

FOR PLAT SEE  
2006-5180

PLAT AND CERTIFICATE  
FOR MONAGHAN ROGERS SUBDIVISION,  
MADISON COUNTY, IOWA

COMPUTED	✓
RECORDED	✓
COUNTY FILED	

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 Monaghan Rogers Subdivision, and that the real estate comprising said plat is described as follows:

That part of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Thirteen (13), Township Seventy-five (75) North, Range Twenty-six (26) West of the Fifth Principal Meridian, Madison County, Iowa, described as follows: Beginning at the Southeast corner of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Thirteen (13); thence on an assumed bearing of North 00°00'19" East along the easterly line of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Thirteen (13) a distance of 1031.16 feet; thence South 86°57'00" West 296.57 feet; thence South 00°03'38" East 1050.77 feet to the southerly line of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Thirteen (13); thence North 83°09'30" East along said southerly line 297.07 feet to the Southeast corner of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Thirteen (13) and the point of beginning. Said tract contains 7.06 acres and is subject to a Madison County Highway Easement over the easterly 1.34 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. Consent to Plat;
3. Certificate from County Treasurer;
4. Resolution of the Board of Supervisors of Madison County, Iowa, approving said plat;
5. Agreement with County Engineer; and Declaration of Covenants, Conditions and Restrictions;
5. Ground Water Statement;
6. Madison County Soil and Water Conservation District Land Disturbing Activity Affidavit;
7. Resolution of the city council of the City of St. Charles, Madison County, Iowa, approving said Plat;
8. Approval of Subdivision Plat Name by Madison County Auditor.

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 12<sup>th</sup> day of Dec., 2006, by C.J. Nicholl.



*Sam J. Deputy Clerk of Court*  
Notary Public in and for said State of Iowa

**DEDICATION OF PLAT  
OF  
MONAGHAN ROGERS SUBDIVISION**

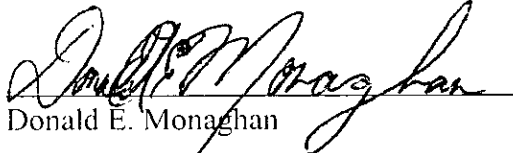
KNOW ALL MEN BY THESE PRESENTS:

That Donald E. Monaghan and Arminda Monaghan, husband and wife, do hereby certify that they are the sole owners and proprietors of the following-described real state:

That part of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Thirteen (13), Township Seventy-five (75) North, Range Twenty-six (26) West of the Fifth Principal Meridian, Madison County, Iowa, described as follows: Beginning at the Southeast corner of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Thirteen (13); thence on an assumed bearing of North 00°00'19" East along the easterly line of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Thirteen (13) a distance of 1031.16 feet; thence South 86°57'00" West 296.57 feet; thence South 00°03'38" East 1050.77 feet to the southerly line of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Thirteen (13); thence North 83°09'30" East along said southerly line 297.07 feet to the Southeast corner of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Thirteen (13) and the point of beginning. Said tract contains 7.06 acres and is subject to a Madison County Highway Easement over the easterly 1.34 acres thereof,

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

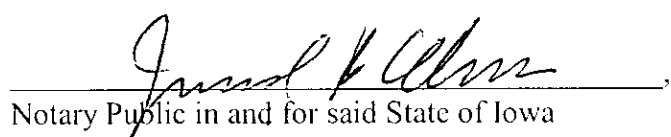
DATED this 25 day of Aug, 2006.

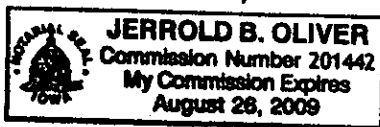
  
Donald E. Monaghan

  
Arminda Monaghan

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 25 day of Aug, 2006 by Donald E. Monaghan and Arminda Monaghan.

  
Notary Public in and for said State of Iowa



**ATTORNEY'S OPINION FOR FINAL PLAT,  
MONAGHAN ROGERS 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 July 13, 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, Monaghan Rogers Subdivision, Madison County, Iowa:

That part of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Thirteen (13), Township Seventy-five (75) North, Range Twenty-six (26) West of the Fifth Principal Meridian, Madison County, Iowa, described as follows: Beginning at the Southeast corner of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Thirteen (13); thence on an assumed bearing of North 00°00'19" East along the easterly line of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Thirteen (13) a distance of 1031.16 feet; thence South 86°57'00" West 296.57 feet; thence South 00°03'38" East 1050.77 feet to the southerly line of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Thirteen (13); thence North 83°09'30" East along said southerly line 297.07 feet to the Southeast corner of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Thirteen (13) and the point of beginning. Said tract contains 7.06 acres and is subject to a Madison County Highway Easement over the easterly 1.34 acres thereof,

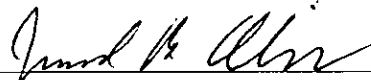
In my opinion, merchantable title to the above described property is in the name of Donald E. Monaghan, free and clear of all liens and encumbrances.

