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**PLAT AND CERTIFICATE
FOR
LOT 5 IN BLOCK 1 OF BIRCHWOOD ESTATES PLAT NO.1
AN ADDITION TO THE CITY OF WINTERSET,
MADISON COUNTY, IOWA**

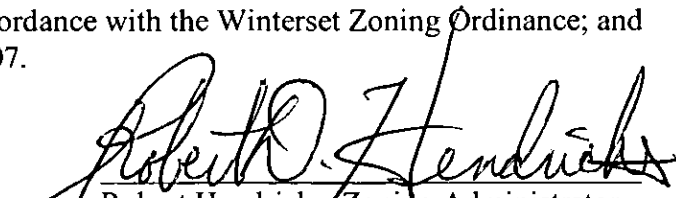
I, Robert Hendricks, Zoning Administrator of the City of Winterset, Iowa, do hereby certify that the Plat to which this certificate is attached is a plat of a subdivision known and designated as Replat Lot 5, Block 1 Birchwood Estates Plat No. 1, an Addition to the City of Winterset, Madison County, Iowa; and, that the real estate comprising said plat is described as follows:

Lot 5 in Block 1 of Birchwood Estates Plat No. 1, an Official Plat, now included in and forming a part of the City of Winterset, Madison County, Iowa:

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 Birchwood Estates Lot 5 in Block 1 of Birchwood Estates Plat No. 1, an Addition to the City of Winterset, Madison County, Iowa;
2. Mortgagee's Consent to Plat from Peoples Trust and Savings Bank;
3. Attorney's Opinion;
4. Certificate of County Treasurer of Madison County, Iowa; and
5. Groundwater Hazard Statement.
6. Approval by Zoning Administrator

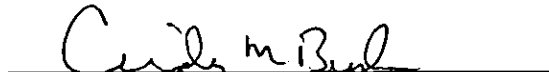
All of which are duly certified in accordance with the Winterset Zoning Ordinance; and dated this 30th day of May, 2007.


Robert Hendricks, Zoning Administrator

STATE OF IOWA, MADISON COUNTY, ss:

On this 31st day of May, 2007, before me, the undersigned, a Notary Public in and for the said State, personally appeared, Robert Hendricks, 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.


CINDY M. BUSH
Commission Number 144829
My Commission Expires
10-1-08


Notary Public in and for the State of Iowa

DEDICATION AND CONSENT TO PLAT

KNOW ALL MEN BY THESE PRESENTS:

That Birchwood Estates, L.L.C., an Iowa limited liability company, does hereby acknowledge and declare that the platting of the following described real estate, situated in Winterset, Iowa, to-wit:

Lot 5 in Block 1 of Birchwood Estates Plat No. 1, an Official Plat, now included in and forming a part of the City of Winterset, Madison County, Iowa

to be known as Replat Lot 5, Block 1 Birchwood Estates, Plat No. 1, an Official Plat, City of Winterset, Madison County, Iowa, is with the free consent and in accordance with the desires and wishes of the undersigned. The undersigned dedicates to the public all streets and public easements as shown on said Plat.

IN WITNESS WHEREOF, Birchwood Estates, L.L.C. has caused this instrument to be executed this 14th day of May 2007.

Birchwood Estates, L.L.C.

By *William E. Kline*
William E. Kline, Manager

STATE OF IOWA)
) ss:
COUNTY OF POLK)

On this 14 day of May 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared William E. Kline to me personally known, who being by me duly sworn, did say that the Manager of said limited liability company; that said instrument was signed on behalf of said limited liability company by authority of its members; and that the said William E. Kline acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company, by it and by him voluntarily executed.

Laurie Schellhase
Notary Public
in and for the State of Iowa



Prepared by: David D. Nelson, 213 N. Ankeny Blvd., Ste. 100, Ankeny, IA 50021 (515) 964-3633

MORTGAGEE'S CONSENT TO PLAT

The undersigned hereby states, acknowledges and certifies that Peoples Trust & Savings Bank, is the holder of a Mortgage on certain real estate described as follows, to-wit:

Lot 5 in Block 1 of Birchwood Estates Plat No. 1, an Official Plat, now included in and forming a part of the City of Winterset, Madison County, Iowa

that is to be subdivided and platted as Replat Lot 5, Block 1 Birchwood Estates, Plat No. 1, an Official Plat, City of Winterset, Madison County, Iowa, and which Mortgage was recorded March 17, 2004, in Book 2004 Page 1142 in the Madison County Recorder's Office. The platting of the real estate described above is done so with the free consent and in accordance with the desire of said Mortgagee.

Dated this 18th day of May 2007.

