



Document 2010 3119

Book 2010 Page 3119 Type 06 044 Pages 22

Date 12/08/2010 Time 4:02 PM

Rec Amt \$114.00 Aud Amt \$5.00

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

Prepared by: Jerrold B. Oliver, PO BOX 230, Winterset, IA 50273
Return to: Jerrold B. Oliver, PO BOX 230, Winterset, IA 50273

**PLAT AND CERTIFICATE
FOR NORTH STONE VILLAGE, PLAT NO. 2,
MADISON COUNTY, IOWA**

I, Robert Hendricks, Zoning Administrator of the City of Winterset, 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 North Stone Village, Plat No. 2, and that the real estate comprising said plat is described as follows:

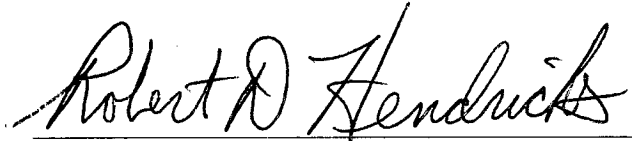
SEE ATTACHED

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. Attorney's Opinion;
2. Lenders Consent to Plat;
3. Dedication of Plat;
4. Certificate from County Treasurer;
5. Resolution of the City of Winterset;
6. Ground Water Statement;
7. Declaration of Covenants, Conditions and Restrictions; and

8. Consent of County Auditor to subdivision name.

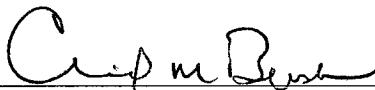
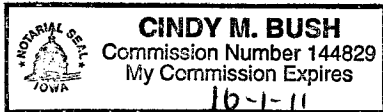
all of which are duly certified in accordance with the Madison County Zoning Ordinance.



Robert Hendricks, Zoning Administrator of the City
of Winterset, Madison County, Iowa

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 7th day of December,
2010, by Robert Hendricks



Notary Public in and for said State of Iowa

LEGAL DESCRIPTION: North Stone Village -- Plat No. 2

A parcel of land in the Southwest Quarter of the Southeast Quarter of Section 25, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa including all of Lots 1, 2 and 7 of North Stone Village Plat No. 1 more particularly described as follows:

Commencing at the South Quarter Corner of Section 25, Township 76 North, Range 28 West of the 5th P.M., thence North 00°02'51" East 389.70 feet along the West line of the Southeast Quarter of said Section 25 to the Point of Beginning; thence continuing North 00°02'51" East 150.00 feet along said West line; thence South 89°09'41" East 667.73 feet to a point on the West line of 6th Avenue right-of-way; thence South 01°17'11" West 149.99 feet along said West right-of-way; thence South 00°08'28" West 246.18 feet along said West right-of-way to the North right-of-way of U.S. Highway No. 169; thence North 89°27'41" West 631.04 feet along said North right-of-way; thence North 00°02'51" East 249.47 feet along the East line of 8th Avenue right-of-way; thence North 89°09'41" West 33.00 feet to the Point of Beginning containing 5.885 acres. Parcel is divided into one development lot and Lot "C" which is a portion of 8th Avenue right-of-way.

**ATTORNEY'S OPINION FOR FINAL PLAT,
NORTH STONE VILLAGE, PLAT NO. 2**

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, last certified to November 18, 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, North Stone Village, Plat No. 2, Madison County, Iowa:

SEE LEGAL DESCRIPTION ATTACHED

In my opinion, merchantable title to the above described property is in the name of Corkrean Properties, LLC, free and clear of all liens and encumbrances, except the following:

1. Entry No. 69 shows an Open-End Mortgage from Corkrean Properties, LLC, an Iowa Limited Liability Company, by Patrick F. Corkrean, Member-Manager, and by Nancy M. Corkrean, Member-Manager, to Union State Bank, an Iowa Corporation, in the principal amount of \$300,035.00 dated February 28, 2005, and filed March 1, 2005, in Book 2005, Page 881 of the Recorder's Office of Madison County, Iowa.