The abstract shows the following easements:

- a. Entry No. 3 shows an Easement to the State of Iowa for road purposes dated June 27, 1932, and filed July 6, 1932, in Decd Record 70, Page 176 of the Recorder's Office of Madison County, Iowa.
- b. Entry No. 39 shows an Easement to Warren Water District, Inc. dated September 28, 1994, and filed August 10, 2001, in Book 2001, Page 3537, granting an easement to erect, construct, install, lay and thereafter, use, operate, inspect, repair, maintain, replace or remove water line and necessary appurtenances.

Respectfully submitted,

JORDAN, OLIVER & WALTERS, P.C.

By  \_\_\_\_\_

Jerrold B. Oliver

Farmers & Merchants Bank Bldg.

P.O. Box 230

Winterset, Iowa 50273

Telephone: (515) 462-3731

ATTORNEYS FOR DONALD E. MONAGHAN

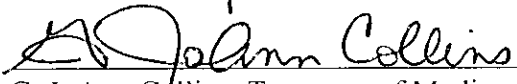
**CERTIFICATE OF THE COUNTY TREASURER  
OF MADISON COUNTY, IOWA**

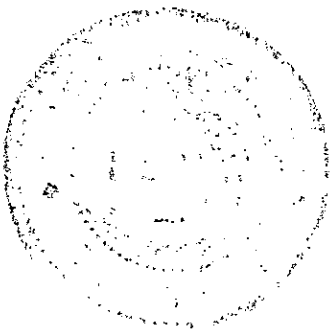
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I, G. JoAnn Collins, do hereby certify that I am the duly elected and acting Treasurer of Madison County, Iowa; that I have examined the records in my office, and that there are no unpaid taxes forming a lien against the following-described real estate,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

That part of the Southwest Quarter (¼) of the Northwest Quarter (¼) of Section Thirteen (13), Township Seventy-five (75) North, Range Twenty-six (26) West of the Fifth Principal Meridian, Madison County, Iowa, described as follows: Beginning at the Southeast corner of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section Thirteen (13); thence on an assumed bearing of North 00°00'19" East along the easterly line of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section Thirteen (13) a distance of 1031.16 feet; thence South 86°57'00" West 296.57 feet; thence South 00°03'38" East 1050.77 feet to the southerly line of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section Thirteen (13); thence North 83°09'30" East along said southerly line 297.07 feet to the Southeast corner of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section Thirteen (13) and the point of beginning. Said tract contains 7.06 acres and is subject to a Madison County Highway Easement over the easterly 1.34 acres thereof,

DATED at Winterset, Iowa, this 21<sup>st</sup> day of September, 2006.

  
\_\_\_\_\_  
G. JoAnn Collins, Treasurer of Madison County,  
Iowa



APPROVAL OF SUBDIVISION PLAT NAME BY  
MADISON COUNTY AUDITOR

Date Nov 30, 2006

The Madison County Auditor's Office has reviewed the Final Plat of:

Monaghan Rogers Subidivision

Pursuant to Iowa Code 3454.6(2) and 354.11(6), we approve the subdivision name or title and have no objections to this subdivision plat being recorded.

*Debra Deputy*  
County Auditor of Madison County, Iowa

**RESOLUTION APPROVING FINAL PLAT  
OF MONAGHAN ROGERS 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 Monaghan Rogers Subdivision; and

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

That part of the Southwest Quarter (¼) of the Northwest Quarter (¼) of Section Thirteen (13), Township Seventy-five (75) North, Range Twenty-six (26) West of the Fifth Principal Meridian, Madison County, Iowa, described as follows: Beginning at the Southeast corner of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section Thirteen (13); thence on an assumed bearing of North 00°00'19" East along the easterly line of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section Thirteen (13) a distance of 1031.16 feet; thence South 86°57'00" West 296.57 feet; thence South 00°03'38" East 1050.77 feet to the southerly line of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section Thirteen (13); thence North 83°09'30" East along said southerly line 297.07 feet to the Southeast corner of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section Thirteen (13) and the point of beginning. Said tract contains 7.06 acres and is subject to a Madison County Highway Easement over the easterly 1.34 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, Donald E. Monaghan and Arminda Monaghan.

