2003.



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



**RESOLUTION APPROVING FINAL PLAT
OF CLABAUGH SUBDIVISION,
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 Clabaugh Subdivision; and

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

A parcel of land in the South Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the West Quarter Corner of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa; thence North $00^{\circ}00'00''$ East 690.78 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twelve (12); thence North $89^{\circ}17'11''$ East 858.97 feet along the South line of Parcel "B" to the Point of Beginning; thence continuing North $89^{\circ}17'11''$ East 185.69 feet to the Southeast corner of Parcel "B"; thence North $88^{\circ}41'59''$ East 909.19 feet along an existing fence line a portion of which is also a line of Parcel "C"; thence South $04^{\circ}40'31''$ West 368.76 feet along an existing fence line which is a line of Parcel "C" to a point on the North line of a County Road G-68 right-of-way; thence North $78^{\circ}57'34''$ West 82.78 feet along said County Road right-of-way; thence South $75^{\circ}56'05''$ West 613.66 feet along said County Road right-of-way; thence South $08^{\circ}33'41''$ East 10.00 feet along said County Road right-of-way; thence Westerly 135.97 feet along a 6436.80 foot curve concave Northerly with a 135.96 foot chord bearing South $82^{\circ}02'37''$ West; thence North $07^{\circ}21'04''$ West 10.00 feet along said County Road right-of-way; thence South $86^{\circ}18'43''$ West 175.71 feet along said County Road right-of-way; thence North $08^{\circ}45'37''$ West 513.96 feet to the Point of Beginning containing 10.533 acres,

WHEREAS, there was also filed with the said plat a Dedication of Plat for Clabaugh Subdivision containing a statement to the effect that the subdivision, as it appears in the said plat, is with the free consent of, and in accordance with the desires of the sole proprietors of the real property, Robert B. Clabaugh and Sally J. Clabaugh; and

WHEREAS, the said plat was accompanied by a complete abstract of title and an Attorney's Opinion for Clabaugh Subdivision showing that the land was free from mortgages,

liens or other encumbrances except as specifically stated therein and certified statements from the Madison County Treasurer that the land was free from certified taxes and certified special assessments, the Madison County Clerk of Court that the land was free from all judgments, attachments, mechanic's liens or other liens, and the Recorder of Madison County, Iowa, that the title was owned in fee simple by the proprietors, Robert B. Clabaugh and Sally J. Clabaugh, except a Mortgage to Union State Bank, an Iowa Corporation, dated June 25, 2003, and recorded June 30, 2003, in Book 2003, commencing on Page 3830 in the office of the Madison County, Iowa, Recorder.

WHEREAS, Union State Bank, the holder of the above described Mortgage, has consented to the platting and subdivision of the said real estate through a Consent to Platting by Union State Bank for Clabaugh Subdivision.

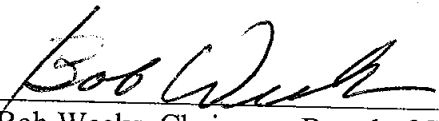
WHEREAS, the Board of Supervisors of Madison County, Iowa, finds that the said plat conforms the provisions of the Zoning Ordinance of Madison County, Iowa, and that the papers and documents presented therewith, should be approved by the Board of Supervisors, and that the said plat, known as the Clabaugh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

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

1. That the above described plat, known as the Clabaugh Subdivision, is hereby approved.
 2. That the Zoning Administrator of Madison County, Iowa, is hereby directed to certify this resolution, which will be affixed to said plat, to the Madison County, Iowa, Recorder, and to attend to the recording of the said plat and all other papers and documents which should
-

be recorded in connection therewith.

DATED at Winterset, Iowa, this 26th day of August, 2003.



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

ATTEST:



Joan Welch
Madison County Auditor

AGREEMENT WITH MADISON COUNTY ENGINEER

This Agreement is made and entered into, by and between, Robert B. Clabaugh and Sally J. Clabaugh, as proprietors of the Clabaugh Subdivision, and Todd Hagan, the Madison County Engineer.

