MICHELLE UTSLER, COUNTY RECORDER MADISON IOWA

Book 2006 Page 3289 Type 06 044 Pages 19 Date 8/10/2006 Time 8:14 AM Rec Amt \$97.00 Aud Amt \$5.00

FOR PLAT SEE 2006-3289

PLAT AND CERTIFICATE FOR SILVER WOLF CREEK SUBDIVISION, MADISON COUNTY, IOWA

COMPUTER
RECORDED
COMPARED

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

All of Parcel A, recorded in Book 2, Page 757, Madison County, Iowa, Recorder's Office and located in the Northwest Quarter of Section 23, Township 76 North, Range 28 West of the Fifth Principal Meridian, Madison, Iowa, described as follows:

Beginning at the Northwest corner of the Northwest Quarter of said Section 23; thence on an assumed bearing of South 89°49'50" East along the North line of said Northwest Quarter a distance of 416.20 feet; thence South 16°46'11" East 1609.29 feet; thence North 88°51'02" West 885.94 feet to the West line of the Southwest Quarter of the Northwest Quarter of said Section 23; thence North 00°11'49" East along said West line a distance of 206.80 feet to the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 23; thence continuing North 00°11'49" East along the West line of the Northwest Quarter of the Northwest Quarter of said Section 23 a distance of 1317.52 feet to the Northwest corner of the Northwest Quarter of said Section 23 and the point of beginning.

Said tract contains 22.85 acres and is subject to a Madison County Highway Easement over the westerly 1.15 acres thereof.

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. Attorney's Opinion;
- 2. Lenders Consent to Plat;
- 3. Consent to Plat;
- 4. Certificate from County Treasurer;

- 5. Resolution of the Board of Supervisors of Madison County, Iowa, approving said plat;
- 6. Agreement with County Engineer; and
- 7. Ground Water Statement;

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- 8. Madison County Soil and Water Conservation District Land Disturbing Activity Affidavit.
- 9. Resolution of the City of Winterset, Iowa, approving said Plat.

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

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

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this _____ 2006, by C.J. Nicholl.

_ day of

Notary Public in and for said State of Iowa

DEDICATION OF PLAT OF SILVER WOLF CREEK SUBDIVISION

KNOW ALL MEN BY THESE PRESENTS:

That Richard A. Silver, Sr. and Kathern Silver, do hereby certify that they are the sole owners and proprietors of the following-described real state:

All of Parcel A, recorded in Book 2, Page 757, Madison County, Iowa, Recorder's Office and located in the Northwest Quarter of Section 23, Township 76 North, Range 28 West of the Fifth Principal Meridian, Madison, Iowa, described as follows:

Beginning at the Northwest corner of the Northwest Quarter of said Section 23; thence on an assumed bearing of South 89°49'50" East along the North line of said Northwest Quarter a distance of 416.20 feet; thence South 16°46'11" East 1609.29 feet; thence North 88°51'02" West 885.94 feet to the West line of the Southwest Quarter of the Northwest Quarter of said Section 23; thence North 00°11'49" East along said West line a distance of 206.80 feet to the Southwest corner of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of said Section 23; thence continuing North 00°11'49" East along the West line of the Northwest Quarter of the Northwest Quarter of said Section 23 a distance of 1317.52 feet to the Northwest corner of the Northwest Quarter of said Section 23 and the point of beginning.

Said tract contains 22.85 acres and is subject to a Madison County Highway Easement over the westerly 1.15 acres thereof.

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

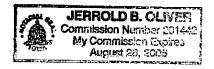
DATED this 3 day of July

Richard A. Silver, Sr.

