

# PLAT AND CERTIFICATE FOR BENSHOOF SUBDIVISION 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 Benshoof Subdivision, and that the real estate comprising said plat is described as follows:

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

A parcel of land in the East Half of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 25, Township 76 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 the Northeast Quarter of the Northwest Quarter of Section 25, Township 76 North, Range 27 West of the 5<sup>th</sup> P.M., Madison County, Iowa; thence South 00°19'46" East 82.50 feet along the West line of the Southeast Quarter of the Northwest Quarter of said Section 25; thence South 89°41'51" East 1331.28 feet along the South line of the North 5 rod of said Southeast Quarter of the Northwest Quarter; thence North 00°03'29" West 82.50 feet along the East line of said Southeast Quarter of the Northwest Quarter to the Northeast Corner thereof; thence South 89°41'47" East 99.00 feet along the South line of the Northwest Quarter of the Northeast Quarter; thence North 00°23'14" West 345.77 feet along the East line of the West three acres of said Northwest Quarter of the Northeast Quarter to a point on the centerline of Iowa Highway No. 92; thence Westerly along said centerline 1303.00 feet along a 22,918.31 foot radius concave Southerly with a 1302.79 foot chord bearing South 85°29'02" West; thence South 83°51'19" West 132.12 feet along said centerline to a point on the West line of the Northeast Quarter of the Northwest Quarter of said Section 25; thence South 00°27'44" East 221.47 feet to the Point of Beginning containing 12.078 acres including 3.405 acres of road easement.

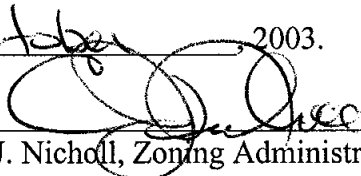
I do further certify that attached hereto are true and correct copies of the following documents which have been submitted in connection with said plat:

1. Dedication of Plat of Benshoof Subdivision;
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. Agreement with County Engineer; and
9. Groundwater Hazard Statement.

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

Dated this 21<sup>st</sup> day of October, 2003.

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

**DEDICATION OF PLAT  
OF  
BENSHOOF SUBDIVISION**

KNOW ALL MEN BY THESE PRESENTS:

That we, Ted Benshoof, L.C., do hereby certify that we are the sole owners and proprietors of the following-described real estate:


A parcel of land in the East Half of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 25, Township 76 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 the Northeast Quarter of the Northwest Quarter of Section 25, Township 76 North, Range 27 West of the 5<sup>th</sup> P.M., Madison County, Iowa; thence South 00°19'46" East 82.50 feet along the West line of the Southeast Quarter of the Northwest Quarter of said Section 25; thence South 89°41'51" East 1331.28 feet along the South line of the North 5 rod of said Southeast Quarter of the Northwest Quarter; thence North 00°03'29" West 82.50 feet along the East line of said Southeast Quarter of the Northwest Quarter to the Northeast Corner thereof; thence South 89°41'47" East 99.00 feet along the South line of the Northwest Quarter of the Northeast Quarter; thence North 00°23'14" West 345.77 feet along the East line of the West three acres of said Northwest Quarter of the Northeast Quarter to a point on the centerline of Iowa Highway No. 92; thence Westerly along said centerline 1303.00 feet along a 22,918.31 foot radius concave Southerly with a 1302.79 foot chord bearing South 85°29'02" West; thence South 83°51'19" West 132.12 feet along said centerline to a point on the West line of the Northeast Quarter of the Northwest Quarter of said Section 25; thence South 00°27'44" East 221.47 feet to the Point of Beginning containing 12.078 acres including 3.405 acres of road easement.

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

DATED this 23 day of September, 2003.

Ted Benshoof, L.C.

By   
Ted Benshoof, Manager

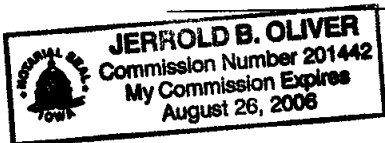


STATE OF IOWA, COUNTY OF MADISON, ss:

On this 23 day of Sept, 2003, before me, a Notary Public in and for the said State, personally appeared Ted Benshoof, to me personally known, who being by me duly sworn did say that that person is Manager (Insert title of executing member) of said limited liability company, that (the seal affixed to said instrument is the seal of said) (no seal has been procured by the said) limited liability company and that said instrument was signed (and sealed) on behalf of the said limited liability company by authority of its managers and the said Ted Benshoof acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.