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 free and clear of liens and encumbrances and a 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 Monaghan Rogers 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:

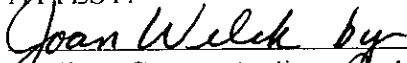

1. That said plat, known as Monaghan Rogers Subdivision prepared in connection with said plat and subdivision is hereby approved.

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.

DATED at Winterset, Iowa, this 12<sup>th</sup> day of December, 2006.

  
\_\_\_\_\_  
Cy McDonald, Chairman, Board of Supervisors,  
Madison County, Iowa

ATTEST:

  
\_\_\_\_\_  
Joan Welch by  
Madison County Auditor 

C9-06

**RESOLUTION APPROVING  
FINAL PLAT OF MONAGHAN ROGERS SUBDIVISION  
MADISON COUNTY, IOWA**

WHEREAS, there was filed in the Office of the City of St. Charles, Madison County, Iowa, a registered land surveyor's plat of a proposed subdivision known as Monaghan Rogers Subdivision; and

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

That part of the Southwest Quarter (¼) of the Northwest Quarter (¼) of Section Thirteen (13), Township Seventy-five (75) North, Range Twenty-six (26) West of the Fifth Principal Meridian, Madison County, Iowa, described as follows: Beginning at the Southeast corner of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section Thirteen (13); thence on an assumed bearing of North 00°00'19" East along the easterly line of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section Thirteen (13) a distance of 1031.16 feet; thence South 86°57'00" West 296.57 feet; thence South 00°03'38" East 1050.77 feet to the southerly line of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section Thirteen (13); thence North 83°09'30" East along said southerly line 297.07 feet to the Southeast corner of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section Thirteen (13) and the point of beginning. Said tract contains 7.06 acres and is subject to a Madison County Highway Easement over the easterly 1.34 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, Donald E. Monaghan and Arminda Monaghan; 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 a 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 St. Charles, Madison County, Iowa, finds that said plat conforms to the provisions of the Ordinances of the City of St. Charles, Madison County, Iowa,

and that the plat, papers and documents presented therewith should be approved by the City of Council of the City of St. Charles, Madison County, Iowa.

NOW, THEREFORE, BE IT RESOLVED by the City of Council of the City of St. Charles, Madison County, Iowa:

1. Said plat, known as Monaghan Rogers Subdivision prepared in connection with said plat and subdivision is hereby approved.
2. The City of St. Charles, Madison County, Iowa, is hereby 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 St. Charles, Iowa, this 11 day of Sept., 2006.

CITY OF ST. CHARLES, IOWA

By Joan Brown  
Joan Brown, Mayor

ATTEST:

Sharon James, Interim  
Denise Sprague, City Clerk

**AGREEMENT**

This Agreement, made and entered into, by and between, the proprietors of Monaghan Rogers Subdivision and Todd Hagan, Madison County Engineer.

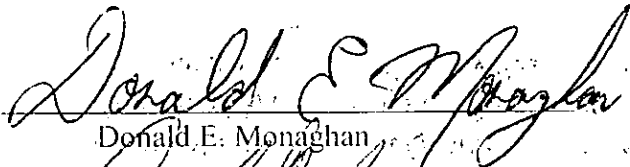
NOW THEREFORE IT IS AGREED AS FOLLOWS:

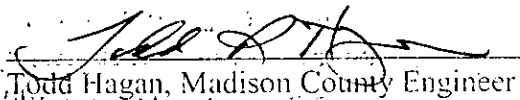
I. The proprietor of Monaghan Rogers Subdivision, a Plat of the following described real estate:

That part of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Thirteen (13), Township Seventy-five (75) North, Range Twenty-six (26) West of the Fifth Principal Meridian, Madison County, Iowa, described as follows: Beginning at the Southeast corner of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Thirteen (13); thence on an assumed bearing of North 00°00'19" East along the easterly line of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Thirteen (13) a distance of 1031.16 feet; thence South 86°57'00" West 296.57 feet; thence South 00°03'38" East 1050.77 feet to the southerly line of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Thirteen (13); thence North 83°09'30" East along said southerly line 297.07 feet to the Southeast corner of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Thirteen (13) and the point of beginning. Said tract contains 7.06 acres and is subject to a Madison County Highway Easement over the easterly 1.34 acres thereof.

hereby agree that all private roads located within Monaghan Rogers Subdivision are private roads and are not being dedicated to Madison County, Iowa. Said proprietor consents and agrees that such roads shall not be maintained in any manner by Madison County, Iowa, or the Madison County Engineer's Department.