Kathern Silver

·STATE OF IOWA, COUNTY OF MADISON

Notary Public in and for said State of Iowa



CONSENT TO PLATTING BY IOWA BANKERS MORTGAGE CORPORATION

Iowa Bankers Mortgage Corporation does consent to the platting and subdivision of the following-described real estate:

All of Parcel A, recorded in Book 2, Page 757, Madison County, Iowa, Recorder's Office and located in the Northwest Quarter of Section 23, Township 76 North, Range 28 West of the Fifth Principal Meridian, Madison, Iowa, described as follows:

Beginning at the Northwest corner of the Northwest Quarter of said Section 23; thence on an assumed begring of South 89°49'50" East along the North line of said Northwest Quarter a distance of 416.20 feet; theuce South 16°46'11" East 1609.29 feet; thence ... North 88°51'02" West 885.94 feet to the West line of the Southwest Quarter of the Northwest Quarter of said Section 23; thence North 00°11'49" East along said West line a distance of 206.80 feet to the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 23; thence continuing North 00°11'49" East along the West line of the Northwest Quarter of the Northwest Quarter of said Section 23 a distance of 1317.52 feet to the Northwest corner of the Northwest Quarter of said Section 23 and the point of beginning.

Said tract contains 22.85 acres and is subject to a Madison County Highway Easement over the westerly 1.15 acres thereof.

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 originally granted to Earlham Savings Bank dated July 16, 2001, and recorded July 18, 2001, in Book 2001, Page 3133 of the Recorder's Office of Madison County, Iowa. This mortgage was assigned by Earlham Savings Bank to Iowa Bankers Mortgage Corporation by Assignment dated July 16, 2001, and filed July 18, 2001, in Book 2001, Page 3134 of the Recorder's Office of Madison County, Iowa.

Dated this 3rd day of July , 2006.

Iowa Bankers Mortgage Corporation

By Dorno Goldie

STATE OF LOWA, COUNTY OF ROLL
This instrument was acknowledged before me on this 3 th day of July ,2006, b John Millon as 51 Whesiam of Iowa Bankers Mortgage Corporation.



Incela In. Davis
Notary Public in and for said State

ATTORNEY'S OPINION FOR FINAL PLAT, SILVER WOLF CREEK SUBDIVISION

1

I, Jerrold B. Oliver, an attorney at law licensed to practice under the laws of the State of lowa, have examined the abstract of title in one (1) part, last certified to June 20, 2006, at 8:00 a.m., by Madison County Abstract Co., purporting to show the chain of title to the following described real estate, which is the real property contained in Final Plat, Silver Wolf Creek Subdivision, Madison County, Iowa:

All of Parcel A, recorded in Book 2, Page 757, Madison County, Iowa, Recorder's Office and located in the Northwest Quarter of Section 23, Township 76 North, Range 28 West of the Fifth Principal Meridian, Madison, Iowa, described as follows:

Beginning at the Northwest corner of the Northwest Quarter of said Section 23; thence on an assumed bearing of South 89°49'50" East along the North line of said Northwest Quarter a distance of 416.20 feet; thence South 16°46'11" East 1609.29 feet; thence North 88°51'02" West 885.94 feet to the West line of the Southwest Quarter of the Northwest Quarter of said Section 23; thence North 00°11'49" East along said West line a distance of 206.80 feet to the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 23; thence continuing North 00°11'49" East along the West line of the Northwest Quarter of the Northwest Quarter of said Section 23 a distance of 1317.52 feet to the Northwest corner of the Northwest Quarter of said Section 23 and the point of beginning.

Said tract contains 22.85 acres and is subject to a Madison County Highway Easement over the westerly 1.15 acres thereof.

In my opinion, merchantable title to the above described property is in the names of Richard A. Silver, Sr. and Kathern Silver, as husband and wife as Joint Tenants with Full Rights of Survivorship and Not as Tenants in Common, free and clear of all liens and encumbrances, except a mortgage to Earlham Savings Bank dated July 16, 2001, and recorded July 18, 2001, in Book 2001, Page 3133 of

the Recorder's Office of Madison County, Iowa, in the principal amount of \$87,700.00. This mortgage has been assigned from Earlham Savings Bank to Iowa Bankers Mortgage Corporation by Assignment dated July 16, 2001, and recorded July 18, 2001, in Book 2001, Page 3134.

Entry No. 54 of the abstract shows an Easement from Richard A. Silver and Kathern Silver to Southern Iowa Rural Water Association dated May 21, 2000, and filed October 5, 2000, in Deed Record 144, Page 39, of the Recorder's Office of Madison County, Iowa, for water pipeline purposes.

