FOR PLAT SEE RECORD 2007, PAGE 728

Document 2007 728

Book 2007 Page 728 Type 06 026 Pages 23 Date 2/20/2007 Time 4:02 PM Rec Amt \$117.00 Aud Amt \$5.00 IND

INDV ANN: SCAN

CHEk

LISA SMITH, COUNTY RECORDER MADISON IOWA

PLAT AND CERTIFICATE FOR IRON HILLS SUBDIVISON 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 subdivision known and designated as IRON HILLS SUBDIVISION, Madison County, Iowa.; and, that the real estate comprising said plat is described as follows:

A parcel of land in the Southwest Quarter of Section 15, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa more particularly described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of the Southwest Quarter of Section 15, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa; thence North 89°16'19" West 443.93 feet along the South line of the Southwest Quarter of said Section 15; thence North 00°04'41" East 141.11 feet; thence North 55°53'19" East 330.67 feet to a point which is 330.00 feet North of the South line of said Southwest Quarter which is the Point of Beginning; thence continuing North 55°53'19" East 25.87 feet; thence North 00°03'06" East 196.23 feet; thence North 73°57'28" East 843.84 feet to a point on the West line of the East Half of the Southeast Quarter of the Southwest Quarter of said Section 15; thence South 00°14'11" West 264.59 feet along said

West line to a point on the centerline of a County Road; thence South 48°08'10"

East 288.40 feet along said County Road centerline to a point 330.00 feet North of the South line of the Southwest Quarter of said Section15; thence South 89°16'19" East 930.00 feet to the Point of Beginning containing 6.656 including 0.611 acres of County Road right-of-way. Said parcel shall be known as IRON HILLS SUBDIVISION and is divided into two lots as shown on the plat.

I do further certify that attached hereto are true and correct copies of the following documents that 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;
 - 6) Ground Water Statement; and
- Madison County Soil and Water Conservation District Land Disturbing
 Activity Affidavit.

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

DATED at Winterset, Iowa the

C.J. Nicholl, Zoning Administrator for Madison County

STATE OF IOWA, COUNTY OF MADISON

On this <u>20</u> day of January, 2007, before me, the undersigned, a Notary Public in and for the State, personally appeared, C.J. Nicholl, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Notary Public in and for the State of Iowa

DEDICATION OF PLAT OF IRON HILLS SUBDIVISION MADISON COUNTY, IOWA

KNOWN ALL MEN BY THESE PRESENTS:

Conrad L. Cleghorn and Joann Cleghorn, do hereby certify that they are the sole owners of the proprietors of the following described real estate:

A parcel of land in the Southwest Quarter of Section 15, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa more particularly described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of the Southwest Quarter of Section 15, Township 76 North, Range 28 West of the 5th P.M.,

Madison County, Iowa; thence North 89°16′19" West 443.93 feet along the South line of the Southwest Quarter of said Section 15; thence North 00°04′41" East 141.11 feet; thence North 55°53′19" East 330.67 feet to a point which is 330.00 feet North of the South line of said Southwest Quarter which is the Point of Beginning; thence continuing North 55°53′19" East 25.87 feet; thence North 00°03′06" East 196.23 feet; thence North 73°57′28" East 843.84 feet to a point on the West line of the East Half of the Southeast Quarter of the Southwest Quarter of said Section 15; thence South 00°14′11" West 264.59 feet along said West line to a point on the centerline of a County Road; thence South 48°08′10" East 288.40 feet along said County Road centerline to a point 330.00 feet North of the South line of the Southwest Quarter of said Section15; thence South 89°16′19" East 930.00 feet to the Point of Beginning containing 6.656 including

0.611 acres of County Road right-of-way. Said parcel shall be known as IRON HILLS SUBDIVISION and is divided into two lots as shown on the plat.

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

DATED this 29th day of January, 2007

Conrad L. Cleghorn

Joann Cleghorn

STATE OF IOWA

:SS

MADISON COUNTY:

On this Aday of January, 2007, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared, Conrad L. Cleghorn and Joann Cleghorn, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as there voluntary act and deed.