PROPRIETORS: MONAGHAN ROGERS SUBDIVISION

  
Donald E. Monaghan

  
Todd Hagan, Madison County Engineer

  
Arminda Monaghan

**LAND DISTURBING ACTIVITIES  
AFFIDAVIT**

**STATE OF IOWA** :  
: **SS**  
**MADISON COUNTY** :

Pursuant to section 161 A.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, Donald E. Monaghan and Arminda Monaghan, being first duly sworn on oath, do solemnly swear to affirm that:

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

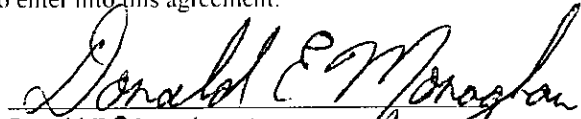

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As owners or occupant of the land described above, we are aware that we must establish and maintain soil conservation practices as necessary to meet the soil loss limits established by the Madison County Soil and Water Conservation District, pursuant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

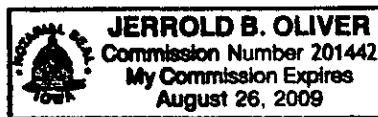
We assume responsibility for all land disturbing activities conducted on this property by us or other people entities we represent. This authority covers only the land and land disturbing activity described above.

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

  
Donald E. Monaghan  
  
Arminda Monaghan

Subscribed and sworn to before me on this 25 day of Aug, 2006.

  
Notary Public in and for the State of Iowa



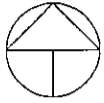
FOR DEDICATION, RESOLUTION &  
 CERTIFICATES SEE 2006-5180

MICHELLE UTSLER, COUNTY RECORDER  
 MADISON IOWA

MORRISSEY SURVEYING, 1405 HWY. G 28, OTLEY, IOWA 50214-8518, 641-627-5554

FINAL PLAT

MONAGHAN ROGERS SUBDIVISION  
 SW 1/4 of the NW 1/4, SEC. 13, T-75N, R-26W  
 MADISON COUNTY, IOWA



NORTH

200 0 200 400 600 FEET

NE. COR., SW. 1/4,  
 NW. 1/4, SEC. 13.  
 found 5/8" rebar  
 with yellow plastic  
 cap P.L.S. 7995.

AREA OF LOT 1  
 SW 1/4, NW 1/4, SEC. 13 = 3.53 Acres (R.O.W. 0.69 Acres)  
 TOTAL ACRES LOT 1 = 3.53 Acres (R.O.W. 0.69 Acres)

AREA OF LOT 2  
 SW 1/4, NW 1/4, SEC. 13 = 3.53 Acres (R.O.W. 0.65 Acres)  
 TOTAL ACRES LOT 2 = 3.53 Acres (R.O.W. 0.65 Acres)

BUILDING SETBACKS

- 50 FOOT FRONT
- 50 FOOT BACK
- 25 FOOT SIDES

NOTES

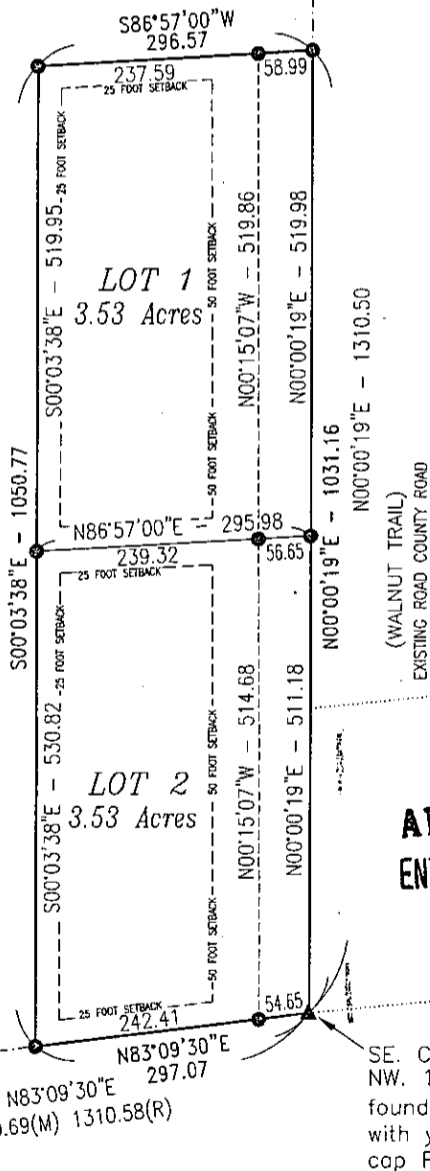
ZONED: AGRICULTURAL.

