

FOR PLAT SEE
TOWN PLAT BOOK 2
PAGE 296

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FILED NO. 1008

BOOK 61 PAGE 366

96 OCT 10 PH 2: 18

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

REC 52
ADD 1
R.M.F. 8

**PLAT AND CERTIFICATE
FOR
CIRCLE HEIGHTS PLAT NO. 3, PHASE 1,
AN ADDITION TO THE CITY OF WINTERSSET,
MADISON COUNTY, IOWA**

I, Randy Jeffs, 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 Circle Heights Plat No. 3, Phase 1, an Addition to the City of Winterset, Madison County, Iowa, and that the real estate comprising said plat is described as follows:

A parcel of land located in the South Half (S½) of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., City of Winterset, Madison County, Iowa, more particularly described as follows:

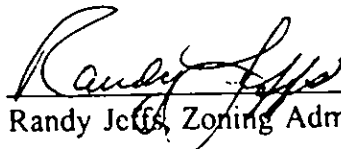
Commencing at the Southeast Corner of Circle Heights Plat 2, City of Winterset, Madison County, Iowa, thence North 00°00'00" West 376.30 feet along the east line of said Circle Heights Plat 2; thence South 89°40'59" East 27.00 feet; thence North 00°00'00" West 152.30 feet to the Point of Beginning; thence North 89°40'59" West 27.00 feet; thence North 00°07'02" East 134.85 feet; thence North 89°40'54" West 145.00 feet to the East line of 4th Avenue; thence North 00°05'49" West 191.10 feet along said East line of 4th Avenue to the North line of the South Half (S½) of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., City of Winterset, Madison County, Iowa; thence South 89°47'03" East 172.00 feet along the North line of said South Half (S½); thence South 00°05'47" East 191.41 feet; thence South 00°07'22" West 134.85 feet to Point of Beginning, said Parcel contains 0.838 acres and is divided into two lots numbered ten (10) and eleven (11).

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 Circle Heights Plat No. 3, Phase 1, An Addition to the City of Winterset, Madison County, Iowa;
2. Attorney's opinion;
3. Certificate of County Treasurer of Madison County, Iowa; and
4. 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 9th day of OCTOBER, 1996.



Randy Jeffs, Zoning Administrator

**DEDICATION OF PLAT
OF
CIRCLE HEIGHTS PLAT NO. 3, PHASE 1,
AN ADDITION TO THE CITY OF WINTERSET,
MADISON COUNTY, IOWA**

KNOW ALL MEN BY THESE PRESENT:

That we, A. Carroll Meyer, also known as Carroll Meyer, and Marjorie Meyer, husband and wife, do certify that we are the sole owners and proprietors of the following-described real estate:

A parcel of land located in the South Half (S½) of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., City of Winterset, Madison County, Iowa, more particularly described as follows:

Commencing at the Southeast Corner of Circle Heights Plat 2, City of Winterset, Madison County, Iowa, thence North 00°00'00" West 376.30 feet along the east line of said Circle Heights Plat 2; thence South 89°40'59" East 27.00 feet; thence North 00°00'00" West 152.30 feet to the Point of Beginning; thence North 89°40'59" West 27.00 feet; thence North 00°07'02" East 134.85 feet; thence North 89°40'54" West 145.00 feet to the East line of 4th Avenue; thence North 00°05'49" West 191.10 feet along said East line of 4th Avenue to the North line of the South Half (S½) of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., City of Winterset, Madison County, Iowa; thence South 89°47'03" East 172.00 feet along the North line of said South Half (S½); thence South 00°05'47" East 191.41 feet; thence South 00°07'22" West 134.85 feet to Point of Beginning, said Parcel contains 0.838 acres and is divided into two lots numbered ten (10) and eleven (11)

That the subdivision of the above-described real estate, as shown by the final plat of Circle Heights Plat No. 3, ~~Block~~ 1, an Addition 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 17th day of September, 1996.

A. Carroll Meyer

A. Carroll Meyer

Marjorie Meyer

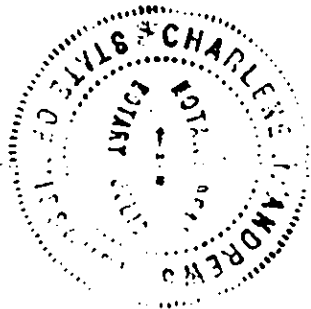
Marjorie Meyer

STATE OF MISSOURI :
COUNTY OF Clay :SS

On this 17th day of September, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared **A. Carroll Meyer and Marjorie Meyer**, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Charlene R. Andrews

Notary Public in and for said State



CHARLENE R. ANDREWS
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
CLAY COUNTY
MY COMMISSION EXPIRES APRIL 17, 2000