Notary Public in and for the State of Iowa



CONSENT TO PLATTING BY UNION STATE BANK

Union State Bank does consent to the platting and subdivision of the followingdescribed real estate:

A parcel of land in the Southwest Quarter of Section 15, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa more particularly described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of the Southwest Quarter of Section 15, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa; thence North 89°16'19" West 443.93 feet along the South line of the Southwest Quarter of said Section 15; thence North 00°04'41" East 141.11 feet; thence North 55°53'19" East 330.67 feet to a point which is 330.00 feet North of the South line of said Southwest Quarter which is the Point of Beginning; thence continuing North 55°53'19" East 25.87 feet; thence North 00°03'06" East 196.23 feet; thence North 73°57'28" East 843.84 feet to a point on the West line of the East Half of the Southeast Quarter of the Southwest Ouarter of said Section 15; thence South 00°14'11" West 264.59 feet along said West line to a point on the centerline of a County Road; thence South 48°08'10" East 288.40 feet along said County Road centerline to a point 330.00 feet North of the South line of the Southwest Quarter of said Section 15; thence South 89°16'19" East 930.00 feet to the Point of Beginning containing 6.656 including 0.611 acres of County Road right-of-way. Said parcel shall be known as IRON HILLS SUBDIVISION and is divided into two lots as shown on the plat.

In accordance with the ordinances of Madison County, Iowa, and the laws of the State of Iowa. The undersigned holds the following mortgages against said real estate:

- A. Mortgage to Union State Bank dated October 10, 2000, and filed October
 10, 2001 in Mortgage Record 221 at page 261 of the Recorder's Office of
 Madison County, Iowa.
- B. Mortgage Modification to Union State Bank dated December 16, 2002,
 and filed February 27, 2003 in Book 2003 Page 1088 of the Recorder's
 Office of Madison County, Iowa

DATED this 7th day of February, 2007



Union State Bank

Duane Gordon

STATE OF IOWA

:SS

MADISON COUNTY:

This instrument was acknowledged before me on this 7th day of February, 2007

Quana Corlos of Union State Bank.

Notary Public in and for the State of Iowa



A. ZANE BLESSUM

Attorney At Law

113 N. John Wayne Drive P.O. Box 309 Winterset, IA 50273 Telephone (515) 462-1666 Fax (515) 462-1233

February 6, 2007

Re: ROOT OF TITLE ABSTRACT NO. 52779

Dear Conrad Cleghorn, Paul Cleghorn and Union State Bank

I have completed the examination of Root of Title Abstract 52779, more recently contained as #15762824, pertaining to the following described real estate, to wit:

A parcel of land in the Southwest Quarter of Section 15, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa more particularly described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of the Southwest Quarter of Section 15, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa; thence North 89°16′19" West 443.93 feet along the South line of the Southwest Quarter of said Section 15; thence North 00°04′41" East 141.11 feet; thence North 55°53′19" East 330.67 feet to a point which is 330.00 feet North of the South line of said Southwest Quarter which is the Point of Beginning; thence continuing North 55°53′19" East 25.87 feet; thence North 00°03′06" East 196.23 feet; thence North 73°57′28" East 843.84 feet to a point on the West line of the East Half of the Southeast Quarter of the Southwest Quarter of said Section 15; thence South 00°14′11" West 264.59 feet along said West line to a point on the centerline of a County Road; thence South 48°08′10" East 288.40 feet along said County Road centerline to a point 330.00 feet North of the South line of the Southwest Quarter of said Section 15; thence South 89°16′19" East 930.00 feet to the Point of Beginning containing 6.656 including 0.611 acres of County Road right-of-way.

Which Abstract has been continued and certified to January 10, 2007, at 8:00 A.M. by Madison County Abstract.

On the basis of this examination, I find marketable title and title for loan purposes to be in:

Paul Cleghorn

EXCEPTIONS

- 1. MORTGAGE: At Entry #48 shows a Mortgage from Conrad L. Cleghorn and JoAnn Cleghorn to Union State Bank in the amount of \$70,555.04, dated October 10, 2000 and filed in mortgage record 221 at page 261 of the Recorder's Office of Madison County conveying the above-described real estate. At Entry #55 shows a Mortgage Modification from Conrad L. Cleghorn, JoAnn Cleghorn, Dale L. Cleghorn and Michelle L. Cleghorn to Union State Bank, Winterset, Iowa, dated December 16, 2002 and filed February 27, 2003 in Book 2003 Page 1088 of the Recorder's Office of Madison County. These mortgages constitute priority liens and we require them to be shown released in the abstract.
- 2. TAXES: At Entry #60 shows taxes payable in the fiscal year beginning July 1, 2006 as follows: 1st half paid and 2nd half unpaid.
- 3. PERSONAL TAXES AND SPECIAL ASSESSMENTS: No personal taxes or special assessments are shown in the Root of Title.
- 4. SEARCHES: The Abstractor has certified personal lien searches for Conrad L. Cleghorn, JoAnn Cleghorn and Paul Cleghorn for the past ten (10) years.