Respectfully submitted,

JORDAN, OLIVER & WALTERS, P.C.

Jerrold B. Oliver

Farmers & Merchants Bank Bldg.

P.O. Box 230

Winterset, Iowa 50273

Telephone: (515) 462-3731

ATTORNEYS FOR THOMAS TURNER AND

TARA TURNER

CERTIFICATE OF THE COUNTY TREASURER OF MADISON COUNTY, IOWA

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:

All of Parcel A, recorded in Book 2, Page 757, Madison County, Iowa, Recorder's Office and located in the Northwest Quarter of Section 23, Township 76 North, Range 28 West of the Fifth Principal Meridian, Madison, Iowa, described as follows:

Beginning at the Northwest corner of the Northwest Quarter of said Section 23; thence on an assumed bearing of South 89°49'50" East along the North line of said Northwest Quarter a distance of 416.20 feet; thence South 16°46'11" East 1609.29 feet; thence North 88°51'02" West 885.94 feet to the West line of the Southwest Quarter of the Northwest Quarter of said Section 23; thence North 00°11'49" East along said West line a distance of 206.80 feet to the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 23; thence continuing North 00°11'49" East along the West line of the Northwest Quarter of the Northwest Quarter of said Section 23 a distance of 1317.52 feet to the Northwest corner of the Northwest Quarter of said Section 23 and the point of beginning.

Said tract contains 22.85 acres and is subject to a Madison County Highway Easement over the westerly 1.15 acres thereof.

DATED at Winterset, Iowa, this 5 day of

ay of July , 2006

G. JoAnn Collins, Treasurer of Madison County,

Iowa

RESOLUTION APPROVING FINAL PLAT OF SILVER WOLF CREEK SUBDIVISION MADISON COUNTY, IOWA

WHEREAS, there was filed in the Office of the Zoning Administrator of Madison County,

lowa, a registered land surveyor's plat of a proposed subdivision known as Silver Wolf Creek

Subdivision; and

* * *

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

All of Parcel A, recorded in Book 2, Page 757, Madison County, Iowa, Recorder's Office and located in the Northwest Quarter of Section 23, Township 76 North, Range 28 West of the Fifth Principal Meridian, Madison, Iowa, described as follows:

Beginning at the Northwest corner of the Northwest Quarter of said Section 23; thence on an assumed bearing of South 89°49'50" East along the North line of said Northwest Quarter a distance of 416.20 feet; thence South 16°46'11" East 1609.29 feet; thence North 88°51'02" West 885.94 feet to the West line of the Southwest Quarter of the Northwest Quarter of said Section 23; thence North 00°11'49" East along said West line a distance of 206.80 feet to the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 23; thence continuing North 00°11'49" East along the West line of the Northwest Quarter of the Northwest Quarter of said Section 23 a distance of 1317.52 feet to the Northwest corner of the Northwest Quarter of said Section 23 and the point of beginning.

Said tract contains 22.85 acres and is subject to a Madison County Highway Easement over the westerly 1.15 acres thereof.

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, Richard A. Silver, Sr. and Kathern Silver; and

WHEREAS, said plat was accompanied by a complete abstract of title and an opinion from an attorney at law showing that title in fee simple is in said proprietors and that the platted land is free from encumbrance except a mortgage held by Iowa Bankers Mortgage Corporation, and Certified statement from the Treasurer of Madison County, Iowa, that said platted land is free from taxes.

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 Silver Wolf Creek 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 Silver Wolf Creek Subdivision prepared in connection with said plat and subdivision is hereby approved.
- 2. The Zoning Administrator of Madison County, Iowa, is hereby directed to certify this resolution which shall be affixed to said plat to the County Recorder of Madison County, Iowa, and attend to the filing and recording of the plat, papers and documents which should be filed and recorded in connection therewith.

CyMcDonald, Chairman, Board of Supervisors.

