



**PLAT AND CERTIFICATE
FOR
NELSON ACRES PLAT 4
AN ADDITION TO THE CITY OF WINTERSSET,
MADISON COUNTY, IOWA**

I, Robert D. 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 Nelson Acres Plat 4, an Addition to the City of Winterset, Madison County, Iowa; and, that the real estate comprising said plat is described as follows:

See Legal Description Attached.

- 1) Dedication of Plat of Nelson Acres Plat 4, an Addition to the City of Winterset, Madison County, Iowa;
- 2) Attorney's Opinion;
- 3) Certificate of Treasurer;
- 4) Ground Water Statement;
- 5) Consent of Auditor;
- 6) Deed of Restrictions;
- 7) Resolution of Winterset City Council.

all of which are duly certified in accordance with the Winterset Zoning Ordinance.

Dated this 3RD day of AUGUST, 2010.

Robert D. Hendricks, Zoning Administrator

STATE OF IOWA, MADISON COUNTY, ss:

On this 3rd day of August, 2010, before me, the undersigned, a Notary Public in and for the said State, personally appeared, Robert D. 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
Notary Public in and for the State of Iowa

LEGAL DESCRIPTION:

A parcel of land in the Southeast Quarter of the Northwest Quarter of Section 1, Township 75 North, Range 28 West of 5th P.M., City of Winterset, Madison County, Iowa more particularly described as follows:

Beginning at the Southeast Corner of Lot 1 of Nelson Acres, Plat 1 thence South $01^{\circ}01'37''$ East 320.00 feet along the West line of Parcel "D" in the Southeast Quarter of the Northwest Quarter of Section 1, Township 75 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa; thence North $89^{\circ}12'48''$ West 413.84 feet to the Southeast Corner of Lot 5 of said Nelson Acres, Plat 1; thence North $00^{\circ}36'48''$ West 240.04 feet along the East line of said Lot 5; thence North $89^{\circ}25'10''$ East 145.44 feet along the South line of Lot 4 of said Nelson Acres, Plat 1; thence North $19^{\circ}36'58''$ West 47.12 feet along the Easterly line of said Lot 4; thence North $68^{\circ}24'33''$ East 66.00 feet along the Southeasterly line of Lot "B" of said Nelson Acres, Plat 1; thence North $88^{\circ}55'53''$ East 219.70 feet to the Point of Beginning containing 2.7425 acres.

Parcel is divided into Lots 7 though 11 and Lot "C", which is a part of Ninth Avenue.

**DEDICATION OF PLAT
OF
NELSON ACRES PLAT 4
TO THE CITY OF WINTERSET, MADISON COUNTY, IOWA**

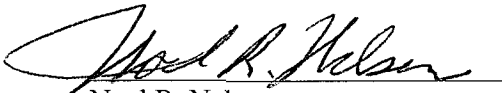
KNOW ALL MEN BY THESE PRESENT:

That Noel R. Nelson, Single, Katherine M. Wilkie, Single, Ward J. Wilkie, Jr., Single Janette Kay Wilkie Thompson and Washington H. Thompson, Wife and Husband, Jody Ann Wilkie Spina and Thomas K. Spina, Wife and Husband, Lester John Wilkie, Single and Jeffree Allen Wilkie and Deana Mae Wilkie, Husband and wife, do certify that they are the sole owners and proprietors of the following-described real estate:

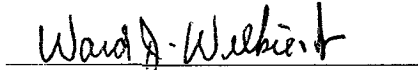
See Legal Description Attached

That the subdivision of the above described real estate, as shown by the Final Plat of Nelson Acres Plat 4 is with the free consent and in accordance with the owners' desires as owners of said real estate.

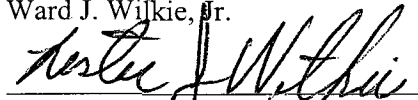
Dated this 9 day of July, 2010.