CAUTIONS

- 1. Entry #57 shows a Quit Claim Deed from Conrad L. Cleghorn and JoAnn Cleghorn to Paul Cleghorn dated November 7, 2006 and filed November 13, 2006 in Book 2006 at Page 4693 conveying access rights to certain real estate. You should familiarize yourself with the location of this conveyance and determine if it will interfere with your intended use of the property under examination.
- 2. At Entry #53 shows a Limited Easement from Conrad L. Cleghorn and JoAnn Cleghorn to Southern Iowa Rural Water Association dated April 23, 2001 and filed July 12, 2001 in Book 2001 on Page 3032 conveying a portion of the above-described real estate for purposes. You should determine whether such easement will interfere with your intended use of the premises.
- 3. At Entry #56 of the abstract is shown an Innovative On-Site Wastewater Treatment And Disposal System Understanding from Conrad Lavern Cleghorn to Madison County Office of Zoning and Environmental Health Acknowledged April 5, 2004 and filed April 6, 2004 in Book 2004 on Page 269 designating the above-described real estate and requires that adequate steps be taken by the system owner to bring the system into compliance, including replacement of the system with one currently approved under 567 IAC 69. You should determine whether this compliance will interfere with your intended use of the premises.

- 4. At Entry #58 of the abstract is shown a Zoning Ordinance dated July 31, 2001 and filed July 31, 2001 in Book 2001 on page 3335 including the above-described real estate in the County District. Your use of the property is subject to the regulations applicable to such districts. You should determine whether this zoning will interfere with your intended use of the property.
- 5. At Entry #59 of the abstract is shown a Land Disturbing Activities Regulation Resolution dated February 23, 1981 and filed August 23, 2004 in Book 2004 on Page 3908 including the above-described real estate and, therefore, your use of the property is subject to the regulations set out in the Land Disturbing Activities Regulation Resolution. You should determine whether this zoning will interfere with your intended use of the premises.
- 6. You should also satisfy yourself that there are no encroachments of buildings or other things over the boundary lines of the property you are acquiring, and that any improvements in which you are acquiring an interest are within the boundaries of this property.
- 7. A purchaser of real estate is required by law to take notice of and protect himself from any matters affecting the property that he can observe from an ordinary, careful physical examination of the property itself. The most important of these matters are:
 - a. Any rights of any persons who might be in possession of said real estate including tenants; particularly taking notice of any highways, transmission lines, pipe lines, drain tile or other visible easements.
 - Improvements, alterations or repairs made so recently that mechanic's liens b. might still be perfected. Generally these would be within the last 90 days, but under some circumstances might extend beyond that. The law gives a lien to anyone who furnishes material or labor for the construction, improvement, alteration or repair of any building or land. If notice of the lien has been filed in the Office of the Clerk of Court, it will appear in the abstract and it will be set forth in the title opinion. However, the lien attaches to the property immediately when the material or labor is furnished and notice of the lien may be filed at any time within ninety (90) days after the last day when material or labor is furnished. You should, therefore, determine whether any such work has been done on the property within the period beginning ninety (90) days before the last certification of the abstract. If you find that any such work has been done on the property, you should require proof that all contractors, subcontractors, material suppliers and laborers have been paid.
 - c. Easements, such as for driveways, or the rights of others over and across any part of the property.

- d. Taxes, assessments for improvements such as tree removal, paving, sewer, sewer rental, and other public utility charges unpaid, or that may become a claim against this property or yourself whether now in existence or not, and have these now understood in your purchase agreement as to who shall pay the same.
- e. The condition of the premises such as the presence of termites in buildings or the presence of diseased elm trees, which conditions will resolve in an expense in the near future.
- f. Any facts, circumstances or visible evidence indicating the possibility of the existence of hazardous wastes, underground storage tanks, drainage wells, or other types of environmentally regulated activities or conditions, the presence of which might give rise to ongoing liability or responsibility on the part of you, previous and subsequent owners of the premises. Such conditions are not ordinarily abstract, but they may result in injunctions, fines, required cleanup, or other remedial actions under federal, state or local laws. You are also cautioned that the Abstract does not make a showing of the presence of radioactive elements such as "radon" on the property. Radon, which is present to some extent virtually everywhere, may present a health threat if found in concentrated levels and may require remedial measures.
- g. Physical structures may be located on the premises. You are advised that you may have incurred risk of loss by fire or casualty upon the execution of documents of conveyance. You should contact your insurance agent immediately.
- h. I do not make any statements, warranties, or guarantees as to whether any flood plain regulations, encroachment limits, or flood plain zoning, as established by the Iowa Natural Resources Council, affect the premises.
- i. You must assure yourself that there is reasonable and convenient access to a public right-of-way such as a road or highway. From examination of the Abstract, this examiner can never truly be certain that this is the case.
- j. This opinion does not cover any matters affecting the real estate which may have been filed as a part of the public records in the county courthouse after the period of time covered by this title opinion.
- k. I make no warranties or statements concerning the rights of creditors, if any, under the Iowa Uniform Commercial Code, to security interests in improvements to the real estate in the form of fixtures such as furnace or water heater, which have been installed so recently as to allow the creditor to file notice of such rights after the period of time covered by the Abstract.