TITLE OPINION OF ATTORNEY AT LAW :

I, Lewis H. Jordan, 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:

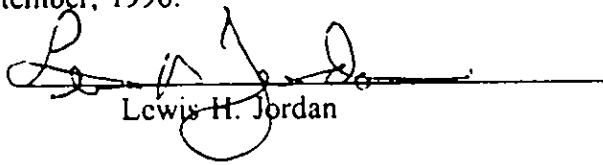
A parcel of land located in the South Half (S½) of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., City of Winterset, Madison County, Iowa, more particularly described as follows:

Commencing at the Southeast Corner of Circle Heights Plat 2, City of Winterset, Madison County, Iowa, thence North 00°00'00" West 376.30 feet along the east line of said Circle Heights Plat 2; thence South 89°40'59" East 27.00 feet; thence North 00°00'00" West 152.30 feet to the Point of Beginning; thence North 89°40'59" West 27.00 feet; thence North 00°07'02" East 134.85 feet; thence North 89°40'54" West 145.00 feet to the East line of 4th Avenue; thence North 00°05'49" West 191.10 feet along said East line of 4th Avenue to the North line of the South Half (S½) of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., City of Winterset, Madison County, Iowa; thence South 89°47'03" East 172.00 feet along the North line of said South Half (S½); thence South 00°05'47" East 191.41 feet; thence South 00°07'22" West 134.85 feet to Point of Beginning, said Parcel contains 0.838 acres and is divided into two lots numbered ten (10) and eleven (11).

I further state that the name of the proprietor of said Plat is: **Carroll Meyer.**

I further state that there are no mortgages, liens or other encumbrances on the above-described land.

Dated this 17 day of September, 1996.


Lewis H. Jordan

**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 examined 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:

A parcel of land located in the South Half (S½) of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., City of Winterset, Madison County, Iowa, more particularly described as follows:

Commencing at the Southeast Corner of Circle Heights Plat 2, City of Winterset, Madison County, Iowa, thence North 00°00'00" West 376.30 feet along the east line of said Circle Heights Plat 2; thence South 89°40'59" East 27.00 feet; thence North 00°00'00" West 152.30 feet to the Point of Beginning; thence North 89°40'59" West 27.00 feet; thence North 00°07'02" East 134.85 feet; thence North 89°40'54" West 145.00 feet to the East line of 4th Avenue; thence North 00°05'49" West 191.10 feet along said East line of 4th Avenue to the North line of the South Half (S½) of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., City of Winterset, Madison County, Iowa; thence South 89°47'03" East 172.00 feet along the North line of said South Half (S½); thence South 00°05'47" East 191.41 feet; thence South 00°07'22" West 134.85 feet to Point of Beginning, said Parcel contains 0.838 acres and is divided into two lots numbered ten (10) and eleven (11)

Dated at Winterset, Iowa, this 7 day of October, 1996.

Becky McDonald, Madison Co. Treasurer
Becky McDonald, Treasurer of Madison County, Iowa

**RESOLUTION APPROVING FINAL PLAT
OF
CIRCLE HEIGHTS PLAT NO. 3, PHASE 1,
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 Circle Heights Plat No. 3, Phase 1, an Addition to the City of Winterset, Madison County, Iowa; and

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

A parcel of land located in the South Half (S½) of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., City of Winterset, Madison County, Iowa, more particularly described as follows:

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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, A. Carroll Meyer and Marjorie Meyer, husband and wife.

WHEREAS, said Plat was accompanied by a complete abstract of title and an opinion from the 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 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 Circle Heights Plat No. 3, Phase 1, 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 Circle Heights Plat No. 3, Phase 1, 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 October, 1996.

Jerry Schwartze
Mayor of the City of Winterset, Iowa

ATTEST:

Mark W. [Signature]
Clerk of the City of Winterset, Iowa



FILED NO. 1008

BOOK 2 PAGE 296

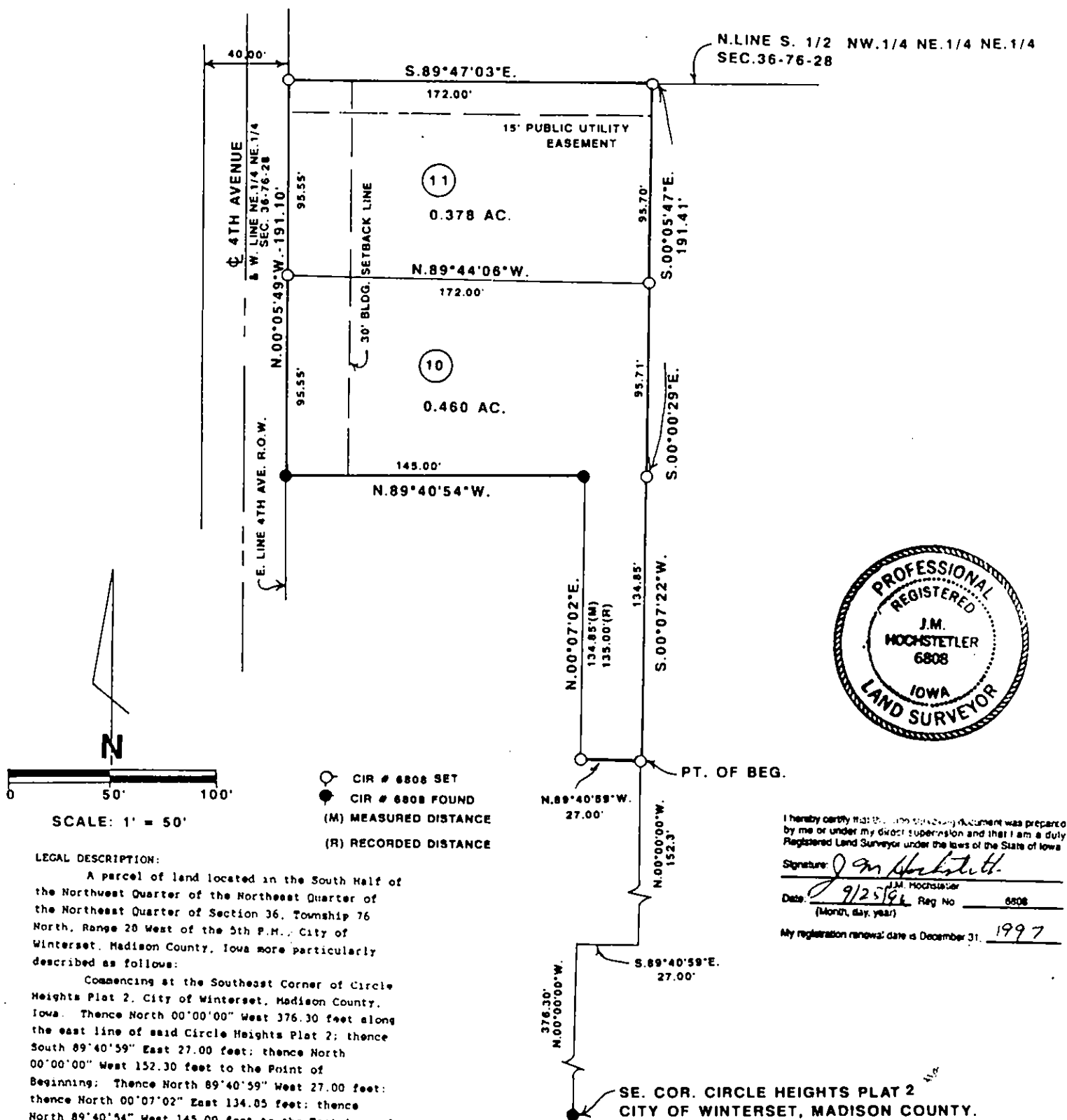
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MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

For Dedication, Certificates
& Resolution - See
Deed Record 61-366

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 CIRCLE HEIGHTS PLAT NO. 3, PHASE 1 AN ADDITION TO THE CITY OF
WINTERSET, MADISON COUNTY, IOWA.



I hereby certify that this surveying document was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Iowa

Signature: *J.M. Hochstetler*
 Date: 9/25/96 (Month, day, year) Reg No. 6808
 My registration renewal date is December 31, 1997

LEGAL DESCRIPTION:
 A parcel of land located in the South Half of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 36, Township 76 North, Range 20 West of the 5th P.M., City of Winterset, Madison County, Iowa more particularly described as follows:
 Commencing at the Southeast Corner of Circle Heights Plat 2, City of Winterset, Madison County, Iowa. Thence North 00° 00' 00" West 376.30 feet along the east line of said Circle Heights Plat 2; thence South 89° 40' 59" East 27.00 feet; thence North 00° 00' 00" West 152.30 feet to the Point of Beginning; Thence North 89° 40' 59" West 27.00 feet; thence North 00° 07' 02" East 134.85 feet; thence North 89° 40' 54" West 145.00 feet to the East line of 4th Avenue; thence North 00° 05' 49" West 191.10 feet along said East line of 4th Avenue to the North line of the South Half of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 36, Township 76 North, Range 20 West of the 5th P.M., City of Winterset, Madison County, Iowa; thence South 89° 47' 03" East 172.00 feet along the North line of said South Half; thence South 00° 05' 47" East 191.41 feet; thence South 00° 07' 22" West 134.85 feet to Point of Beginning, said Parcel contains 0.838 acres and is divided into two lots numbered 10 and 11.