2. Entry No. 74 shows an Open-End Mortgage from Corkrean Properties, LLC, an Iowa Limited Liability Company, by Patrick F. Corkrean, Manager, to Union State Bank, an Iowa Corporation, in the principal amount of \$510,000.00 dated June 28, 2007, and filed July 25, 2007, in Book 2007, Page 2913 of the Recorder's Office of Madison County, Iowa.

3. Entry No. 80 shows an Open-End Mortgage from Corkrean Properties, LLC, a Limited Liability Company, by Patrick F. Corkrean, Manager, to Union State Bank, an Iowa

Corporation, in the principal amount of \$250,097.00 dated August 11, 2008, and filed August 12, 2008, in Book 2008, Page 2499 of the Recorder's Office of Madison County, Iowa.

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

ATTORNEYS FOR

CORKREAN PROPERTIES, LLC

LEGAL DESCRIPTION: North Stone Village – Plat No. 2

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**CONSENT TO PLATTING
BY UNION STATE BANK**

Union State Bank does consent to the platting and subdivision of the following-described real estate:

See Attached

in accordance with the ordinances of Madison County, Iowa, and the laws of the State of Iowa.

The undersigned holds three mortgages against said real estate dated February 25, 2005, and filed March 1, 2005, in Book 2005, Page 881 of the Recorder's Office of Madison County, Iowa, another mortgage dated June 28, 2007, and filed July 25, 2007, in Book 2007, Page 2913 of the Recorder's Office of Madison County, Iowa, and another mortgage dated August 11, 2008, and filed August 12, 2008, in Book 2008, Page 2499 of the Recorder's Office of Madison County, Iowa.

Dated this 14 day of December, 2010.

UNION STATE BANK

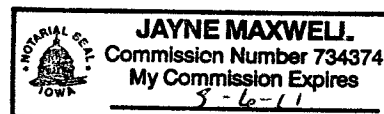
By Duane Gordon

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 15th day of December, 2010 by Duane Gordon as Vice President of Union State Bank.



Jayne Maxwell
Notary Public in and for said State



LEGAL DESCRIPTION: North Stone Village – Plat No. 2

A parcel of land in the Southwest Quarter of the Southeast Quarter of Section 25, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa including all of Lots 1, 2 and 7 of North Stone Village Plat No. 1 more particularly described as follows:

Commencing at the South Quarter Corner of Section 25, Township 76 North, Range 28 West of the 5th P.M., thence North 00°02'51" East 389.70 feet along the West line of the Southeast Quarter of said Section 25 to the Point of Beginning; thence continuing North 00°02'51" East 150.00 feet along said West line; thence South 89°09'41" East 667.73 feet to a point on the West line of 6th Avenue right-of-way; thence South 01°17'11" West 149.99 feet along said West right-of-way; thence South 00°08'28" West 246.18 feet along said West right-of-way to the North right-of-way of U.S. Highway No. 169; thence North 89°27'41" West 631.04 feet along said North right-of-way; thence North 00°02'51" East 249.47 feet along the East line of 8th Avenue right-of-way; thence North 89°09'41" West 33.00 feet to the Point of Beginning containing 5.885 acres. Parcel is divided into one development lot and Lot "C" which is a portion of 8th Avenue right-of-way.

**DEDICATION OF PLAT
OF
NORTH STONE VILLAGE, PLAT NO. 2 SUBDIVISION**

KNOW ALL MEN BY THESE PRESENTS:

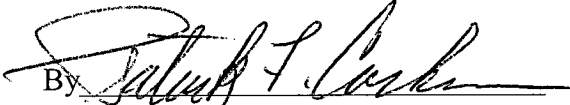
That Corkrean Properties, LLC, does hereby certify that they are the sole owners and proprietors of the following-described real state:

See Attached

That the subdivision of the above-described real estate as shown by the final plat of North Stone Village, Plat No. 2, Subdivision is with the free consent and in accordance with the owners' desire as owners of said real estate.

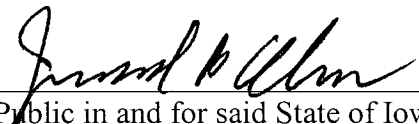
DATED this 1 day of Dec, 2010.