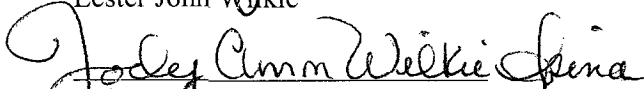
Noel R. Nelson



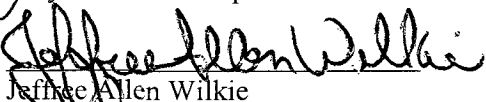
Ward J. Wilkie, Jr.



Lester John Wilkie



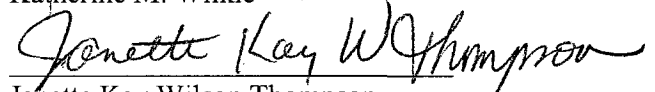
Jody Ann Wilkie Spina




Jeffree Allen Wilkie



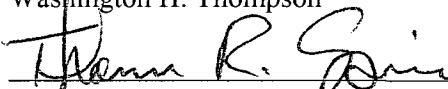
Katherine M. Wilkie



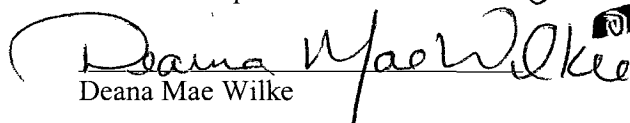
Janette Kay Wilson Thompson



Washington H. Thompson



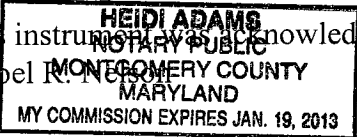
Thomas K. Spina

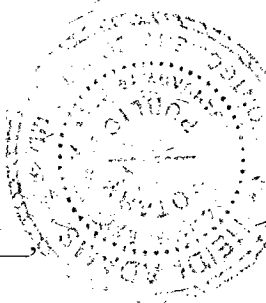


Deana Mae Wilkie

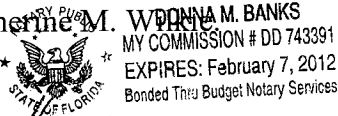
**PLEASE NOTE:
MIDDLETOWN
EST. NOT
OK. TRS.**

STATE OF Maryland, COUNTY OF Hartford


This instrument was acknowledged before me on this 09 day of July, 2010, by Noel R. Nelson

Heidi Adams
Notary Public in and for said State



STATE OF Florida, COUNTY OF Volusia

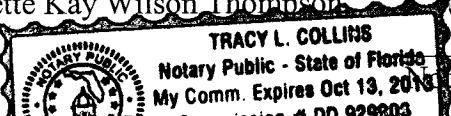
This instrument was acknowledged before me on this 13th day of July, 2010, by Katherine M. Woodna M. Banks

Donna M. Banks
Notary Public in and for said State

STATE OF Maryland, COUNTY OF Hartford

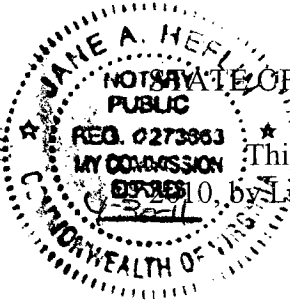
This instrument was acknowledged before me on this 09 day of July, 2010, by Wade Adams

Heidi Adams
Notary Public in and for said State




STATE OF Florida, COUNTY OF Brevard

This instrument was acknowledged before me on this 15 day of July 2010, 2010, by Janette Kay Wilson Thompson

Tracy L. Collins
Notary Public in and for said State

STATE OF Florida, COUNTY OF Osceola

This instrument was acknowledged before me on this 12th day of July, 2010, by Lester John Wilkie.

Jane A. Heffner
Notary Public in and for said State

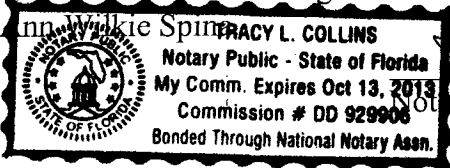
STATE OF Florida, COUNTY OF Brevard

This instrument was acknowledged before me on this 15th day of July 2010, 2010, by Washington H. Thompson.