They hereby agree that all private roads located within the Clabaugh Subdivision are private roads and are not being dedicated to Madison County, Iowa, and that the proprietors consent and agree that such roads shall not be maintained in any manner by Madison County, Iowa, or by the Madison County Engineer's Department. The real property covered by the Clabaugh Subdivision is described as follows:

A parcel of land in the South Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the West Quarter Corner of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa; thence North $00^{\circ}00'00''$ East 690.78 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twelve (12); thence North $89^{\circ}17'11''$ East 858.97 feet along the South line of Parcel "B" to the Point of Beginning; thence continuing North $89^{\circ}17'11''$ East 185.69 feet to the Southeast corner of Parcel "B"; thence North $88^{\circ}41'59''$ East 909.19 feet along an existing fence line a portion of which is also a line of Parcel "C"; thence South $04^{\circ}40'31''$ West 368.76 feet along an existing fence line which is a line of Parcel "C" to a point on the North line of a County Road G-68 right-of-way; thence North $78^{\circ}57'34''$ West 82.78 feet along said County Road right-of-way; thence South $75^{\circ}56'05''$ West 613.66 feet along said County Road right-of-way; thence South $08^{\circ}33'41''$ East 10.00 feet along said County Road right-of-way; thence Westerly 135.97 feet along a 6436.80 foot curve concave Northerly with a 135.96 foot chord bearing South $82^{\circ}02'37''$ West; thence North $07^{\circ}21'04''$ West 10.00 feet along said County Road right-of-way; thence South $86^{\circ}18'43''$ West 175.71 feet along said County Road right-of-way; thence North $08^{\circ}45'37''$ West 513.96 feet to the Point of Beginning containing 10.533 acres,

PROPRIETORS:

Robert B. Clabaugh 4-19-03
Robert B. Clabaugh

Todd Hagan
Todd Hagan, Madison County Engineer
4-21-03

Sally J. Clabaugh 4-19-03
Sally J. Clabaugh

CONSENT TO PLATTING BY UNION STATE BANK FOR CLABAUGH SUBDIVISION

Union State Bank, an Iowa Corporation, does hereby consent to the platting and subdivision of the following described real estate, and states that this platting is with its free consent and in accordance with its desires:

A parcel of land in the South Half (½) of the Northwest Quarter (¼) of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the West Quarter Corner of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa; thence North 00°00'00" East 690.78 feet along the West line of the Northwest Quarter (¼) of said Section Twelve (12); thence North 89°17'11" East 858.97 feet along the South line of Parcel "B" to the Point of Beginning; thence continuing North 89°17'11" East 185.69 feet to the Southeast corner of Parcel "B"; thence North 88°41'59" East 909.19 feet along an existing fence line a portion of which is also a line of Parcel "C"; thence South 04°40'31" West 368.76 feet along an existing fence line which is a line of Parcel "C" to a point on the North line of a County Road G-68 right-of-way; thence North 78°57'34" West 82.78 feet along said County Road right-of-way; thence South 75°56'05" West 613.66 feet along said County Road right-of-way; thence South 08°33'41" East 10.00 feet along said County Road right-of-way; thence Westerly 135.97 feet along a 6436.80 foot curve concave Northerly with a 135.96 foot chord bearing South 82°02'37" West; thence North 07°21'04" West 10.00 feet along said County Road right-of-way; thence South 86°18'43" West 175.71 feet along said County Road right-of-way; thence North 08°45'37" West 513.96 feet to the Point of Beginning containing 10.533 acres,

The undersigned holds a mortgage from Robert Bruce Clabaugh and Sally Johanna Clabaugh, husband and wife, to Union State Bank, dated June 25, 2003, and recorded June 30, 2003, in Book 2003 commencing on Page 3830 in the office of the Madison County, Iowa, Recorder, which secures the repayment of \$74,000 plus interest.

DATED: July 30, 2003.



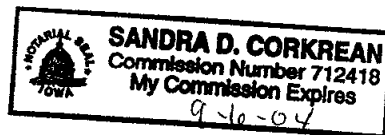
Union State Bank, an Iowa Corporation

By David A. Koch, V.P.

STATE OF IOWA)
) SS
Madison COUNTY)

On this 30th day of July, 2003, before me, the undersigned, a Notary Public in and for said County and State, personally appeared David A. Koch, the said corporation executing the within and foregoing instrument; that the seal affixed thereto is the seal of said corporation or that there is no seal for the corporation; that said instrument was signed on behalf of the said corporation by authority of its board of directors; and that the said David A. Koch, as Vice President of such corporation, acknowledge the execution of said instrument to be the voluntary act and deed of said corporation, by it, and by such officer, voluntarily executed.