Madison County, Iowa

ATTEST:

AGREEMENT

This Agreement, made and entered into, by and between, the proprietors of Silver Wolf Creek Subdivision and Todd Hagan, Madison County Engineer.

NOW THEREFORE IT IS AGREED AS FOLLOWS:

1. The proprietors of Silver Wolf Creek Subdivision, a Plat of the following described real estate:

All of Parcel A, recorded in Book 2, Page 757, Madison County, Iowa, Recorder's Office and located in the Northwest Quarter of Section 23, Township 76 North, Range 28 West of the Fifth Principal Meridian, Madison, Iowa, described as follows:

Beginning at the Northwest corner of the Northwest Quarter of said Section 23; thence on an assumed bearing of South 89°49'50" East along the North line of said Northwest Quarter a distance of 416.20 feet; thence South 16°46'11" East 1609.29 feet; thence North 88°51'02" West 885.94 feet to the West line of the Southwest Quarter of the Northwest Quarter of said Section 23; thence North 00°11'49" East along said West line a distance of 206.80 feet to the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 23; thence continuing North 00°11'49" East along the West line of the Northwest Quarter of the Northwest Quarter of said Section 23 a distance of 1317.52 feet to the Northwest corner of the Northwest Quarter of said Section 23 and the point of beginning.

Said tract contains 22.85 acres and is subject to a Madison County Highway Easement over the westerly 1.15 acres thereof.

hereby agree that all private roads located within Silver Wolf Creek 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.

PROPRIETORS SILVER WOLF CREEK SUBDIVISION

Kathern Silver

Todd Hagan, Madison County Engineer

LAND DISTURBING ACTIVITIES AFFIDAVIT

STATE OF IOWA

: ss

MADISON COUNTY

Pursuant to section 161A.64, Code of Iowa in consideration for permission to engage in a land disturbing activity as defined in that statute, and recognizing that the agency authorized by that statute to receive and file this affidavit will rely on the statements we make herein, we, Richard A. Silver, Sr. and Kathern Silver, being first duly sworn on oath, do solemnly swear to affirm that:

We do not plan to engage in land disturbing activities upon the following described real estate:

All of Parcel A, recorded in Book 2, Page 757, Madison County, Iowa, Recorder's Office and located in the Northwest Quarter of Section 23, Township 76 North, Range 28 West of the Fifth Principal Meridian, Madison, Iowa, described as follows:

Beginning at the Northwest corner of the Northwest Quarter of said Section 23; thence on an assumed bearing of South 89°49'50" East along the North line of said Northwest Quarter a distance of 416.20 feet; thence South 16°46'11" East 1609.29 feet; thence North 88°51'02" West 885.94 feet to the West line of the Southwest Quarter of the Northwest Quarter of said Section 23; thence North 00°11'49" East along said West line a distance of 206.80 feet to the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 23; thence continuing North 00°11'49" East along the West line of the Northwest Quarter of the Northwest Quarter of said Section 23 a distance of 1317.52 feet to the Northwest corner of the Northwest Quarter of said Section 23 and the point of beginning.

Said tract contains 22.85 acres and is subject to a Madison County Highway Easement over the westerly 1.15 acres thereof.

As owners or occupants of the land described above, we are aware that we must establish and maintain soil conservation practices as necessary to meet the soil loss limits established by the Madison County Soil and Water Conservation District, pursuant to sections 161A.43, and 161A.44, Code of Iowa.

We are aware that loss limit regulations prohibit sediment from leaving the site in excess of 5 tons per acre per year. The land disturbing activities described above will be conducted in a manner that will insure compliance with the soil loss limit regulations.

We assume responsibility for all land disturbing activities conducted on this property by us or other people entities we represent. This authority covers only the land and land disturbing activity described above .

We are the owners of the land, and have full authority to enter into this agreement.

Richard A. Silver, Sr.