Peoples Trust & Savings Bank, an Iowa corporation

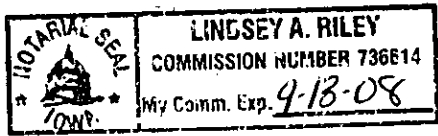
By: Laurie A. Briggs Leeper
Laurie A. Briggs Leeper, (name)
Vice President, (title)

STATE OF IOWA)
)
COUNTY OF Bk)

ss:

On this 18th day of May, 2007, before me, a Notary Public in and for the State of Iowa, personally appeared Laurie A. Briggs-Keepor, to me personally known, who being by me duly sworn, did say that he is the Vice President of said corporation; that said instrument was signed on behalf of said Corporation by authority of its Board of Directors; and that the said Laurie A. Briggs-Keepor as such officer, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it and by him voluntarily executed.

Lindsey A. Riley Notary Public



WHITFIELD & EDDY P.L.C.

ATTORNEYS AND COUNSELORS AT LAW

Mark R. Gray
David D. Nelson

Des Moines:

Gary Gately
David L. Phipps
Benjamin B. Ullem
Robert L. Fanter
Bernard L. Spaeth, Jr.
William L. Fairbank
Robert G. Bridges
Jaki K. Samuelson

Kevin M. Reynolds
Thomas H. Burke
Thomas Henderson
Megan M. Antenucci
Thomas S. Reavely
Gary A. Norton
Frank M. Grenard
Mark V. Hanson
G. Mark Rice
Richard J. Kirschman
John F. Fatino
Jason M. Casini
J. Campbell Helton

Sally A. Reavely
Anjela A. Shutts
Stephen E. Doohen
Drew J. Gentsch
Jon E. Kramer
Kara M. Sinnard
B. MacPaul Stanfield
Maria Ruhtenberg
Robert W. Hancock, Jr.
Nicholas O. Cooper
Denise M. Hill
Erik S. Fisk
Gary D. Goudelock, Jr.

John H. Moorlach
Katherine J. Pronk
Kimberly S. Bartosh

Mt. Pleasant:

Philip McCormick
Danny L. Cornell
Alanson F. Elgar
of Counsel

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Greg A. Naylor
Maureen Roach Tobin
Jeffrey D. Stone
Stephen D. Marso
Stephen W. Tyler

Direct Line/E-Mail
558-0153

nelson@whitfieldlaw.com

May 8, 2007

City of Winterset, Iowa
City Hall
124 West Court Avenue
Winterset, IA 50273

This is to certify that I have examined an Abstract of Title commencing with the date of root of title entry and ending with Abstract No. 2100101 prepared by Madison County Company. Those who prepared the last continuation of this Abstract of Title have certified that it reflects all matters up to April 17, 2007, at 8:00 a.m. and relating to the following property:

Lot 5 in Block 1 of Birchwood Estates Plat No. 1, an Official Plat, now included in and forming a part of the City of Winterset, Madison County, Iowa, to be known as:

Replat Lot 5, Block 1 Birchwood Estates, Plat No. 1, City of Winterset, Madison County, Iowa

As of that date and time, we find from our examination that good and marketable title to the property described above is held by:

Birchwood Estates, L.L.C.

EXCEPT THAT we also find certain matters which affect title as listed below:

1. **MORTGAGE.** The abstract shows a mortgage in the principal sum of \$1,700,000.00 from Birchwood Estates, L.L.C., to Peoples Trust & Savings Bank, dated March 15, 2004, and filed March 17, 2004, in Book 2004 Page 1142 of the Madison County records.

2. **EASEMENT.** The abstract shows a Utility Easement Agreement between Birchwood Estates, L.L.C. and the City of Winterset, Iowa, dated March 23, 2004, and filed May 20, 2004, in Book 2004 Page 2339 of the Madison County records.

3. **PLAT.** The subject property is a replat of Lot 5, Block 1, of Birchwood Estates Plat No. 1, and said plat was filed October 26, 2004, in Book 2004 Page 5025 of the Madison County records.

4. **REAL ESTATE TAXES.** All real estate taxes, including the 2005/2006 fiscal year taxes are paid in full.

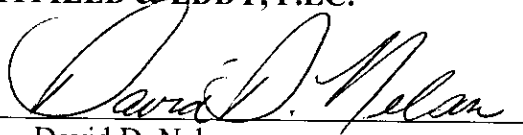
5. **OTHER MATTERS.** There are no other encumbrances, judgments, special assessments or other liens affecting the property.

This opinion is given for platting purposes pursuant to Section 354.11(3) of the Code of Iowa.

Respectfully submitted,

WHITFIELD & EDDY, P.L.C.