*Jerrold B. Oliver*

\_\_\_\_\_, Notary Public in and for said State.



(Section 558.39, Code of Iowa)

Acknowledgment: For use in the case of limited liability companies

## ATTORNEY'S OPINION FOR FINAL PLAT, BENSHOOF SUBDIVISION

I, Jerrold B. Oliver, an attorney at law licensed to practice under the laws of the State of Iowa, have examined the abstract of title in one (1) part, last certified to August 11, 2003, at 8:00 a.m., by Madison County Abstract Company, purporting to show the chain of title to the following described real estate, which is the real property contained in Final Plat, Benshoof Subdivision, Madison County, Iowa:

A parcel of land in the East Half of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 25, Township 76 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 the Northeast Quarter of the Northwest Quarter of Section 25, Township 76 North, Range 27 West of the 5<sup>th</sup> P.M., Madison County, Iowa; thence South 00°19'46" East 82.50 feet along the West line of the Southeast Quarter of the Northwest Quarter of said Section 25; thence South 89°41'51" East 1331.28 feet along the South line of the North 5 rod of said Southeast Quarter of the Northwest Quarter; thence North 00°03'29" West 82.50 feet along the East line of said Southeast Quarter of the Northwest Quarter to the Northeast Corner thereof; thence South 89°41'47" East 99.00 feet along the South line of the Northwest Quarter of the Northeast Quarter; thence North 00°23'14" West 345.77 feet along the East line of the West three acres of said Northwest Quarter of the Northeast Quarter to a point on the centerline of Iowa Highway No. 92; thence Westerly along said centerline 1303.00 feet along a 22,918.31 foot radius concave Southerly with a 1302.79 foot chord bearing South 85°29'02" West; thence South 83°51'19" West 132.12 feet along said centerline to a point on the West line of the Northeast Quarter of the Northwest Quarter of said Section 25; thence South 00°27'44" East 221.47 feet to the Point of Beginning containing 12.078 acres including 3.405 acres of road easement.

In my opinion, merchantable title to the above described property is in the name of Ted Benshoof, L.C., free and clear of all liens and encumbrances.

The abstract does show the following easements:

- a. Entry No. 5 shows an Easement to the State of Iowa for road purposes, dated December 7, 1931, and filed January 31, 1933, in Deed Record 70, Page 271, of the Recorder's Office of Madison County, Iowa.
  - b. Entry No. 10 shows an Easements to Northwestern Bell Telephone Company, dated July 8, 1962, and filed October 8, 1962, in Deed Record 91, Page 639, of the Recorder's Office of Madison County, Iowa.
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- c. Entry No. 12 shows a Transmission Line Easement to Iowa Power and Light Company, dated September 13, 1976, and filed January 31, 1977, in Deed Record 112, Page 110, of the Recorder's Office of Madison County, Iowa.
- d. Entry No. 13 shows a Transmission Line Easement to Iowa Power and Light Company, dated April 15, 1977, and filed September 2, 1977, in Deed Record 112, Page 263, of the Recorder's Office of Madison County, Iowa.
- e. Entry No. 15 shows Condemnation proceedings by the Iowa Department of Transportation, in which the State of Iowa acquired an Easement for road purposes, dated October 31, 1995, and filed November 1, 1995, in Record 135, Page 115, of the Recorder's Office of Madison County, Iowa.
- f. Entry No. 17 shows an Easement to Warren Water, Inc. for water pipeline purposes, dated January 24, 1998, and filed February 5, 1998, in Deed Record 138, Page 467, of the Recorder's Office of Madison County, Iowa.

JORDAN, OLIVER & WALTERS, P.C.

By *Jerrold B. Oliver*  
Jerrold B. Oliver  
Farmers & Merchants Bank Bldg.  
P.O. Box 230  
Winterset, Iowa 50273  
Telephone: (515) 462-3731  
Attorney for Ted Benshoof, L.C.