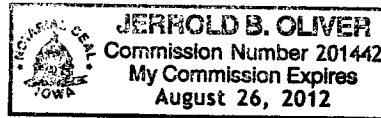
Corkrean Properties, LLC

By 
Patrick F. Corkrean, Manager

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 1 day of Dec, 2005 by Patrick F. Corkrean as Manager of Corkrean Properties, LLC.


Notary Public in and for said State of Iowa



LEGAL DESCRIPTION: North Stone Village – Plat No. 2

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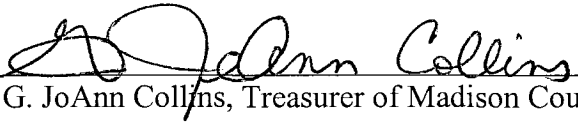
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**CERTIFICATE OF THE COUNTY TREASURER
OF MADISON COUNTY, IOWA**

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 1st day of December, 2010.



G. JoAnn Collins, Treasurer of Madison County,
Iowa

LEGAL DESCRIPTION: North Stone Village – Plat No. 2

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TAXES

All Paid, except as hereinafter shown:

Real Estate Taxes payable in the fiscal year beginning July 1, 2010 are shown as follows:

Parcel No. 820008300010000 (LT 1 PLAT 1 NORTH STONE
VILLAGE SW SE MISC SEC 25)
First half paid in the amount of \$37.00
Second half unpaid in the amount of \$37.00

Parcel No. 820008300020000 (LT 2 PLAT 1 NORTH STONE
VILLAGE SW SE MISC SEC 25)
First half paid in the amount of \$30.00
Second half unpaid in the amount of \$30.00

Parcel No. 820008300100000 (LT 7 PLAT 1 NORTH STONE
VILLAGE SW SE MISC SEC 25)
First half paid in the amount of \$18.00
Second half unpaid in the amount of \$18.00

Parcel No. 820007100030000 (E½ NW SE)
First half paid in the amount of \$128.00
Second half unpaid in the amount of \$128.00

Parcel No. 840007100090000 (SW SE EX PAR F & EX NORTH
STONE VILLAGE PLAT 1 SEC 25)
First half paid in the amount of \$304.00
Second half unpaid in the amount of \$304.00

Personal: None delinquent.
Special Assessments certified by Treasurer: None.

**RESOLUTION APPROVING
FINAL PLAT OF NORTH STONE VILLAGE, PLAT NO. 2**

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 North Stone Village, Plat No. 2 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 hereto

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, Corkrean Properties, LLC; 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, except mortgages held by Union State Bank and a certified statement from the Treasurer of Madison County, Iowa, that said platted land is free from taxes; and a consent by the mortgage holder, Union State Bank to such platting.

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 North Stone Village, Plat No. 2 an Addition to the City of

Winterset, Madison County, Iowa, prepared in connection with said plat and subdivision is hereby approved.

2. The City Administrator of the City of Winterset, Madison County, Iowa, is hereby directed to certify this resolution which shall be affixed to said plat to the County documents which should be filed and recorded in connection therewith.

DATED at Winterset, Iowa, this ____ day of _____, 2010.

CITY OF WINTERSET, IOWA

By James C. Olson
James C. Olson, Mayor

ATTEST:

Mark Nitchals
Mark Nitchals, City Administrator



LEGAL DESCRIPTION: North Stone Village – Plat No. 2

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**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR NORTH STONE VILLAGE, PLAT NO. 2**

This Declaration of Covenants, Conditions and Restrictions for North Stone Village, Plat No. 2 is made this ___ day of December, 2010, by Corkrean Properties, L.L.C. (“Declarant”), an Iowa limited liability company.

1. The Declaration of Covenants, Conditions and Restrictions of North Stone Village, Plat No. 1 is hereby adopted as the Covenants, Conditions and Restrictions for North Stone Village, Plat No. 2, except as modified below. Said modifications are as follows:

A. Subsection c of Section 2.20 is hereby modified to read as follows:

Other outside storage yards, except that outside storage yards shall be permitted when the same are incidental to a permitted principal use.