Kathem Silver

Subscribed and swom to before me on this 2 day of

day of Jewe

Notary Public in and for the State of Iowa



RESOLUTION APPROVING FINAL SILVER WOLF CREEK SUBDIVISION MADISON COUNTY, IOWA

WHEREAS, there was filed in the Office of the City Administrator of the City of Winterset, Madison County, Iowa, a registered land surveyor's plat of a proposed subdivision known as Silver Wolf Creek Subdivision; and

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

All of Parcel A, recorded in Book 2, Page 757, Madison County, Iowa, Recorder's Office and located in the Northwest Quarter of Section 23, Township 76 North, Range 28 West of the Fifth Principal Meridian, Madison, Iowa, described as follows:

Beginning at the Northwest corner of the Northwest Quarter of said Section 23; thence on an assumed bearing of South 89°49'50" East along the North line of said Northwest Quarter a distance of 416.20 feet; thence South 16°46'11" East 1609.29 feet; thence North 88°51'02" West 885.94 feet to the West line of the Southwest Quarter of the Northwest Quarter of said Section 23; thence North 00°11'49" East along said West line a distance of 206.80 feet to the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 23; thence continuing North 00°11'49" East along the West line of the Northwest Quarter of the Northwest Quarter of said Section 23 a distance of 1317.52 feet to the Northwest corner of the Northwest Quarter of said Section 23 and the point of beginning.

Said tract contains 22.85 acres and is subject to a Madison County Highway Easement over the westerly 1.15 acres thereof.

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, Richard A. Silver, Sr. and Kathern Silver; and

WHEREAS, said plat was accompanied by a complete abstract of title and an opinion from an attorney at law showing that title in fee simple is in said proprietors and that the platted land is free from encumbrance, and certified statement from the Treasurer of Madison County, Iowa, that said platted

land is free from taxes; and

WHEREAS, the City Council of the City of Winterset, Madison County, Iowa, finds that said plat conforms to the provisions of the Ordinances of the City of Winterset, Madison County, Iowa, and that the plat, papers and documents presented therewith should be approved by the City of Council of

the City of Winterset, Madison County, Iowa.

NOW, THEREFORE, BE IT RESOLVED by the City of Council of the City of Winterset,

Madison County, Iowa:

1. Said plat, known as Silver Wolf Creek Subdivision prepared in connection with said plat

and subdivision is hereby approved.

2. The requirement of the Subdivision Ordinance of the City of Winterset, that certain

improvements be constructed in connection with said plat is hereby waived.

The City Administrator of the City of Winterset, Madison County, Iowa, is hereby 3.

directed to certify this resolution which shall be affixed to said plat to the County documents which

should be filed and recorded in connection therewith.

DATED at Winterset, lowa, this 24 day of July, 2006.

CITY OF WINTERSET, IOWA

ATTEST:

Mark Nitchals, City Administrator

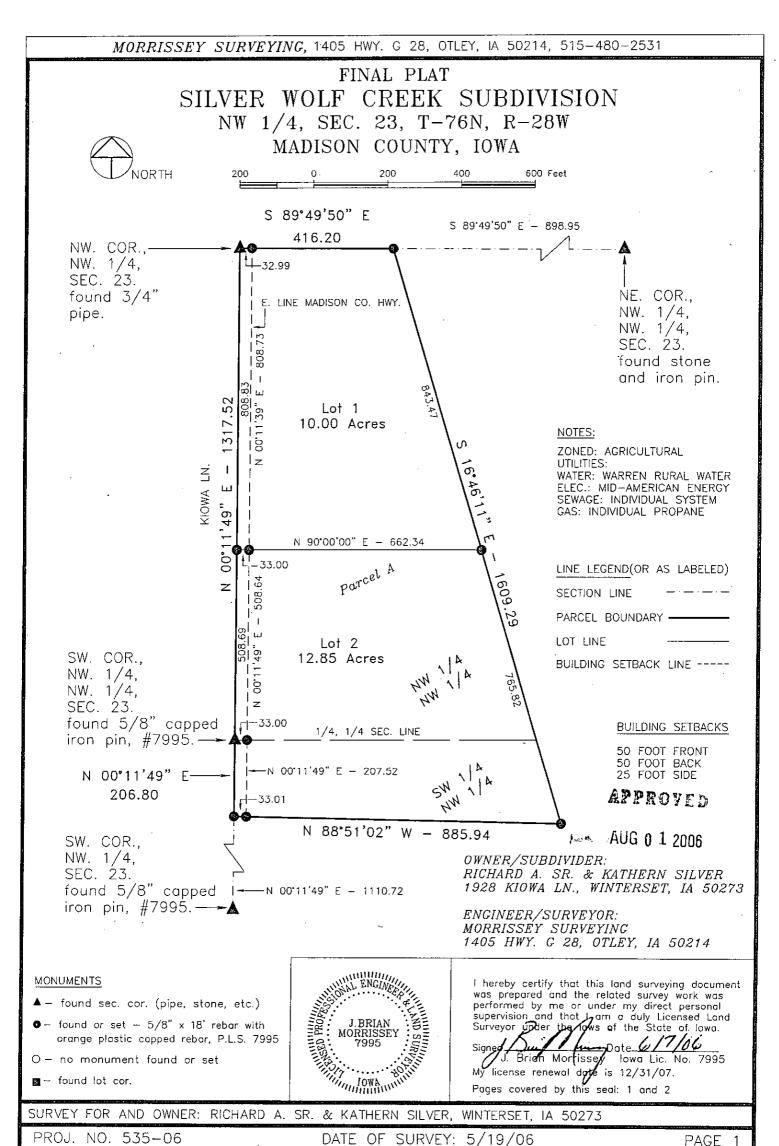
FOR DEDICATION, RESOLUTION & CERTIFICATES SEE RECORD 2006-3289

3.... *****-

Document 2006 3289

Book 2006 Page 3289 Type 06 044 Pages 19 Date 8/10/2006 Time 8:14 AM Rec Amt \$97.00 Aud Amt \$5.00

MICHELLE UTSLER, COUNTY RECORDER MADISON IOWA



MORRISSEY SURVEYING, 1405 HWY. G 28, OTLEY, IA 50214, 515-480-2531

FINAL PLAT SILVER WOLF CREEK SUBDIVISION NW 1/4, SEC. 23, T-76N, R-28W MADISON COUNTY, IOWA

DESCRIPTION

All of Parcel A, recorded in Book 2, Page 757, Madison County, Iowa, Recorder's Office and located in the Northwest Quarter of Section 23, Township 76 North, Range 28 West of the Fifth Principal Meridian, Madison, Iowa, described as follows:

Beginning at the northwest corner of the Northwest Quarter of said Section 23; thence on an assumed bearing of South 89 degrees 49 minutes 50 seconds East along the north line of said Northwest Quarter a distance of 416.20 feet; thence South 16 degrees 46 minutes 11 seconds East 1609.29 feet; thence North 88 degrees 51 minutes 02 seconds West 885.94 feet to the west line of the Southwest Quarter of the Northwest Quarter of said Section 23; thence North 00 degrees 11 minutes 49 seconds East along said west line a distance of 206.80 feet to the Southwest corner of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of the Northwest of the Northwest Quarter of the Northwest Quarter of said Section 23 a distance of 1317.52 feet to the northwest corner of the Northwest Quarter of said Section 23 and the point of beginning.

Said tract contains 22.85 acres and is subject to a Madison County Highway Easement over the westerly 1.15 acres thereof.

AREA BY 1/4, 1/4 SEC.

NW. 1/4, NW. 1/4= 18.63 AC.(R.O.W.=1.00 AC.) SW. 1/4, NW. 1/4= 4.22 AC.(R.O.W.=0.15 AC.)

AREA LOT 1

NW. 1/4, NW. 1/4= 10.00 AC.(R.O.W.=0.61 AC.)

AREA LOT 2

NW. 1/4, NW. 1/4= 8.63 AC.(R.O.W.=0.39 AC.) SW. 1/4, NW. 1/4= 4.22 AC.(R.O.W.=0.15 AC.)

SURVEY FOR AND OWNER: RICHARD A. SR. & KATHERN SILVER, WINTERSET, IA 50273

PROJ. NO. 535-06 DATE OF SURVEY: 5/19/06

PAGE 2