Tracy L. Collins
Notary Public in and for said State

4-3011 # 278823

STATE OF Florida, COUNTY OF Brevard

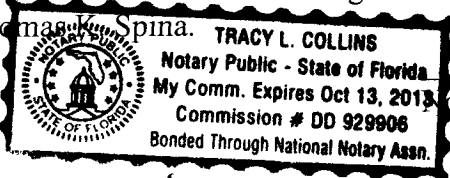
This instrument was acknowledged before me on this 15 day of July 2010, 2010, by Jody Ann Wilkie Spina



Tracy L. Collins
Notary Public in and for said State

STATE OF Florida, COUNTY OF Brevard

This instrument was acknowledged before me on this 15 day of July 2010, 2010, by The masuku Spina



Tracy L. Collins
Notary Public in and for said State

STATE OF Florida, COUNTY OF Volusia

This instrument was acknowledged before me on this 13th day of July, 2010, by Jeffree Allen Wilkie and Deana Mae Wilkie.



Donna M. Banks
Notary Public in and for said State



DONNA M. BANKS
MY COMMISSION # DD 743391
EXPIRES: February 7, 2012
Bonded Thru Budget Notary Services

LEGAL DESCRIPTION:

A parcel of land in the Southeast Quarter of the Northwest Quarter of Section 1, Township 75 North, Range 28 West of 5th P.M., City of Winterset, Madison County, Iowa more particularly described as follows:

Beginning at the Southeast Corner of Lot 1 of Nelson Acres, Plat 1 thence South $01^{\circ}01'37''$ East 320.00 feet along the West line of Parcel "D" in the Southeast Quarter of the Northwest Quarter of Section 1, Township 75 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa; thence North $89^{\circ}12'48''$ West 413.84 feet to the Southeast Corner of Lot 5 of said Nelson Acres, Plat 1; thence North $00^{\circ}36'48''$ West 240.04 feet along the East line of said Lot 5; thence North $89^{\circ}25'10''$ East 145.44 feet along the South line of Lot 4 of said Nelson Acres, Plat 1; thence North $19^{\circ}36'58''$ West 47.12 feet along the Easterly line of said Lot 4; thence North $68^{\circ}24'33''$ East 66.00 feet along the Southeasterly line of Lot "B" of said Nelson Acres, Plat 1; thence North $88^{\circ}55'53''$ East 219.70 feet to the Point of Beginning containing 2.7425 acres.

Parcel is divided into Lots 7 though 11 and Lot "C", which is a part of Ninth Avenue.

**ATTORNEY'S OPINION FOR FINAL PLAT,
NELSON ACRES PLAT 4 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, from the Root of Title to June 22, 2010, 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 of Nelson Acres Plat 4, Madison County, Iowa:

See Legal Description Attached

In my opinion, merchantable title to the above described property is in the names of Noel R. Nelson, Katherine M. Wilkie, Ward J. Wilkie, Lester John Wilkie, Jeffree Allen Wilkie, Janette Kay Wilkie Thompson and Jody Ann Wilkie Spina, free and clear of all liens and encumbrances.

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

LEGAL DESCRIPTION:

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Parcel is divided into Lots 7 though 11 and Lot "C", which is a part of Ninth Avenue.

**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:

See Attached

DATED at Winterset, Iowa, this 29th day of June, 2010.



G. JoAnn Collins, Treasurer of Madison County,
Iowa

LEGAL DESCRIPTION:

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**APPROVAL OF SUBDIVISION PLAT NAME BY
MADISON COUNTY AUDITOR**

Date: 6-30-2010

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

Nelson Acres Plat 4

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.