# CERTIFICATE OF THE COUNTY TREASURER OF MADISON COUNTY, IOWA

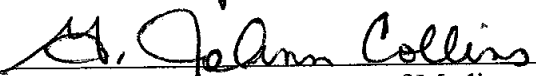
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I, G. JoAnn Collins, do hereby certify that I am the duly elected and acting Treasurer of Madison County, Iowa; that I have examined the records in my office, and that there are no unpaid taxes forming a lien against the following-described real estate, to-wit:

A parcel of land in the East Half of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 25, Township 76 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 the Northeast Quarter of the Northwest Quarter of Section 25, Township 76 North, Range 27 West of the 5<sup>th</sup> P.M., Madison County, Iowa; thence South 00°19'46" East 82.50 feet along the West line of the Southeast Quarter of the Northwest Quarter of said Section 25; thence South 89°41'51" East 1331.28 feet along the South line of the North 5 rod of said Southeast Quarter of the Northwest Quarter; thence North 00°03'29" West 82.50 feet along the East line of said Southeast Quarter of the Northwest Quarter to the Northeast Corner thereof; thence South 89°41'47" East 99.00 feet along the South line of the Northwest Quarter of the Northeast Quarter; thence North 00°23'14" West 345.77 feet along the East line of the West three acres of said Northwest Quarter of the Northeast Quarter to a point on the centerline of Iowa Highway No. 92; thence Westerly along said centerline 1303.00 feet along a 22,918.31 foot radius concave Southerly with a 1302.79 foot chord bearing South 85°29'02" West; thence South 83°51'19" West 132.12 feet along said centerline to a point on the West line of the Northeast Quarter of the Northwest Quarter of said Section 25; thence South 00°27'44" East 221.47 feet to the Point of Beginning containing 12.078 acres including 3.405 acres of road easement.

DATED at Winterset, Iowa, this 23<sup>rd</sup> day of September, 2003.

  
\_\_\_\_\_  
G. JoAnn Collins, 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 Ted Benshoof, L.C. are the fee simple owners and record titleholders of the following-described real estate, to-wit:

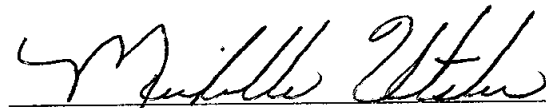
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and that said real estate is free and clear of all liens and encumbrances.

DATED at Winterset, Iowa, this 23<sup>RD</sup> day of SEPTEMBER, 2003.



  
Michelle Utsler, Recorder of Madison  
County, Iowa



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

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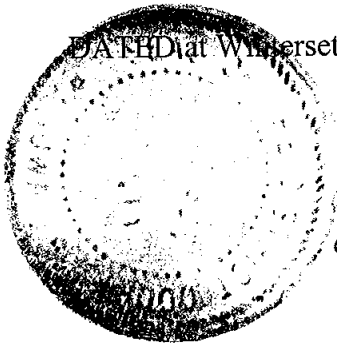
I, Janice Weeks, do hereby certify that I am the duly elected and acting Clerk of the District Court of Madison County, Iowa; that I have examined the records in my office, and that the following-described real estate, to-wit:

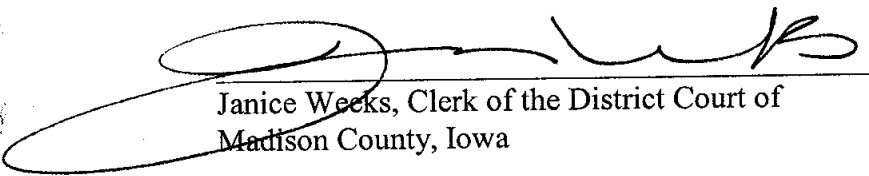
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is free from all judgments, attachments, mechanic's or other liens.

At Winterset, Iowa, this 22<sup>nd</sup> day of Sept, 2003.



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

**RESOLUTION APPROVING FINAL PLAT  
OF BENSHOOF 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 known as Benshoof Subdivision; and

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

A parcel of land in the East Half of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 25, Township 76 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 the Northeast Quarter of the Northwest Quarter of Section 25, Township 76 North, Range 27 West of the 5<sup>th</sup> P.M., Madison County, Iowa; thence South 00°19'46" East 82.50 feet along the West line of the Southeast Quarter of the Northwest Quarter of said Section 25; thence South 89°41'51" East 1331.28 feet along the South line of the North 5 rod of said Southeast Quarter of the Northwest Quarter; thence North 00°03'29" West 82.50 feet along the East line of said Southeast Quarter of the Northwest Quarter to the Northeast Corner thereof; thence South 89°41'47" East 99.00 feet along the South line of the Northwest Quarter of the Northeast Quarter; thence North 00°23'14" West 345.77 feet along the East line of the West three acres of said Northwest Quarter of the Northeast Quarter to a point on the centerline of Iowa Highway No. 92; thence Westerly along said centerline 1303.00 feet along a 22,918.31 foot radius concave Southerly with a 1302.79 foot chord bearing South 85°29'02" West; thence South 83°51'19" West 132.12 feet along said centerline to a point on the West line of the Northeast Quarter of the Northwest Quarter of said Section 25; thence South 00°27'44" East 221.47 feet to the Point of Beginning containing 12.078 acres including 3.405 acres of road easement.

