

FOR PLAT SEE
TOWN PLAT 2-412

REC \$ 80.00
AUD \$ 5.00
R.M.F. \$ 1.00 FILED NO. 001041

PLAT AND CERTIFICATE
FOR
MAPLE LANE ESTATES
AN ADDITION TO THE CITY OF WINTerset,
MADISON COUNTY, IOWA

BOOK 63 PAGE 398

99 SEP 10 AM 9: 29

MICHELLE HULLICH
RECORDER
MADISON COUNTY, IOWA

COMPUTER
RECORDED
COMPARED

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 Maple Lane Estates, an Addition to the City of Winterset, Madison County, Iowa; and, that the real estate comprising said plat is described as follows:

Lot - 1 of Mason's Subdivision in the West Half of the Northwest Quarter of the Southwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th Principal Meridian; EXCEPT, Parcel "B" thereof, all in the City of Winterset, Madison County, Iowa, more particularly described as follows:

Commencing at the West Quarter Corner of Section 36, T76N, R28W of the 5th P.M.; thence along the North line of the SW¼ of said Section 36, South 90°00'00" East, 317.72 feet to the Northwest Corner of Lot - 1 Mason's Subdivision and being the point of beginning. Thence along the West line of said Lot - 1, South 00°45'31" East, 620.63 feet; thence South 90°00'00" East, 133.93 feet; thence South 00°44'23" East, 90.00 feet; thence North 89°54'20" East, 66.00 feet along the North line of Jefferson Street; thence North 00°44'23" West, 138.23 feet, thence South 90°00'00" East, 142.00 feet; thence along the East line of said Lot - 1, North 00°44'23" West, 572.29 feet; thence along the North line of said Lot - 1, North 90°00'00" West, 342.14 feet to the point of beginning and containing 4.85 Acres

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

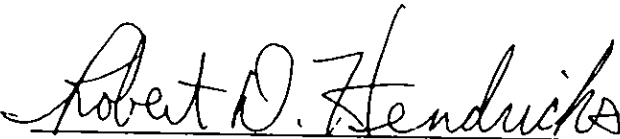
1. Dedication of Plat of Maple Lane Estates, an Addition to the City of Winterset, Madison County, Iowa;
- 2) Consent of Mortgagee, Brenton Bank;
- 3) Attorney's opinion;
- 4) Certificate of County Treasurer of Madison County, Iowa; and

*Amended 05-17-01
see 2001-2008*

ENTERED FOR TAXATION
THIS 10 DAY OF 9-99
Jan Welch
AUDITOR
Deby Corkean
DEPUTY AUDITOR

5) Resolution of the City Council of the City of Winterset approving said plat,
all of which are duly certified in accordance with the Winterset Zoning Ordinance.

Dated this 8TH day of SEPTEMBER, 1999.


Robert Hendricks, Zoning Administrator

**DEDICATION OF PLAT
OF
MAPLE LANE ESTATES
TO THE CITY OF WINTERSET, MADISON COUNTY, IOWA**

KNOW ALL MEN BY THESE PRESENT:

That Kenneth L. Conard and Carol A. Conard, does certify that they are the sole owners and proprietors of the following-described real estate:

Lot - 1 of Mason's Subdivision in the West Half of the Northwest Quarter of the Southwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th Principal Meridian; EXCEPT, Parcel "B" thereof, all in the City of Winterset, Madison County, Iowa, more particularly described as follows:

Commencing at the West Quarter Corner of Section 36, T76N, R28W of the 5th P.M.; thence along the North line of the SW¼ of said Section 36, South 90°00'00" East, 317.72 feet to the Northwest Corner of Lot - 1 Mason's Subdivision and being the point of beginning. Thence along the West line of said Lot - 1, South 00°45'31" East, 620.63 feet; thence South 90°00'00" East, 133.93 feet; thence South 00°44'23" East, 90.00 feet; thence North 89°54'20" East, 66.00 feet along the North line of Jefferson Street; thence North 00°44'23" West, 138.23 feet, thence South 90°00'00" East, 142.00 feet; thence along the East line of said Lot - 1, North 00°44'23" West, 572.29 feet; thence along the North line of said Lot - 1, North 90°00'00" West, 342.14 feet to the point of beginning and containing 4.85 Acres

The street designated by the letter "A" as shown by the engineer's Final Plat filed herewith, and labeled Fifteenth Avenue, is hereby dedicated to the City of Winterset, Madison County, Iowa, as public streets.

That the subdivision of the above-described real estate, as shown by the final plat of Maple Lane Estates, to the City of Winterset, Madison County, Iowa, is with the free consent and in accordance with the owners' desires as owners of said real estate.