B. Subsections b, c, d, f & g contained in Section 3.30 on page 6 are hereby deleted.

C. Subsection a of Section 4.10 is amended to read as follows:

The Owner of each Lot shall keep such Lot, and any Buildings, improvements and appurtenances thereof, in a clean, safe and neat condition, in good repair, and shall comply with all laws, ordinances and regulations pertaining to health and safety. The Owner of each Lot shall provide for periodic removal of trash and rubbish from the Lot.

D. Subsection d of Section 5.10 is deleted.

E. Section 6.30 is deleted.

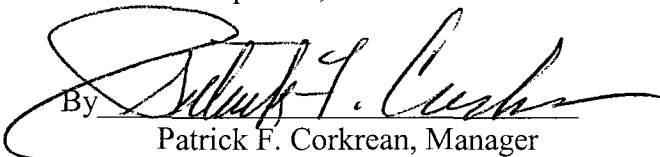
F. Subsection a of Section 7.10 is hereby deleted.

2. In all other respects the Declaration of Covenants, Conditions and Restrictions of North Stone Village, Plat No. 1, except as modified above are hereby incorporated by this reference and shall be the Covenants, Conditions and Restrictions of North Stone Village, Plat No. 2 as so modified.

3. In the event of a conflict between the terms herein and the terms of the Declaration of Covenants, Conditions and Restrictions for North Stone Village, Plat No. 1, the terms contained herein shall control.

Dated this 2nd day of Dec., 2010.

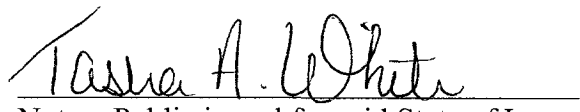
Corkrean Properties, L.L.C.

By 
Patrick F. Corkrean, Manager

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 2nd day of December, 2010, by Patrick F. Corkrean as Manager of Corkrean Properties, L.L.C.




Notary Public in and for said State of Iowa

LEGAL DESCRIPTION: North Stone Village – Plat No. 2

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Pursuant to Iowa Code requirements, the following proposed subdivision name:

North Stone Village, Plat No. 2

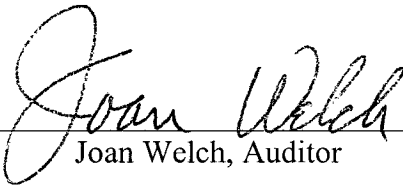
For property located at:

See Attached Legal Description

And owned by: Corkrean Properties, LLC

Has been approved on the 30 day of November, 2010.

By the Auditor, Madison County, Iowa.