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, Ted Benshoof, L.C.

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

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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; 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 Benshoof Subdivision, 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 Benshoof Subdivision, 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 21 day of October, 2003.

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

ATTEST:   
\_\_\_\_\_  
Madison County Auditor

**DEED OF RESTRICTIONS  
BENSHOOF SUBDIVISION  
MADISON COUNTY, IOWA**

We, Ted Benshoof, L.C., are now the fee simple owners and record titleholders of the following-described real estate:

A parcel of land in the East Half of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 25, Township 76 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 the Northeast Quarter of the Northwest Quarter of Section 25, Township 76 North, Range 27 West of the 5<sup>th</sup> P.M., Madison County, Iowa; thence South 00°19'46" East 82.50 feet along the West line of the Southeast Quarter of the Northwest Quarter of said Section 25; thence South 89°41'51" East 1331.28 feet along the South line of the North 5 rod of said Southeast Quarter of the Northwest Quarter; thence North 00°03'29" West 82.50 feet along the East line of said Southeast Quarter of the Northwest Quarter to the Northeast Corner thereof; thence South 89°41'47" East 99.00 feet along the South line of the Northwest Quarter of the Northeast Quarter; thence North 00°23'14" West 345.77 feet along the East line of the West three acres of said Northwest Quarter of the Northeast Quarter to a point on the centerline of Iowa Highway No. 92; thence Westerly along said centerline 1303.00 feet along a 22,918.31 foot radius concave Southerly with a 1302.79 foot chord bearing South 85°29'02" West; thence South 83°51'19" West 132.12 feet along said centerline to a point on the West line of the Northeast Quarter of the Northwest Quarter of said Section 25; thence South 00°27'44" East 221.47 feet to the Point of Beginning containing 12.078 acres including 3.405 acres of road easement.

which real estate is being platted as Benshoof Subdivision, 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 or manufactured homes shall be erected or placed on any of the lots in Benshoof Subdivision. 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 Benshoof
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Subdivision.

The following definitions shall apply:

- a. Manufactured home. "*Manufactured home*" is a factory-built structure built under authority of 42 U.S.C. § 5403, is required by federal law to display a seal from the United States department of housing and urban development, and was constructed on or after June 15, 1976.
  - b. Mobile home. "*Mobile home*" means any vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed, constructed, or reconstructed as will permit the vehicle to be used as a place for human habitation by one or more persons; but shall also include any such vehicle with motive power not registered as a motor vehicle in Iowa. A "*mobile home*" is not built to a mandatory building code, contains no state or federal seals, and was built before June 15, 1976.
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.
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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, 2024 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 Benshoof Subdivision 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

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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 Benshoof Subdivision, and it shall be the responsibility of each of the owners of the respective lots within the Benshoof Subdivision 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 Benshoof Subdivision except ordinary pets, horses, and livestock, not to exceed six head in number, for each lot in Benshoof Subdivision.

Dated this 23 day of September, 2003.

Ted Benshoof, L.C.

By Ted Benshoof  
Ted Benshoof, Manager



STATE OF IOWA, COUNTY OF MADISON, ss:

On this 23 day of Sept, \_\_\_\_\_, before me, a Notary Public in and for the said State, personally appeared Ted Benshoof, to me personally known, who being by me duly sworn did say that that person is Manager (Insert title of executing member) of said limited liability company, that (the seal affixed to said instrument is the seal of said) (no seal has been procured by the said) limited liability company and that said instrument was signed (and sealed) on behalf of the said limited liability company by authority of its managers and the said Ted Benshoof acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.

*Jerrold B. Oliver*

\_\_\_\_\_, Notary Public in and for said State.