UTILITIES:

- WATER: WARREN RURAL WATER.
- ELECTRICITY: MID-AMERICAN ENERGY.
- SEWAGE DISPOSAL: INDIVIDUAL SYSTEM.
- GAS: INDIVIDUAL PROPANE.

LINE LEGEND

Section line	---
Parcel Boundary	====
Lot Line	=====
Building Setback line	----
Adjacent Parcel Line	.....
Madison County Highway Easement	-----



SW 1/4, NW 1/4,  
 SEC. 13

SW. COR., SW. 1/4,  
 NW. 1/4, SEC. 13.  
 found 1/2" iron  
 pin.

SE. COR., SW. 1/4,  
 NW. 1/4, SEC. 13.  
 found 5/8" rebar  
 with yellow plastic  
 cap P.L.S. 7995.

**APPROVED**  
 ENT'D DEC 12 2006

FINAL PLAT

MONAGHAN ROGERS SUBDIVISION  
 SW 1/4 of the NW 1/4, SEC. 13, T-75N, R-26W  
 MADISON COUNTY, IOWA

OWNER / SUB DIVIDER

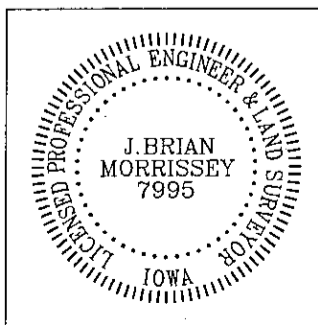
DONALD E. MONAGHAN, 2450 BEVINGTON PARK RD.,  
 ST CHARLES, IOWA 50240

ENGINEER / SURVEYOR

MORRISSEY SURVEYING, 1405 HIGHWAY G28,  
 OTLEY, IA 50214, Tel. (641) 627-5554

MONUMENTS

- ▲ - found or set sec. cor. (pipe, stone, etc.)
- - found or set - 5/8" x 18" rebar with orange plastic cap P.L.S. 7995 or P.K. nail.
- - no monument found or set.
- - found lot cor. (pipe, stone, etc.)



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.

Signed *J. Brian Morrissey* Date 6/12/06  
 J. Brian Morrissey Iowa Lic. No. 7995

My license renewal date is 12/31/2007.  
 Pages covered by this seal: 1 and 2

FINAL PLAT  
MONAGHAN ROGERS SUBDIVISION  
SW 1/4 of the NW 1/4, SEC. 13, T-75N, R-26W  
MADISON COUNTY, IOWA

DESCRIPTION

That part of the Southwest Quarter of the Northwest Quarter of Section 13, Township 75 North, Range 26 West of the Fifth Principal Meridian, Madison County, Iowa, described as follows:

Beginning at the southeast corner of the Southwest Quarter of the Northwest Quarter of said Section 13;  
thence on an assumed bearing of North 00 degrees 00 minutes 19 seconds East along the easterly line of the Southwest Quarter of the Northwest Quarter of said Section 13 a distance of 1031.16 feet;  
thence South 86 degrees 57 minutes 00 seconds West 296.57 feet;  
thence South 00 degrees 03 minutes 38 seconds East 1050.77 feet to the southerly line of the Southwest Quarter of the Northwest Quarter of said Section 13;  
thence North 83 degrees 09 minutes 30 seconds East along said southerly line 297.07 feet to the southeast corner of the Southwest Quarter of the Northwest Quarter of said Section 13 and the point of beginning.

Said tract contains 7.06 acres and is subject to a Madison County Highway Easement over the easterly 1.34 acres thereof.

**APPROVED**

ENT'D DEC 12 2006