Dated this 24 day of AUGUST, 1999.

Kenneth L. Conard
Kenneth L. Conard

Carol A. Conard
Carol A. Conard

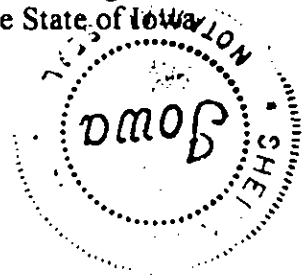
STATE OF IOWA

:
:ss

MADISON COUNTY

On this 24 day of August, 1999, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Kenneth L. Conard and Carol A. Conard, to me known to be the identical persons named in and who executed the within and foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Sheila Kirkland
Notary Public in and for the State of Iowa



TITLE OPINION OF ATTORNEY AT LAW

I, Jerrold B. Oliver, do hereby state that I am an attorney at law practicing in Winterset, Madison County, Iowa; and, that I have examined an abstract of title to the following-described real estate:


Lot - 1 of Mason's Subdivision in the West Half of the Northwest Quarter of the Southwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th Principal Meridian; EXCEPT, Parcel "B" thereof, all in the City of Winterset, Madison County, Iowa, more particularly described as follows:

Commencing at the West Quarter Corner of Section 36, T76N, R28W of the 5th P.M.; thence along the North line of the SW $\frac{1}{4}$ of said Section 36, South 90°00'00" East, 317.72 feet to the Northwest Corner of Lot - 1 Mason's Subdivision and being the point of beginning. Thence along the West line of said Lot - 1, South 00°45'31" East, 620.63 feet; thence South 90°00'00" East, 133.93 feet; thence South 00°44'23" East, 90.00 feet; thence North 89°54'20" East, 66.00 feet along the North line of Jefferson Street; thence North 00°44'23" West, 138.23 feet, thence South 90°00'00" East, 142.00 feet; thence along the East line of said Lot - 1, North 00°44'23" West, 572.29 feet; thence along the North line of said Lot - 1, North 90°00'00" West, 342.14 feet to the point of beginning and containing 4.85 Acres

I further state that the name of the proprietor of said Plat is: **Kenneth L. Conard and Carol A. Conard.**

I further state that there are no mortgages, liens or other encumbrances on the above-described land except for a Mortgage executed by Kenneth L. Conard and Carol A. Conard, husband and wife, to Brenton Bank, which Mortgage is dated March 19, 1999, and filed for record March 29, 1999, at Mortgage Record 207, Page 252.

Dated this 26 day of August, 1999.



Jerrold B. Oliver

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

I, Becky McDonald, do hereby certify that I am the duly elected and acting Treasurer of Madison County, Iowa; that I have searched the records in my office, and, that there are no certified taxes and no certified special assessments forming a lien against the following-described real estate, to-wit:

Lot - 1 of Mason's Subdivision in the West Half of the Northwest Quarter of the Southwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th Principal Meridian; EXCEPT, Parcel "B" thereof, all in the City of Winterset, Madison County, Iowa, more particularly described as follows:

Commencing at the West Quarter Corner of Section 36, T76N, R28W of the 5th P.M.; thence along the North line of the SW¼ of said Section 36, South 90°00'00" East, 317.72 feet to the Northwest Corner of Lot - 1 Mason's Subdivision and being the point of beginning. Thence along the West line of said Lot - 1, South 00°45'31" East, 620.63 feet; thence South 90°00'00" East, 133.93 feet; thence South 00°44'23" East, 90.00 feet; thence North 89°54'20" East, 66.00 feet along the North line of Jefferson Street; thence North 00°44'23" West, 138.23 feet, thence South 90°00'00" East, 142.00 feet; thence along the East line of said Lot - 1, North 00°44'23" West, 572.29 feet; thence along the North line of said Lot - 1, North 90°00'00" West, 342.14 feet to the point of beginning and containing 4.85 Acres

Dated at Winterset, Iowa, this 24 day of August, 1999.