Debby Corkran, Deputy
County Auditor of Madison County, Iowa

LEGAL DESCRIPTION:

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**DEED OF RESTRICTIONS
NELSON ACRES - PLAT 4 MADISON COUNTY, IOWA**

We, Noel R. Nelson, Single; Katherine M. Wilkie, Single; Ward J. Wilkie, Jr., Single; Janette Kay Wilkie Thompson and Washington H. Thompson, Wife and Husband; Jeffree Allen Wilkie and Deana Mae Wilkie, Husband and Wife; Lester John Wilkie, Single; and Jody Ann Wilkie Spina and Thomas R. Spina, Wife and Husband, are now the fee simple owners and record titleholders of the following-described real estate, to-wit:

See Legal Description Attached

which real estate is being platted at Nelson Acres - Plat 4, 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 only for single-family residential purposes. No structure shall be erected on any lot except the residential dwelling structure, which shall be at least 1200 square feet in area, a one- to three-car garage and certain accessory buildings provided that accessory buildings other than garages may not be erected in excess of 1000 square feet in area. No mobile homes, earth homes or modular homes shall be erected or placed on any of the lots in said Nelson Acres - Plat 4, except that a burm home shall be permitted. No hog confinement, nursery or finishing structure, cattle finishing structure, poultry laying or raising houses, dog kennels or horse stables shall be erected on any of the lots in said Nelson Acres - Plat 4.

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, basements, 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 any activity which is a nuisance.

6) These covenants are to run with the land, and shall be binding on all parties and persons claiming through or under them until July 1, 2030, 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 Nelson Acres - Plat 4 agree in writing to any such additional covenants.

7) If any person 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 utility purposes are hereby granted to the City of Winterset, Iowa, Midwest Gas Company, U.S. West Communications, Inc. and their successors and assigns for the installation, operation, maintenance, and repair thereof as shown by the 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 on record in the Madison County Recorder's office in order to apprise prospective purchasers of their obligations with respect to such fencing.

11) With respect to exterior partition fences, it shall be the responsibility and obligation of each lot owner to maintain a lawful partition fence separating his lot from adjoining unplatted real estate.

12) No animals shall be kept or maintained on any of the lots in Nelson Acres - Plat 4, except ordinary household pets.

Dated this 9 day of July, 2010.

Noel R. Nelson
Noel R. Nelson

Ward Jay Wilkie Jr
Ward J. Wilkie, Jr.

Washington H. Thompson
Washington H. Thompson

Jody Ann Wilkie Spina
Jody Ann Wilkie Spina

Jeffrey Allen Wilkie
Jeffrey Allen Wilkie

Katherine M. Wilkie
Katherine M. Wilkie

Janette Kay Wilkie Thompson
Janette Kay Wilkie Thompson

Lester J. Wilkie
Lester John Wilkie

Thomas R. Spina
Thomas R. Spina

Deana Mae Wilkie
Deana Mae Wilkie

STATE OF _____, COUNTY OF _____

This instrument was acknowledged before me on this 09 day of July, 2010, by Noel R. Nelson.

HEIDI ADAMS
NOTARY PUBLIC
MONTGOMERY COUNTY
MARYLAND
MY COMMISSION EXPIRES JAN. 19, 2013

[Signature]
Notary Public

STATE OF Florida, COUNTY OF Volusia

This instrument was acknowledged before me on this 13th day of July, 2010, by Katherine M. Wilkie.

NOTARY PUBLIC
STATE OF FLORIDA

DONNA M. BANKS
MY COMMISSION # DD 743391
EXPIRES: February 7, 2012
Bonded Thru Budget Notary Services

[Signature]
Notary Public

STATE OF Maryland, COUNTY OF Hartford

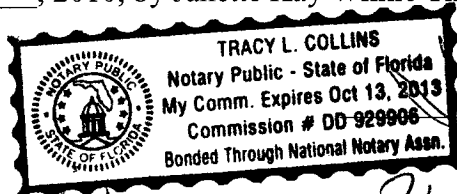
This instrument was acknowledged before me on this 09 day of July, 2010, by Ward J. Wilkie Jr.