If you intend to occupy the premises as your homestead, you may be entitled to the Homestead Tax Credit Exemption. You may also be entitled to Veteran's Exemptions. You should apply for these exemptions in the County Assessor's Office before July 1.

We will retain the abstract of title in our office until you advise us as to the disposition to be made.

Sincerely

A. Zane Blessum

Attorney-at-Law

AZB/cb

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:

A parcel of land in the Southwest Quarter of Section 15, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa more particularly described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of the Southwest Quarter of Section 15, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa; thence North 89°16′19" West 443.93 feet along the South line of the Southwest Quarter of said Section 15; thence North 00°04′41" East 141.11 feet; thence North 55°53′19" East 330.67 feet to a point which is 330.00 feet North of the South line of said Southwest Quarter which is the Point of Beginning; thence continuing North 55°53′19" East 25.87 feet; thence North 00°03′06" East 196.23 feet; thence North 73°57′28" East 843.84 feet to a point on the West line of the East Half of the Southeast Quarter of the Southwest Quarter of said Section 15; thence South 00°14′11" West 264.59 feet along said West line to a point on the centerline of a County Road; thence South 48°08′10"

East 288.40 feet along said County Road centerline to a point 330.00 feet North of the South line of the Southwest Quarter of said Section 15; thence South 89°16'19" East 930.00 feet to the Point of Beginning containing 6.656 including 0.611 acres of County Road right-of-way. Said parcel shall be known as IRON HILLS SUBDIVISION and is divided into two lots as shown on the plat.

DATED at Winterset, Madison County, Iowa this 29th day of January, 2007.

G. JoAnn Collins, Treasurer of Madison County, IA



APPROVAL OF SUBDIVISON PLAT NAME BY MADISON COUNTY AUDITOR

DATE: 02/07/2007

IRON HILLS

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

Signed

by Debby County Auditor of Madison County, Iowa

AGREEMENT

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

NOW THEREFORE IT IS AGREED AS FOLLOWS:

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

A parcel of land in the Southwest Quarter of Section 15, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa more particularly described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of the Southwest

Quarter of Section 15, Township 76 North, Range 28 West of the 5th P.M.,

Madison County, Iowa; thence North 89°16'19" West 443.93 feet along the South
line of the Southwest Quarter of said Section 15; thence North 00°04'41" East

141.11 feet; thence North 55°53'19" East 330.67 feet to a point which is 330.00
feet North of the South line of said Southwest Quarter which is the Point of
Beginning; thence continuing North 55°53'19" East 25.87 feet; thence North

00°03'06" East 196.23 feet; thence North 73°57'28" East 843.84 feet to a point
on the West line of the East Half of the Southeast Quarter of the Southwest

Quarter of said Section 15; thence South 00°14'11" West 264.59 feet along said

West line to a point on the centerline of a County Road; thence South 48°08'10"

East 288.40 feet along said County Road centerline to a point 330.00 feet North of
the South line of the Southwest Quarter of said Section 15; thence South

89°16'

to the Point of Beginning containing 6.656 including

0.611 acres of County Road right-of-way. Said parcel shall be known as IRON HILLS SUBDIVISION and is divided into two lots as shown on the plat.

Hereby agree that all private roads located within Iron Hills 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 IRON HILLS SUBDIVISION

Conrad L. Cleghorn

Conrad L. Cleghorn

Joanne Cleghorn

RESOLUTION APPROVING FINAL PLAT FOR IRON HILLS SUBDIVISON 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 Iron Hills Subdivision; and

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

A parcel of land in the Southwest Quarter of Section 15, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa more particularly described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of the Southwest Quarter of Section 15, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa; thence North 89°16'19" West 443.93 feet along the South line of the Southwest Quarter of said Section 15; thence North 00°04'41" East 141.11 feet; thence North 55°53'19" East 330.67 feet to a point which is 330.00 feet North of the South line of said Southwest Quarter which is the Point of Beginning; thence continuing North 55°53'19" East 25.87 feet; thence North 00°03'06" East 196.23 feet; thence North 73°57'28" East 843.84 feet to a point on the West line of the East Half of the Southeast Quarter of the Southwest Quarter of said Section 15; thence South 00°14'11" West 264.59 feet along said

West line to a point on the centerline of a County Road; thence South 48°08'10"

East 288.40 feet along said County Road centerline to a point 330.00 feet North of the South line of the Southwest Quarter of said Section 15; thence South 89°16'19" East 930.00 feet to the Point of Beginning containing 6.656 including 0.611 acres of County Road right-of-way. Said parcel shall be known as IRON HILLS SUBDIVISION and is divided into two lots as shown on the plat.