Joan Welch, Auditor

LEGAL DESCRIPTION: North Stone Village – Plat No. 2

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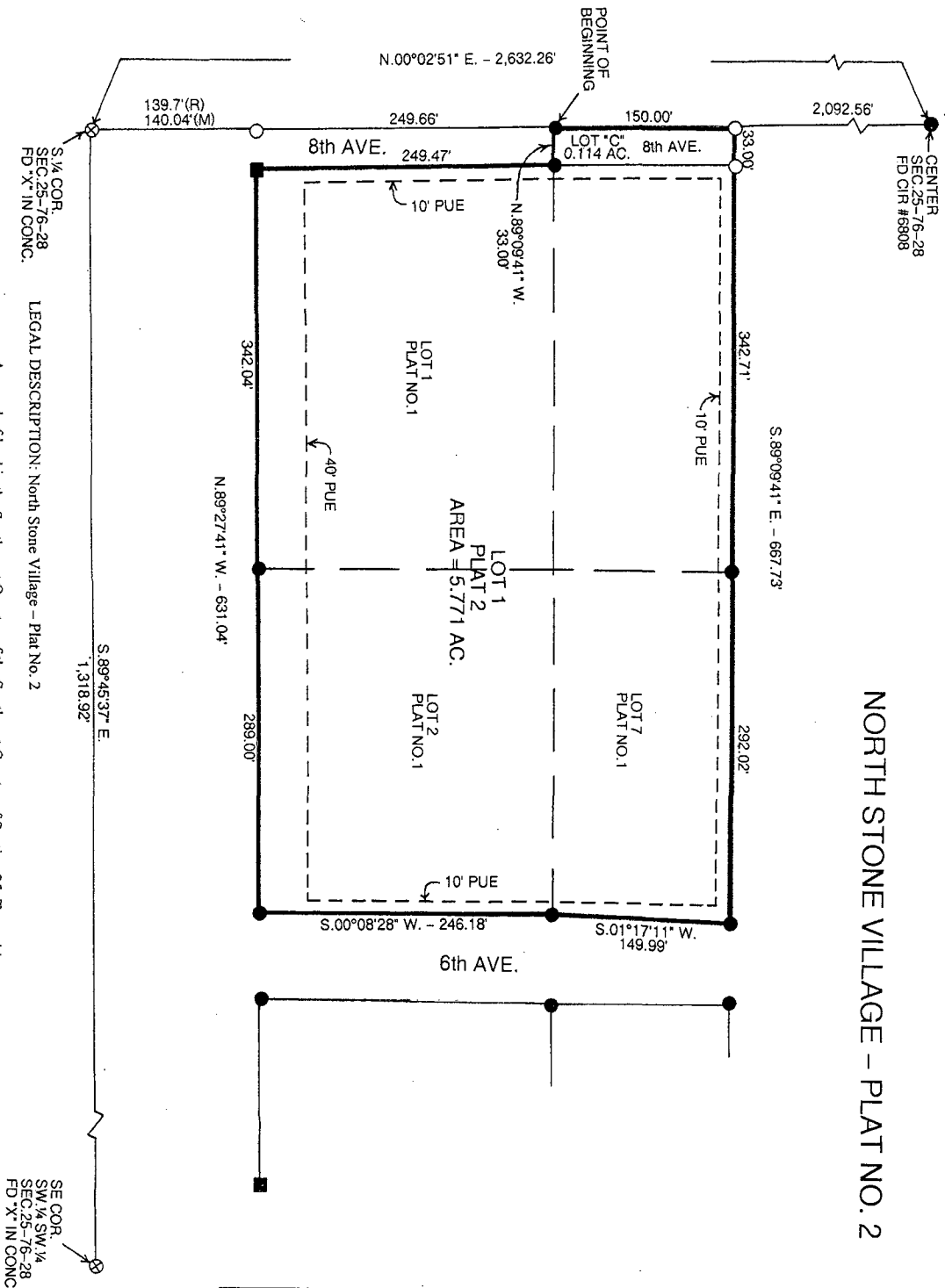


INDX
ANNO
SCAN
CHEK

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

VANCE & HOCHSTETLER, P.C. • CONSULTING ENGINEERS • WINTERSET, IOWA • 50273

CHARLES T. VANCE • 110 WEST GREEN ST., WINTERSET, IOWA • (515) 462-3995
JAMES M HOCHSTETLER • 110 WEST GREEN ST., WINTERSET, IOWA • FAX: (515) 462 9845

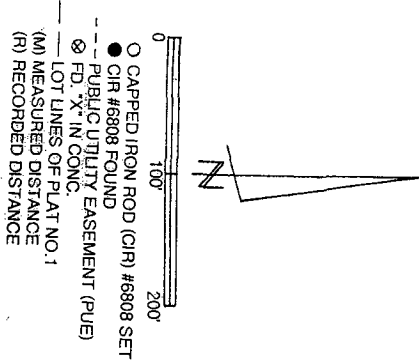


NORTH STONE VILLAGE - PLAT NO. 2

LEGAL DESCRIPTION: North Stone Village - Plat No. 2

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Commencing at the South Quarter Corner of Section 25, Township 76 North, Range 28 West of the 5th P.M., thence North 00°02'51\"



LICENSED LAND SURVEYOR
J. M. HOCHSTETLER
#6808
IOWA

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
J.M. HOCHSTETLER
License number 6808 Date 11/30/10
My license renewal date is December 31, 2011.
Pages or sheets covered by this seal: 1

FINAL PLAT

NORTH STONE VILLAGE
PLAT NO. 2

OWNER/DEVELOPER:

CORKREAN PROPERTIES
65 JEFFERSON ST.
WINTERSET, IA 50273

LAND SURVEYOR:

VANCE & HOCHSTETLER, P.C.
110 WEST GREEN ST.
WINTERSET, IA 50273