(Section 558.39, Code of Iowa)

Acknowledgment: For use in the case of limited liability companies



## AGREEMENT

This Agreement, made and entered into, by and between Ted Benshoof L.C., the proprietors of Benshoof Subdivision, and Todd Hagan, Madison County Engineer.

NOW THEREFORE IT IS AGREED AS FOLLOWS:

1. The proprietors of Benshoof Subdivision, a Plat of the following described real estate:

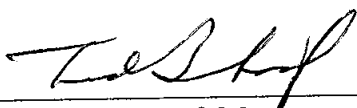
A parcel of land in the East Half of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 25, Township 76 North, Range 27 West of the 5<sup>th</sup> P.M., Madison County, Iowa more particularly described as follows:


Beginning at the Southwest Corner of the Northeast Quarter of the Northwest Quarter of Section 25, Township 76 North, Range 27 West of the 5<sup>th</sup> P.M., Madison County, Iowa; thence South 00°19'46" East 82.50 feet along the West line of the Southeast Quarter of the Northwest Quarter of said Section 25; thence South 89°41'51" East 1331.28 feet along the South line of the North 5 rod of said Southeast Quarter of the Northwest Quarter; thence North 00°03'29" West 82.50 feet along the East line of said Southeast Quarter of the Northwest Quarter to the Northeast Corner thereof; thence South 89°41'47" East 99.00 feet along the South line of the Northwest Quarter of the Northeast Quarter; thence North 00°23'14" West 345.77 feet along the East line of the West three acres of said Northwest Quarter of the Northeast Quarter to a point on the centerline of Iowa Highway No. 92; thence Westerly along said centerline 1303.00 feet along a 22,918.31 foot radius concave Southerly with a 1302.79 foot chord bearing South 85°29'02" West; thence South 83°51'19" West 132.12 feet along said centerline to a point on the West line of the Northeast Quarter of the Northwest Quarter of said Section 25; thence South 00°27'44" East 221.47 feet to the Point of Beginning containing 12.078 acres including 3.405 acres of road easement.

hereby agree that all private roads located within Benshoof Subdivision 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.

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PROPRIETOR BENSHOOF SUBDIVISION  
Ted Benshoof, L.C.

By   
\_\_\_\_\_  
Ted Benshoof, Manager

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

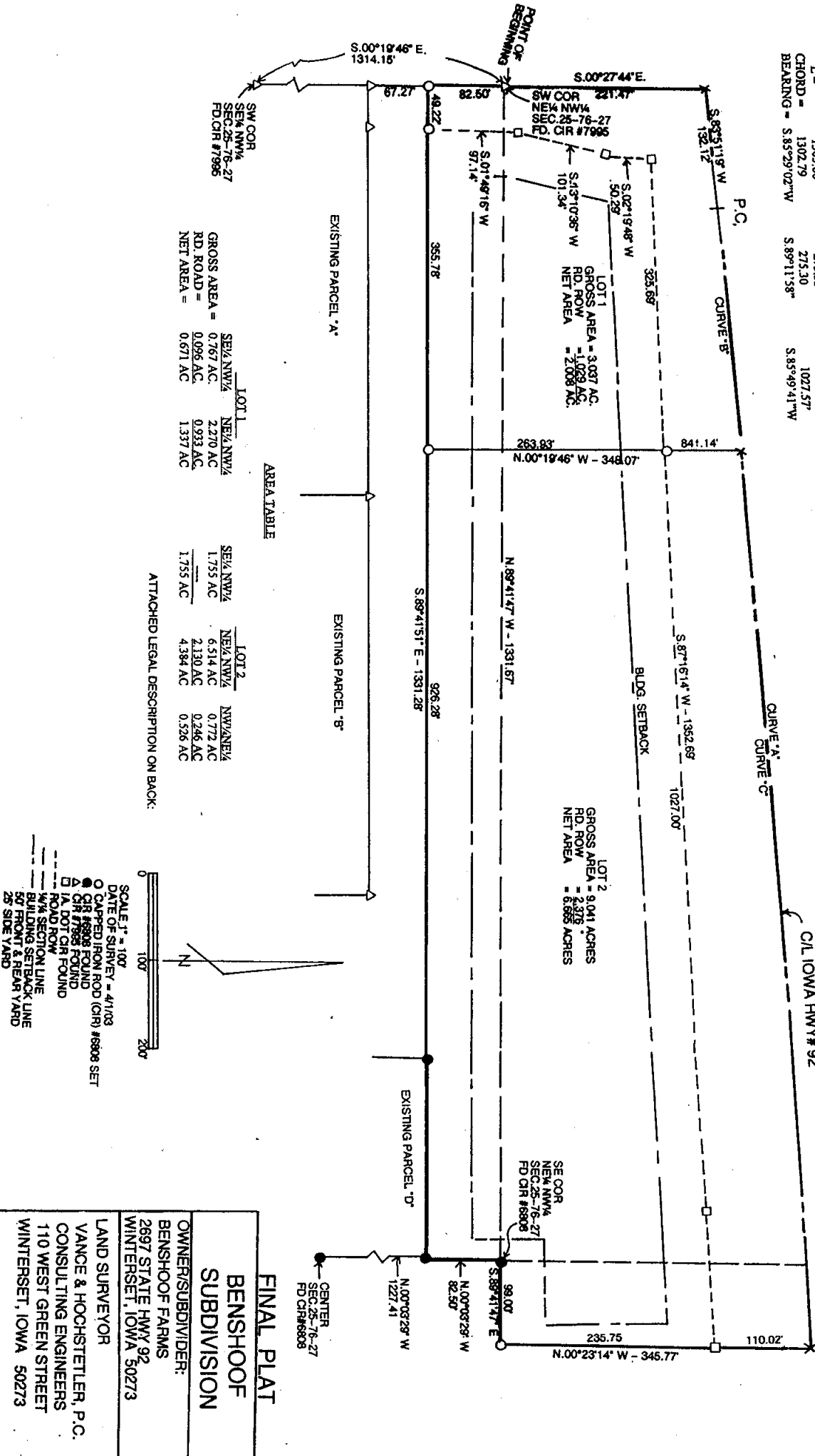
FOR DEDICATION,  
RESOLUTION &  
CERTIFICATES, SEE  
2003-6937