By


David D. Nelson

CERTIFICATE OF TREASURER OF MADISON COUNTY, IOWA

STATE OF IOWA)
) ss:
COUNTY OF MADISON)

I, Jo Anne Collins, Treasurer of Madison County, having examined the records of my office, in accordance with the provisions of Section 354.11, Iowa Code, 2005, pertaining to real properties legally described as follows:

Lot 5 in Block 1 of Birchwood Estates Plat No. 1, an Official Plat, now included in and forming a part of the City of Winterset, Madison County, Iowa.

to be hereinafter designated as Replat Lot 5, Block 1 Birchwood Estates, Plat No. 1, an Official Plat, City of Winterset, Madison County, Iowa, does hereby certify that same is free from real estate taxes, special assessments and special rates and charges.

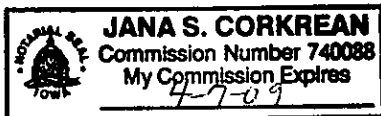
Dated at Winterset, Iowa, this 18 day of May, 2007.

MADISON COUNTY TREASURER

By: Jo Anne Collins
Treasurer

Subscribed and sworn to before me this 18 day of May, 2007.

Jana S. Corkrean
Notary Public in and for the State of Iowa



REPLAT LOT 5, BLOCK 1 BIRCHWOOD ESTATES, PLAT 1
TO THE CITY OF WINTERSET, MADISON COUNTY, IOWA

APPROVAL BY ZONING
ADMINISTRATOR

WHEREAS, there was filed in the office of the Zoning Administrator of the City of Winterset, Iowa. A registered and surveyor's plat of a proposed subdivision known as the Replat Lot 5, Block 1 Birchwood Estates, Plat 1 an Addition to the City of Winterset, Madison County, Iowa.

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

Lot 5, Block 1, Birchwood Estates, Plat No. 1 containing 9.654Acres. Lot 5 is divided into Lot and Lot 2 as shown and dimensioned on this Plat.

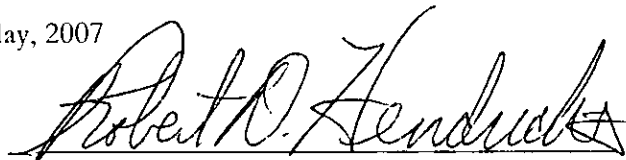
WHEREAS, there was also filed with said plat a Dedication of said plat containing a statement to the effect that the subdivision as it appears on the plat, is with the free consent and in accordance with the desire of the proprietor, Birchwood Estates, L.L.C.

WHEREAS, said Plat was accompanied by a complete abstract of title and an opinion from the attorney at law showing that title is fee simple in said proprietor and that the platted land is free from liens and encumbrances, and a certified statement from the Treasurer of Madison County, Iowa, that said platted land is free from taxes; and

WHEREAS, the Zoning Administrator of the City of Winterset, Iowa, finds that said Plat conforms to the provisions of the Subdivisions Ordinance of the City of Winterset and that the plat, papers and documents presented therewith should be approved by the Zoning Administrator.

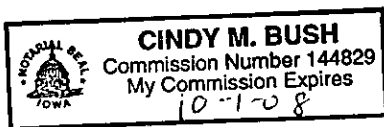
NOW THEREFORE that said plat, known as Replat Lot 5, Block 1 Birchwood Estates, Plat No.1 an Addition to the City of Winterset, Madison County, Iowa, and all documents and papers prepared in connection with said plat and subdivision, is hereby approved.

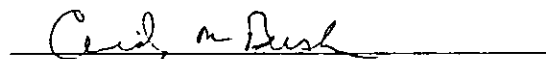
Dated at Winterset, Iowa, this 30th day of May, 2007


Robert D. Hendricks, Zoning Administrator

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 30th day May, 2007 by Robert D. Hendricks.