HEIDI ADAMS
NOTARY PUBLIC
MONTGOMERY COUNTY
MARYLAND
MY COMMISSION EXPIRES JAN. 19, 2013

[Signature]
Notary Public

STATE OF Florida, COUNTY OF Brevard

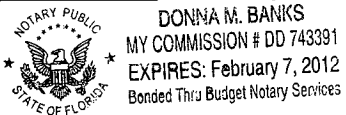
This instrument was acknowledged before me on this 15th day of July, 2010, by Janette Kay Wilkie Thompson and Washington H. Thompson.



Tracy L. Collins
Notary Public

STATE OF Florida, COUNTY OF Volusia

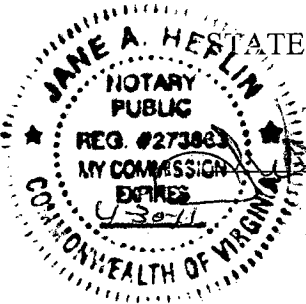
This instrument was acknowledged before me on this 13th day of July, 2010, by Jeffrey Allen Wilkie and Deana Mae Wilkie.



Donna M. Banks
Notary Public

STATE OF Va, COUNTY OF Orange

This instrument was acknowledged before me on this 12th day of July, 2010, by Lester John Wilkie.



Jane A. Hefflin
Notary Public # 273863

STATE OF Florida, COUNTY OF Brevard

This instrument was acknowledged before me on this 15th day of July, 2010, by Jody Wilkie Spina and Thomas R. Spina.



Tracy L. Collins
Notary Public

LEGAL DESCRIPTION:

A parcel of land in the Southeast Quarter of the Northwest Quarter of Section 1, Township 75 North, Range 28 West of 5th P.M., City of Winterset, Madison County, Iowa more particularly described as follows:

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Parcel is divided into Lots 7 though 11 and Lot "C", which is a part of Ninth Avenue.

**RESOLUTION APPROVING
FINAL PLAT OF NELSON ACRES PLAT 4**

WHEREAS, there was filed in the Office of the City Administrator of the City of Winterset, Madison County, Iowa, a registered land surveyor's plat of a proposed subdivision known as Nelson Acres Plat 4 an Addition to the City of Winterset, Madison County, Iowa; and

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

See Legal Description Attached

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, Noel R. Nelson, Single, Katherine M. Wilkie, Single, Ward J. Wilkie, Jr., Single Janette Kay Wilkie Thompson and Washington H. Thompson, Wife and Husband, Jody Ann Wilkie Spina and Thomas K. Spina, Wife and Husband, Lester John Wilkie, Single and Jeffree Allen Wilkie, Single, and;

WHEREAS, said plat was accompanied by an opinion from an attorney at law showing that title is in fee simple in said proprietors and that said platted land is free from encumbrance;

WHEREAS, the City Council of the City of Winterset, Madison County, Iowa, finds that said plat conforms to the provisions of the Ordinances of the City of Winterset, Madison County, Iowa, and that the plat, papers and documents presented therewith should be approved by the City of Council of the City of Winterset, Madison County, Iowa.

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

1. Said plat, known as Nelson Acres Plat 4 an Addition to the City of Winterset, Madison County, Iowa, prepared in connection with said plat and subdivision is hereby

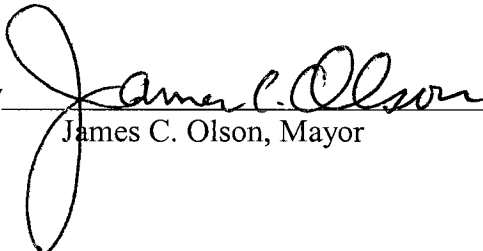
approved.

2. The Zoning Administrator of the City of Winterset, Madison County, Iowa, is hereby directed to certify this Resolution which shall be affixed to said plat and filed and recorded with the other documents submitted in connection with said plat in the office of the Madison County Recorder.