Sandra D. Corkrean
Notary Public in and for the state of Iowa



RESOLUTION NO. 220

A RESOLUTION REVIEWING AND APPROVING THE FINAL PLAT OF THE CLABAUGH SUBDIVISION.

WHEREAS, Robert B. Clabaugh and Sally J. Clabaugh, who are husband and wife, and are the sole owners and proprietors of the real property included within the Final Plat of the Clabaugh Subdivision have submitted this Final Plat for review and approval by the City of Truro due to the fact that the real property covered by this final plat is located within two miles of the city limits of the City of Truro.

WHEREAS, the City Council of the City of Truro has reviewed the said final plat and finds that it should be approved as set forth below.

WHEREAS, the City Council of the City of Truro believes that this Resolution should be passed to formerly evidence the review and approval of the final plat, which covers the real property described on the attached and incorporated Exhibit A.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Truro, Madison County, Iowa, that the Final Plat of the Clabaugh Subdivision, covering the real property described on the attached and incorporated Exhibit A, should be, and is hereby, declared to have been reviewed and approved in accordance with the Subdivision Ordinance of the City of Truro, Iowa, and the Code of Iowa.

Passed and approved this 5th day of May, 2003.

AYES: Brownlee
McClelland
Weyant

NAYS:

Eric Schaffer
Eric Schaffer, Mayor of the City of Truro, Iowa

ATTEST:

Kelli Bregar
Kelli Bregar, City Clerk of the City of Truro, Iowa

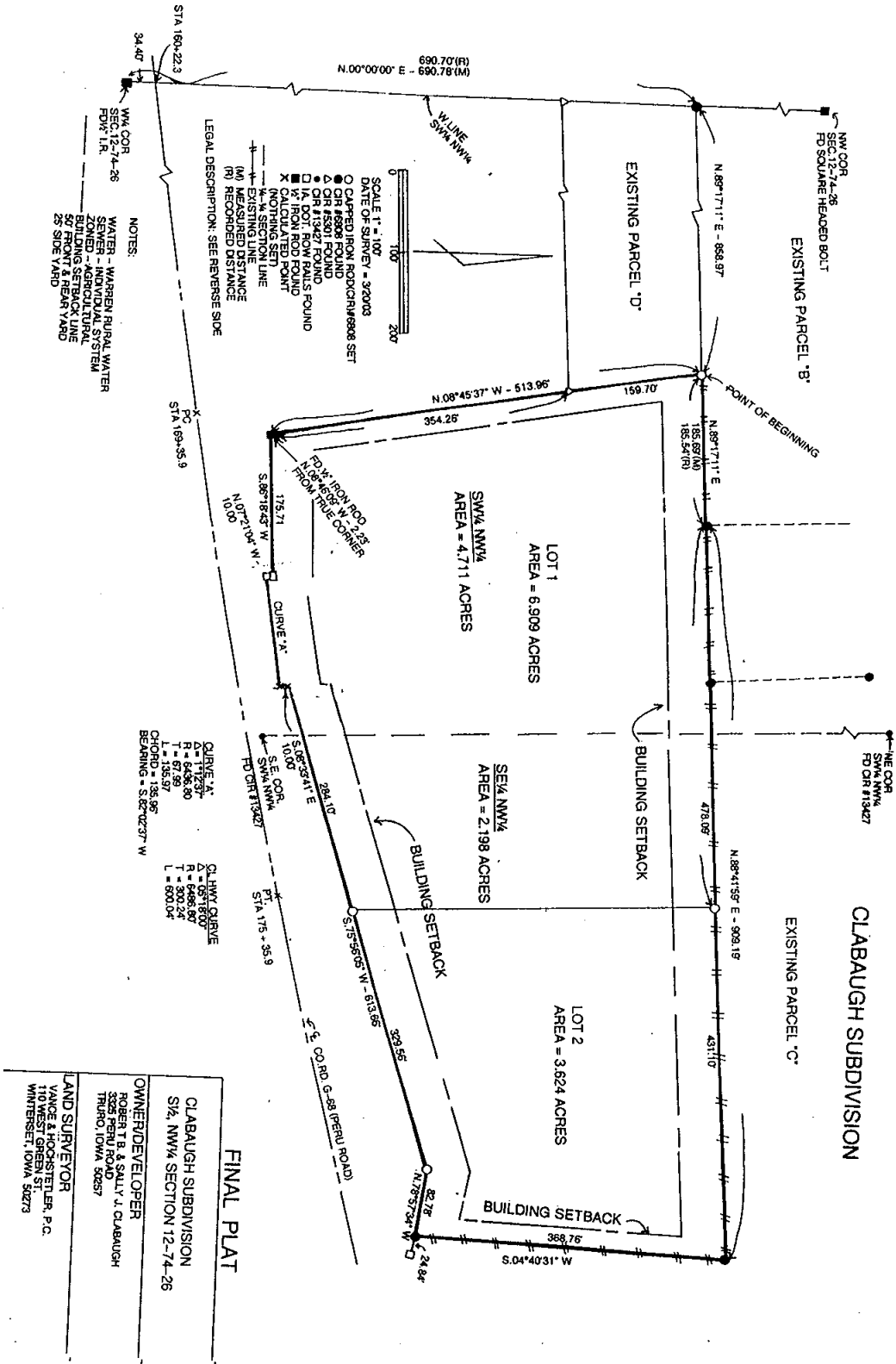


A parcel of land in the South Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the West Quarter Corner of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa; thence North $00^{\circ}00'00''$ East 690.78 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twelve (12); thence North $89^{\circ}17'11''$ East 858.97 feet along the South line of Parcel "B" to the Point of Beginning; thence continuing North $89^{\circ}17'11''$ East 185.69 feet to the Southeast corner of Parcel "B"; thence North $88^{\circ}41'59''$ East 909.19 feet along an existing fence line a portion of which is also a line of Parcel "C"; thence South $04^{\circ}40'31''$ West 368.76 feet along an existing fence line which is a line of Parcel "C" to a point on the North line of a County Road G-68 right-of-way; thence North $78^{\circ}57'34''$ West 82.78 feet along said County Road right-of-way; thence South $75^{\circ}56'05''$ West 613.66 feet along said County Road right-of-way; thence South $08^{\circ}33'41''$ East 10.00 feet along said County Road right-of-way; thence Westerly 135.97 feet along a 6436.80 foot curve concave Northerly with a 135.96 foot chord bearing South $82^{\circ}02'37''$ West; thence North $07^{\circ}21'04''$ West 10.00 feet along said County Road right-of-way; thence South $86^{\circ}18'43''$ West 175.71 feet along said County Road right-of-way; thence North $08^{\circ}45'37''$ West 513.96 feet to the Point of Beginning containing 10.533 acres

Exhibit A

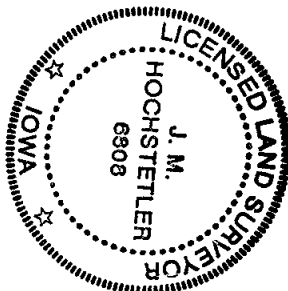
MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

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



I hereby certify that the 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 6908 Date 8/26/03
My license renewal date is December 31, 2003
Pages or sheets covered by this seal: 1



LEGAL DESCRIPTION – Clabaugh Subdivision

A parcel of land in the South Half of the Northwest Quarter of Section 12, Township 74 North, Range 26 West of the 5th P.M., Madison County, Iowa more particularly described as follows:

Commencing at the West Quarter Corner of Section 12, Township 74 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence North 00°00'00" East 690.78 feet along the West line of the Northwest Quarter of said Section 12; thence North 89°17'11" East 858.97 feet along the South line of Parcel "B" to the Point of Beginning; thence continuing North 89°17'11" East 185.69 feet to the Southeast Corner of Parcel "B"; thence North 88°41'59" East 909.19 feet along an existing fence line a portion of which is also a line of Parcel "C"; thence South 04°40'31" West 368.76 feet along an existing fence line which is a line of Parcel "C" to a point on the North line of a County Road G-68 right-of-way; thence North 78°57'34" West 82.78 feet along said County Road right-of-way; thence South 75°56'05" West 613.66 feet along said County Road right-of-way; thence South 08°33'41" East 10.00 feet along said County Road right-of-way; thence Westerly 135.97 feet along a 6436.80 foot curve concave Northerly with a 135.96 foot chord bearing South 82°02'37" West; thence North 07°21'04" West 10.00 feet along said County Road right-of-way; thence South 86°18'43" West 175.71 feet along said County Road right-of-way; thence North 08°45'37" West 513.96 feet to the Point of Beginning containing 10.533 acres. Parcel is to be called Clabaugh Subdivision and is divided into Lot 1 and Lot 2 as shown on the attached plat.