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 free consent and in accordance with the desire of the proprietors, Conrad L. Cleghorn and Joann Cleghorn; and

WHEREAS, said plat was accompanied by a complete abstract of tile and an opinion for an attorney at law showing that title in fee simple is in said proprietors and that the platted land is free from encumbrances and Certified statement from the Treasurer of Madison County, Iowa that said platted lance is free from taxes.

WHEREAS, the Board of Supervisors, Madison County, Iowa, finds that said plat conform 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 Iron Hills 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 Iron Hills Subdivision prepared in connection with said plat and subdivision is hereby approved.

The Zoning Administrator of Madison County, Iowa is hereby directed to 2. 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 the 20th day of January, 2007

Bob Weeks, Chairman, Board of Supervisors, Madison

ATTEST

LAND DISTURBING ACTIVITIES AFFIDAVIT

STATE OF IOWA

. ...

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 Conrad L. Cleghorn and Joann Cleghorn, 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:

A parcel of land in the Southwest Quarter of Section 15, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa more particularly described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of the Southwest Quarter of Section 15, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa; thence North 89°16'19" West 443.93 feet along the South line of the Southwest Quarter of said Section 15; thence North 00°04'41" East 141.11 feet; thence North 55°53'19" East 330.67 feet to a point which is 330.00 feet North of the South line of said Southwest Quarter which is the Point of Beginning; thence continuing North 55°53'19" East 25.87 feet; thence North 00°03'06" East 196.23 feet; thence North 73°57'28" East 843.84 feet to a point on the West line of the East Half of the Southeast Quarter of the Southwest

Quarter of said Section 15; thence South 00°14'11" West 264.59 feet along said West line to a point on the centerline of a County Road; thence South 48°08'10" East 288.40 feet along said County Road centerline to a point 330.00 feet North of the South line of the Southwest Quarter of said Section 15; thence South 89°16'19" East 930.00 feet to the Point of Beginning containing 6.656 including 0.611 acres of County Road right-of-way. Said parcel shall be known as IRON HILLS SUBDIVISION and is divided into two lots as shown on the plat.

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 sol 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. The 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.

Subscribed and Sworn to before me on this 29th day of January, 2007

A parcel of land in the Southwest Quarter of Section 15, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa more particularly described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of the Southwest Quarter of Section 15, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa; thence North 89°16'19" West 443.93 feet along the South line of the Southwest Quarter of said Section 15; thence North 00°04'41" East 141.11 feet; thence North 55°53'19" East 330.67 feet to a point which is 330.00 feet North of the South line of said Southwest Quarter which is the Point of Beginning: thence continuing North 55°53'19" East 25.87 feet; thence North 00°03'06" East 196.23 feet; thence North 73°57'28" East 843.84 feet to a point on the West line of the East Half of the Southeast Quarter of the Southwest Ouarter of said Section 15; thence South 00°14'11" West 264.59 feet along said West line to a point on the centerline of a County Road; thence South 48°08'10" East 288.40 feet along said County Road centerline to a point 330.00 feet North of the South line of the Southwest Quarter of said Section 15; thence South 89°16'19" East 930.00 feet to the Point of Beginning containing 6.656 including 0.611 acres of County Road right-of-way.

FOR DEDICATION, CERTIFICATION AND RESOLUTION, SEE RECORD 2007, PAGE 728

Document 2007 728

Book 2007 Page 728 Type 06 026 Pages Date 2/20/2007 Time 4:02 PM Rec Amt \$117.00 Aud Amt \$5.00

IND SCAN

LISA SMITH, COUNTY RECORDER MADISON 10WA

CHE

VANCE & HOCHSTETLER, CONSULTING ENGINEERS, WINTERSET, IOWA Р CHARLES T. VANCE, 110 WEST GREEN ST., WINTERSET, IOWA 50273-1533 JAMES M HOCHSTETLER, 110 WEST GREEN ST., WINTERSET, IOWA 50273 - 1533