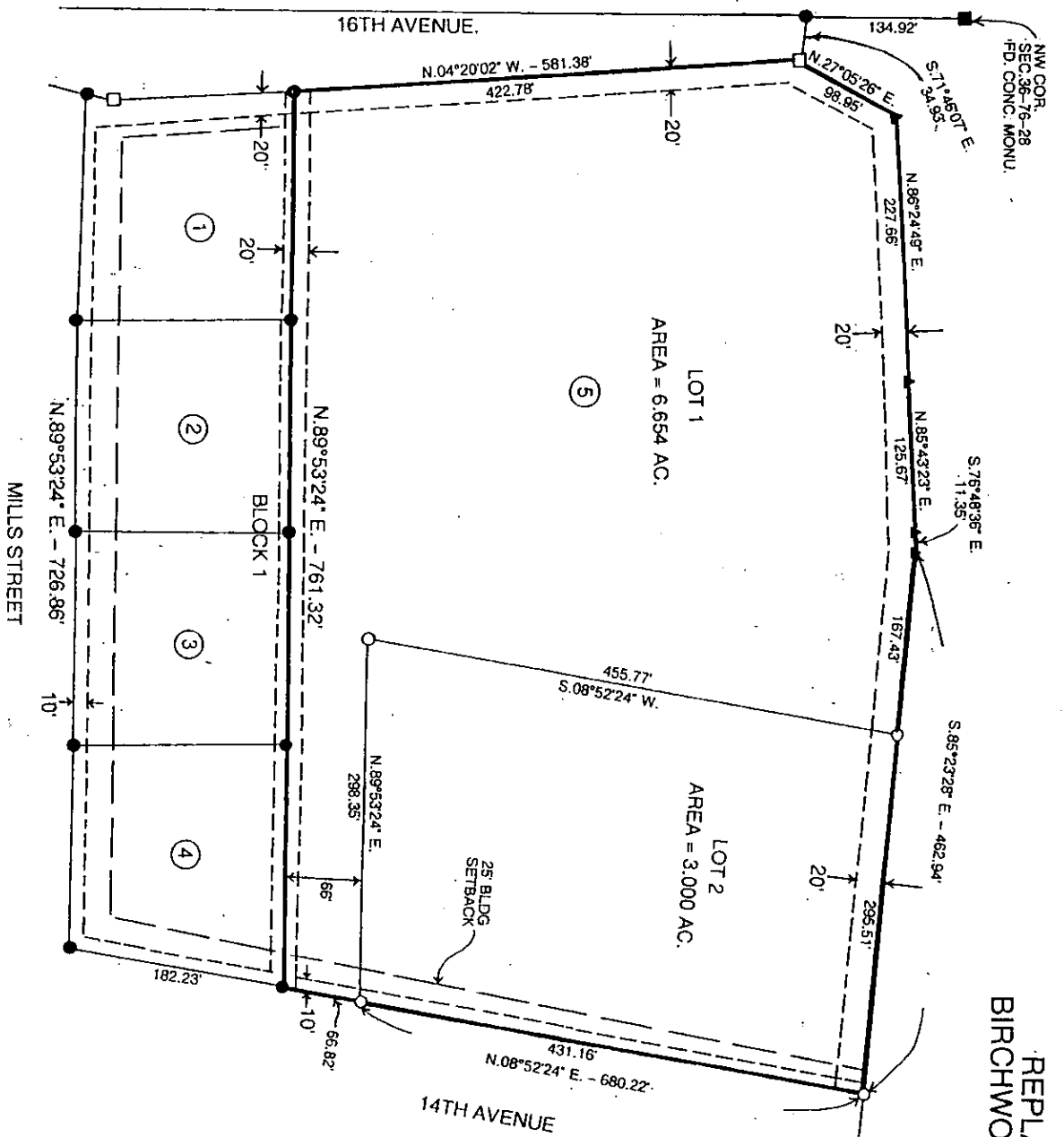



Notary Public in and for said State of Iowa

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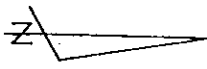
LISA SMITH, COUNTY RECORDER
 MADISON IOWA

VANCE & HOCHSTETLER, P.C. CONSULTING ENGINEERS, WINTERSSET, IOWA (515)462-3995
 CHARLES T. VANCE, 110 WEST GREEN ST., WINTERSSET, IOWA 50273-1533
 JAMES M. HOCHSTETLER, 110 WEST GREEN ST., WINTERSSET, IOWA 50273-1533



REPLAT LOT 5, BLOCK 1
 BIRCHWOOD ESTATES, PLAT NO. 1

LEGAL DESCRIPTION:
 LOT 5, BLOCK 1, BIRCHWOOD ESTATES,
 PLAT NO. 1 CONTAINING 9.654 ACRES,
 LOT 5 IS DIVIDED INTO LOT 1 AND LOT 2
 AS SHOWN AND DIMENSIONED ON THIS PLAT.



SCALE 1" = 100'
 DATE OF SURVEY = 4-12-07

- CAPPED IRON ROD (CIR) #6808 SET
- CIR #6808 FOUND
- ▲ IOWA DOT CIR FOUND
- IOWA DOT ROW, RURAL FOUND
- CONCRETE MONUMENT FOUND
- EASEMENT LINE
- - - BUILDING SETBACK

LICENSED LAND SURVEYOR
 IOWA
 J. M. HOCHSTETLER
 #6808

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
 License number 6808 Date 4/12/07
 My license renewal date is December 31, 2017
 Pages or sheets covered by this seal: 1

OWNER/DEVELOPER:
 REPLAT OF LOT 5, BLOCK 1,
 BIRCHWOOD ESTATES, L.L.C.,
 PLAT NO. 1

BIRCHWOOD ESTATES, L.L.C.
 3501 WESTOWN PARKWAY
 WEST DES MOINES, IOWA 50265

ENGINEER/SURVEYOR:
 VANCE & HOCHSTETLER, P.C.
 CONSULTING ENGINEERS
 110 WEST GREEN ST.
 WINTERSSET, IOWA 50273-1533