Becky McDonald
Becky McDonald, Treasurer of Madison County, Iowa

6

**DEED OF RESTRICTIONS
MAPLE LANE ESTATES
AN ADDITION TO THE CITY OF WINTERSET,
MADISON COUNTY, IOWA**

We, Kenneth L. Conard and Carol A. Conard, husband and wife, are now the fee simple owners and record titleholders of the following-described real estate, to-wit:

Lot - 1 of Mason's Subdivision in the West Half of the Northwest Quarter of the Southwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th Principal Meridian; EXCEPT, Parcel "B" thereof, all in the City of Winterset, Madison County, Iowa, more particularly described as follows:

Commencing at the West Quarter Corner of Section 36, T76N, R28W of the 5th P.M.; thence along the North line of the SW¼ of said Section 36, South 90°00'00" East, 317.72 feet to the Northwest Corner of Lot - 1 Mason's Subdivision and being the point of beginning. Thence along the West line of said Lot - 1, South 00°45'31" East, 620.63 feet; thence South 90°00'00" East, 133.93 feet; thence South 00°44'23" East, 90.00 feet; thence North 89°54'20" East, 66.00 feet along the North line of Jefferson Street; thence North 00°44'23" West, 138.23 feet, thence South 90°00'00" East, 142.00 feet; thence along the East line of said Lot - 1, North 00°44'23" West, 572.29 feet; thence along the North line of said Lot - 1, North 90°00'00" West, 342.14 feet to the point of beginning and containing 4.85 Acres

which real estate is being platted as: Maple Lane Estates an Addition to the City of Winterset, Madison County, Iowa.

Said owners do hereby impose and subject said real estate to certain regulations, covenants, restrictions and easements as to the use and occupancy thereof, as follows:

1) All lots in said Plat shall be used in a manner consistent with the Winterset Zoning Ordinance, the above-described real estate being located in R-1, multi-residential district. No structure shall be erected on any lot except a single-family residential dwelling structure, a one-to three-car garage and certain accessory buildings provided that accessory buildings other than garages may not be erected in excess of 400 square feet in area. No construction shall start on any such dwelling until the plans have been approved by the developer. No mobile homes,

double-wide mobile homes, berm homes, or earth homes shall be erected or placed on any of the lots in said Maple Lane Estates to the City of Winterset, Madison County, Iowa. Motor homes, camper trailers, boats, motorcycles and other recreational vehicles shall not be stored on the premises unless the same are stored in a garage as permitted by these covenants.

2) No lot in the Plat shall be further subdivided, except that a lot may be divided and sold to or with adjoining lots to increase their size.

3) No trailer, basement, tent, shack, garage, barn or other accessory building in the tract shall at any time be used as a residence, temporarily or permanently, nor shall any residence of a temporary character be permitted.

4) No building shall be erected on any building lot unless the design and location is in harmony with the existing structures and locations in the tract and does not violate any of these protective covenants.

5) The titleholder of each lot, vacant or improved, shall keep his lot or lots free of weeds and debris, and shall not engage in act activity which is a nuisance.

6) These covenants are to run with the land and shall be binding on all parties and persons for a period of twenty (20) years from the time this Plat is approved and accepted, at which time said covenants shall be automatically extended for successive periods of ten (10) years, unless by a vote of the majority of the then owners of the lots, it is agreed to delete the said covenants in whole or in part. No new or additional covenants shall be added unless all of the owners of the lots in said Maple Lane Estates to the City of Winterset, Madison County, Iowa, agree in writing to any such additional covenants. The easements shown at numbered paragraph 9 hereof are perpetual in nature and may not be deleted.

7) If any party shall violate or attempt to violate any of the covenants, conditions or

restrictions contained herein, it shall be lawful for any owner of any lot or lots in the subdivision to institute proceedings in law or in equity against the person or persons violating or attempting to violate any such covenants, conditions or restrictions, and to prevent or enjoin him or them from so doing or recover damages for such violation.

8) Invalidation of any one of these covenants by judgment or court order shall not affect any of the other provisions which shall remain in full force and effect.

9) Perpetual easements for ingress, egress, drainage and utility purposes are hereby granted to the City of Winterset, Iowa, Mid American Energy, U.S. West Communications, Inc. and their successors and assigns for the installation, operation, maintenance and repair thereof, as shown by the Engineer's Final Plat filed herewith.

10) If any lot owner decides to erect a fence upon his lot, the total cost of installation of such fence shall be borne by said lot owner as well as the cost of all future maintenance of the fence. No adjoining lot owner shall be required to participate in the cost of the erection or maintenance of any fence. Any fence erected shall be the sole property of the lot owner and can be removed by such lot owner at his discretion. Nothing in this paragraph shall be deemed to preclude a fencing agreement between adjoining lot owners for erection and maintenance of a common fence; however, for any such common fence agreement to be enforceable upon future lot owners, such fencing agreement must be in writing and filed of record in the Madison County Recorder's office in order to apprise prospective purchasers of their obligations with respect to such fencing.

11) No animals shall be kept or maintained on any of the lots in Maple Lane Estates to the City of Winterset, Madison County, Iowa, except ordinary household pets.