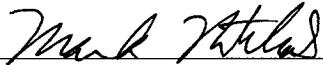
DATED at Winterset, Iowa, this 2nd day of August, 2010.

CITY OF WINTERSET, IOWA

By


James C. Olson, Mayor

ATTEST:



Mark Nitchals, City Administrator



LEGAL DESCRIPTION:

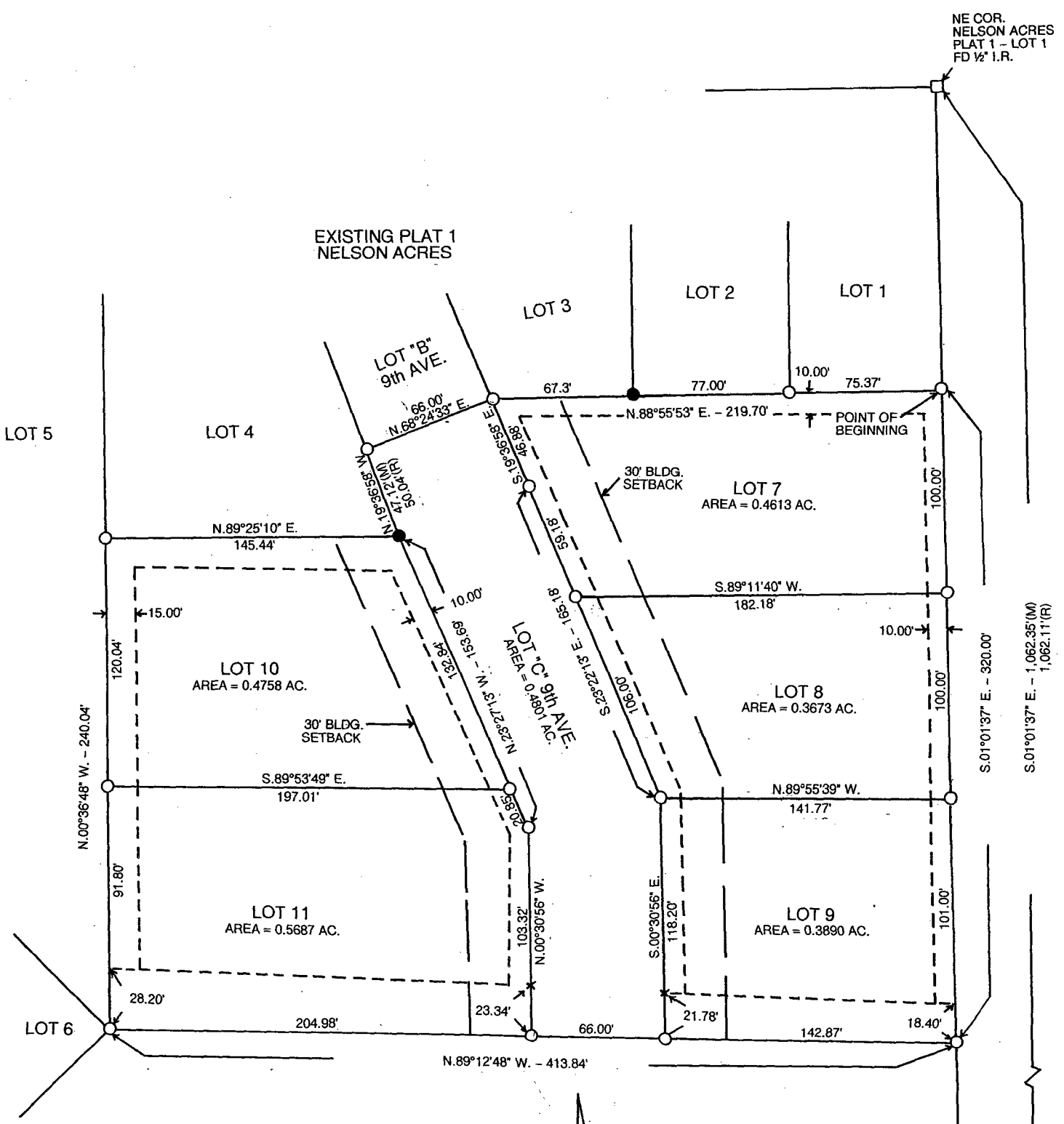
A parcel of land in the Southeast Quarter of the Northwest Quarter of Section 1, Township 75 North, Range 28 West of 5th P.M., City of Winterset, Madison County, Iowa more particularly described as follows:

Beginning at the Southeast Corner of Lot 1 of Nelson Acres, Plat 1 thence South $01^{\circ}01'37''$ East 320.00 feet along the West line of Parcel "D" in the Southeast Quarter of the Northwest Quarter of Section 1, Township 75 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa; thence North $89^{\circ}12'48''$ West 413.84 feet to the Southeast Corner of Lot 5 of said Nelson Acres, Plat 1; thence North $00^{\circ}36'48''$ West 240.04 feet along the East line of said Lot 5; thence North $89^{\circ}25'10''$ East 145.44 feet along the South line of Lot 4 of said Nelson Acres, Plat 1; thence North $19^{\circ}36'58''$ West 47.12 feet along the Easterly line of said Lot 4; thence North $68^{\circ}24'33''$ East 66.00 feet along the Southeasterly line of Lot "B" of said Nelson Acres, Plat 1; thence North $88^{\circ}55'53''$ East 219.70 feet to the Point of Beginning containing 2.7425 acres.

Parcel is divided into Lots 7 through 11 and Lot "C", which is a part of Ninth Avenue.

INDX
 ANNO
 SCAN
 CHEK

LISA SMITH, COUNTY RECORDER
 MADISON COUNTY IOWA



LEGAL DESCRIPTION:

A parcel of land in the Southeast Quarter of the Northwest Quarter of Section 1, Township 75 North, Range 28 West of 5th P.M., City of Winterset, Madison County, Iowa more particularly described as follows:

Beginning at the Southeast Corner of Lot 1 of Nelson Acres, Plat 1 thence South 01°01'37" East 320.00 feet along the West line of Parcel "D" in the Southeast Quarter of the Northwest Quarter of Section 1, Township 75 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa; thence North 89°12'48" West 413.84 feet to the Southeast Corner of Lot 5 of said Nelson Acres, Plat 1; thence North 00°36'48" West 240.04 feet along the East line of said Lot 5; thence North 89°25'10" East 145.44 feet along the South line of Lot 4 of said Nelson Acres, Plat 1; thence North 19°36'58" West 47.12 feet along the Easterly line of said Lot 4; thence North 68°24'33" East 66.00 feet along the Southeasterly line of Lot "B" of said Nelson Acres, Plat 1; thence North 88°55'53" East 219.70 feet to the Point of Beginning containing 2.7425 acres.

Parcel is divided into Lots 7 through 11 and Lot "C", which is a part of Ninth Avenue.

- CAPPED IRON ROD (CIR) #6808 SET
- CIR #6808 FOUND
- CIR #7995 FOUND
- 1/2" IRON ROD FOUND
- (M) MEASURED DISTANCE
- (R) RECORDED DISTANCE
- - - PUBLIC UTILITY EASEMENT
- - - BUILDING SETBACK

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 #6808
 J.M. HOCHSTETLER
 License number 6808 Date 7/21/10
 My license renewed date is December 31, 2011
 Pages or sheets covered by this plat: 1

NELSON ACRES
FINAL PLAT - PLAT 4

OWNER:
 NOEL NELSON
 11204 SPUR WHEEL LANE
 POTOMAC, MARYLAND 20854

LAND SURVEYOR:
 VANCE & HOCHSTETLER, P.C.
 CONSULTING ENGINEERS
 110 WEST GREEN STREET
 WINTERSSET, IOWA 50273