FILED NO. 6937A  
BOOK 2003 PAGE 6937A

2003 NOV 20 PM 1:51

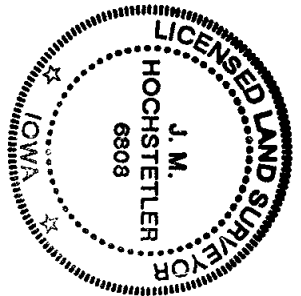
MICKI UTSLER  
RECORDER  
MADISON COUNTY, IOWA

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



**CURVE DATA**

| A                      | B           | C            |
|------------------------|-------------|--------------|
| Δ = 3°15'27"           | 0°41'18"    | 2°34'09"     |
| R = 22,918.31          | 22,918.31   | 22,918.31    |
| T = 651.68'            | 137.67'     | 513.92'      |
| L = 1303.00'           | 275.33'     | 1027.67'     |
| CHORD = 1302.79'       | 275.30'     | 1027.57'     |
| BEARING = S.85°29'02"W | S.89°11'58" | S.85°49'41"W |



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 6908 Date 10/24/03  
My license renewal date is December 31, 2013  
Pages or sheets covered by this seal: 2

LEGAL DESCRIPTION:

A parcel of land in the East Half of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 25, Township 76 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 the Northeast Quarter of the Northwest Quarter of Section 25, Township 76 North, Range 27 West of the 5<sup>th</sup> P.M., Madison County, Iowa thence South 00°19'46" East 82.50 feet along the West line of the Southeast Quarter of the Northwest Quarter of said Section 25; thence South 89°41'51" East 1331.28 feet along the South line of the North 5 rod of said Southeast Quarter of the Northwest Quarter; thence North 00°03'29" West 82.50 feet along the East line of said Southeast Quarter of the Northwest Quarter to the Northeast Corner thereof; thence South 89°41;47" East 99.00 feet along the South line of the Northwest Quarter of the Northeast Quarter; thence North 00°23'14" West 345.77 feet along the East line of the West three acres of said Northwest Quarter of the Northeast Quarter to a point on the centerline of Iowa Highway No. 92; thence Westerly along said centerline 1303.00 feet along a 22,918.31 foot radius concave Southerly with a 1302.79 foot chord bearing South 85°29'02" West; thence South 83°51'19" West 132.12 feet along said centerline to a point on the West line of the Northeast Quarter of the Northwest Quarter of said Section 25; thence South 00°27'44" East 221.47 feet to the Point of Beginning containing 12.078 acres including 3.405 acres of road easement.