13) "Developer" is defined as Kenneth L. Conard and Carol A. Conard.

Subscribed and sworn to before me by the said Kenneth L. Conard on this 24 day of

August, 1999.

Sheila Kiekland
Notary Public in and for the State of Iowa



**RESOLUTION APPROVING FINAL PLAT
OF
MAPLE LANE ESTATES
AN ADDITION TO THE CITY OF WINTERSET,
MADISON COUNTY, IOWA**

WHEREAS, there was filed in the office of the Zoning Administrator of the City of Winterset, a registered land surveyor's plat of a proposed subdivision known as Maple Lane Estates, an Addition to the City of Winterset, Madison County, Iowa; and

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

Lot - 1 of Mason's Subdivision in the West Half of the Northwest Quarter of the Southwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th Principal Meridian; EXCEPT, Parcel "B" thereof, all in the City of Winterset, Madison County, Iowa, more particularly described as follows:

Commencing at the West Quarter Corner of Section 36, T76N, R28W of the 5th P.M.; thence along the North line of the SW $\frac{1}{4}$ of said Section 36, South 90°00'00" East, 317.72 feet to the Northwest Corner of Lot - 1 Mason's Subdivision and being the point of beginning. Thence along the West line of said Lot - 1, South 00°45'31" East, 620.63 feet; thence South 90°00'00" East, 133.93 feet; thence South 00°44'23" East, 90.00 feet; thence North 89°54'20" East, 66.00 feet along the North line of Jefferson Street; thence North 00°44'23" West, 138.23 feet, thence South 90°00'00" East, 142.00 feet; thence along the East line of said Lot - 1, North 00°44'23" West, 572.29 feet; thence along the North line of said Lot - 1, North 90°00'00" West, 342.14 feet to the point of beginning and containing 4.85 Acres

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 Kenneth L. Conard and Carol A. Conard.

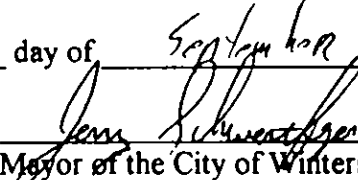
WHEREAS, said Plat was accompanied by a complete abstract of title and an opinion from the attorney at law showing that title is fee simple in said proprietor and that the platted land is free from encumbrance, and a certified statement from the Treasurer of Madison County, Iowa, that said platted land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

WHEREAS, the City Council of the City of Winterset, Iowa, finds that said Plat conforms to the provisions of the Zoning Ordinance of the City of Winterset and that the plat, papers and documents presented therewith should be approved by the City Council; and, that said Plat, known as Maple Lane Estates, an Addition to the City of Winterset, Madison County, Iowa, should be approved by the City Council of the City of Winterset, Iowa.

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

- 1) That said Plat, known as Maple Lane Estates, an Addition to the City of Winterset, Madison County, Iowa, prepared in connection with said plat and subdivision, is hereby approved.
- 2) The Zoning Administrator of the City of Winterset, 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 7th day of September, 1999.



Mayor of the City of Winterset, Iowa

ATTEST:



Clerk of the City of Winterset, Iowa

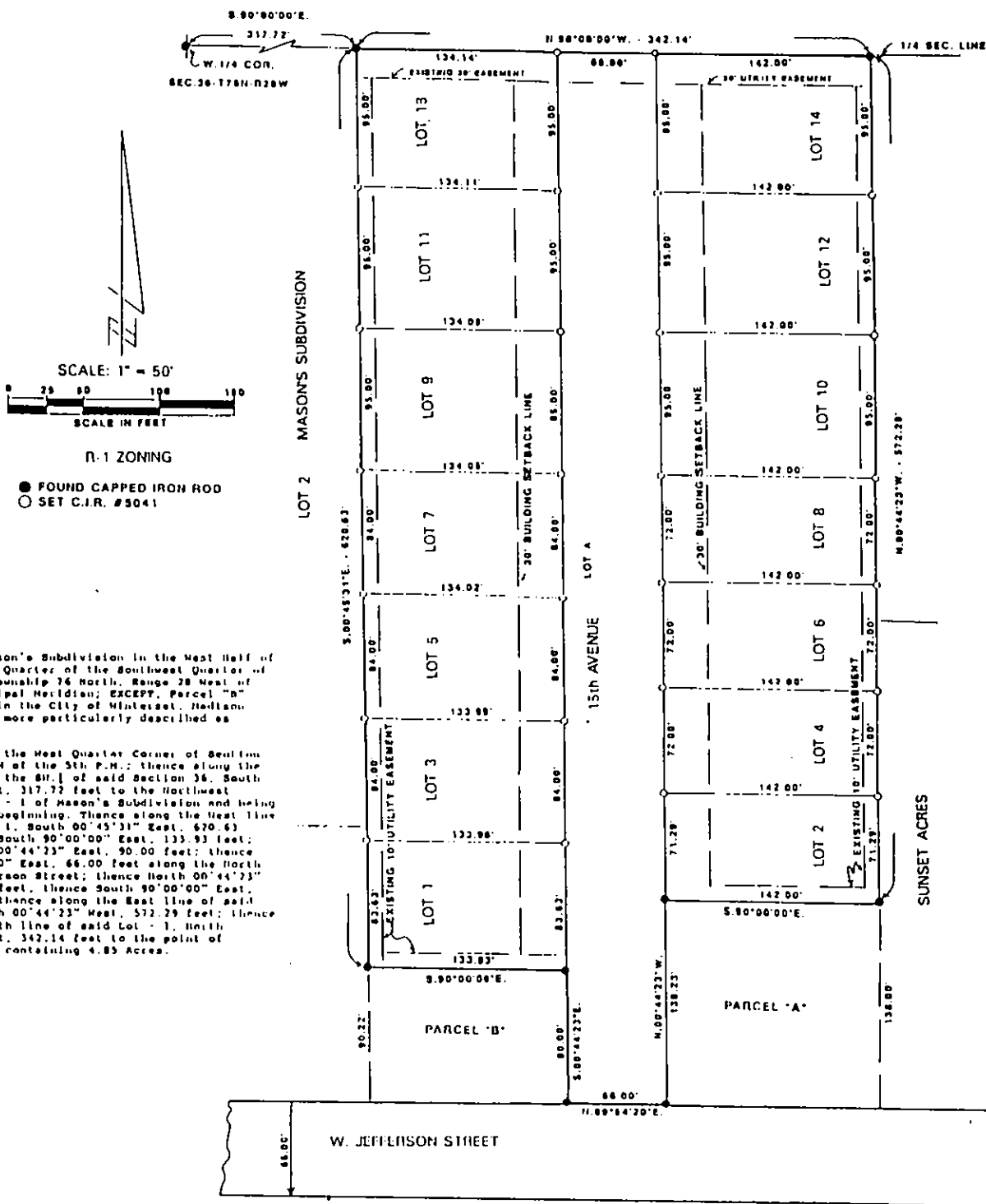
FOR DEDICATION,
RESOLUTION &
CERTIFICATES SEE
DEED RECORD 63-398

FILED NO. 1041
BOOK 2 PAGE 412
99 SEP 10 AM 9:29

MICHELLE OLSEN
RECORDER
MADISON COUNTY, IOWA

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

FINAL PLAT OF
MAPLE LANE ESTATES
IN THE CITY OF WINTERSET, MADISON COUNTY, IOWA



DESCRIPTION:

Lot - 1 of Mason's Subdivision in the West Half of the Northwest Quarter of the Southwest Quarter of Section 36, Township 26 North, Range 28 West of the 5th Principal Meridian; EXCEPT, Parcel "B" thereof, all in the City of Winterset, Madison County, Iowa, more particularly described as follows:

Commencing at the West Quarter Corner of Section 36, T26N, R28W of the 5th P.M.; thence along the North line of the S1/4 of said Section 36, South 90°00'00" East, 317.72 feet to the Northwest Corner of Lot - 1 of Mason's Subdivision and being the point of beginning; thence along the West line of said Lot - 1, South 00°45'31" East, 670.63 feet; thence South 90°00'00" East, 133.93 feet; thence South 00°44'23" East, 90.00 feet; thence North 89°54'20" East, 66.00 feet along the North line of Jefferson Street; thence North 00°44'23" West, 138.23 feet; thence South 90°00'00" East, 142.00 feet; thence along the East line of said Lot - 1, North 00°44'23" West, 572.29 feet; thence along the North line of said Lot - 1, North 90°00'00" West, 342.14 feet to the point of beginning and containing 4.85 Acres.



I hereby certify that this engineering or 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 Professional Engineer and Land Surveyor under the laws of the State of Iowa.

Charles T. Vance 12 Aug. 1999
Date
License number 5041
My license renewal date is December 31, 1999.
Pages or sheets covered by this seal: one

FINAL PLAT
MAPLE LANE ESTATES
OWNER-DEVELOPER: KENNETH L. & CAROL A. CONARD 811 W. COURT AVE. WINTERSET, IOWA 50273
VANCE & HOCHSTETLER, P.C. CONSULTING ENGINEERS 110 W. GREEN ST. WINTERSET, IOWA 50273