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**PLAT AND CERTIFICATE  
FOR KOBOLDT SUBDIVISION,  
MADISON COUNTY, IOWA**

I, C. J. Nicholl, Zoning Administrator of 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 Koboldt Subdivision, 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:

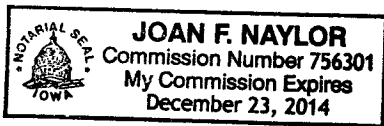
1. Attorney's Opinion;
2. Consent to Plat;
3. Certificate from County Treasurer;
4. Resolution of the Board of Supervisors of Madison County, Iowa, approving said plat;
5. Resolution of the City of Earlham, Iowa, approving said plat;
5. Agreement with County Engineer; and
6. Ground Water Statement;
7. Madison County Soil and Water Conservation District Land Disturbing Activity Affidavit;
8. Consent of County Auditor to subdivision name;
9. Fence Affidavit.

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

C. J. Nicholl, Zoning Administrator of Madison County, Iowa

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 16 day of April, 2014, by C.J. Nicholl.



Notary Public in and for said State of Iowa

A parcel of land described as Lot 2 Godby Subdivision in the Southwest Quarter of Section 1, Township 77 North, Range 29 West of the 5<sup>th</sup> P.M., Madison County, Iowa, as shown on a Revised Final Plat filed on December 9, 1980, Book 114, Page 459 was retraced and divided into two lots and named Koboldt Subdivision. The lots are dimensioned as shown and contain 3.00 acres each with 0.27 acres of County Road easement each.

**DEDICATION OF PLAT  
OF  
KOBOLDT SUBDIVISION**

KNOW ALL MEN BY THESE PRESENTS:

That Bruce W. Koboldt and Mary L. Koboldt, Husband and Wife, do 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 Koboldt Subdivision is with the free consent and in accordance with the owners' desire as owners of said real estate.

DATED this 10 day of Feb, 2014.

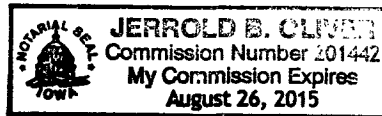
Bruce W. Koboldt  
Bruce W. Koboldt

Mary L. Koboldt  
Mary L. Koboldt

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 10 day of Feb, 2014, by Bruce W. Koboldt and Mary L. Koboldt.

Jerrold B. Oliver  
Notary Public in and for said State of Iowa



A parcel of land described as Lot 2 Godby Subdivision in the Southwest Quarter of Section 1, Township 77 North, Range 29 West of the 5<sup>th</sup> P.M., Madison County, Iowa, as shown on a Revised Final Plat filed on December 9, 1980, Book 114, Page 459 was retraced and divided into two lots and named Koboldt Subdivision. The lots are dimensioned as shown and contain 3.00 acres each with 0.27 acres of County Road easement each.

## **ATTORNEY'S OPINION FOR FINAL PLAT, KOBOLDT SUBDIVISION**

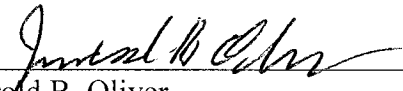
I, Jerrold B. Oliver, an attorney at law licensed to practice under the laws of the State of Iowa, have examined the abstract of title in one (1) part, last certified to September 18, 2013, at 8:00 a.m., by Madison County Abstract Co., purporting to show the chain of title to the following described real estate, which is the real property contained in Final Plat, Koboldt Subdivision, Madison County, Iowa:

A parcel of land described as Lot 2 Godby Subdivision in the Southwest Quarter of Section 1, Township 77 North, Range 29 West of the 5<sup>th</sup> P.M., Madison County, Iowa, as shown on a Revised Final Plat filed on December 9, 1980, Book 114, Page 459 was retraced and divided into two lots and named Koboldt Subdivision. The lots are dimensioned as shown and contain 3.00 acres each with 0.27 acres of County Road easement each.

In my opinion, merchantable title to the above described property is in the names of Bruce W. Koboldt and Mary L. Koboldt, Husband and Wife, as Joint Tenants with Full Rights of Survivorship and Not as Tenants in Common, subject to a Mortgage shown at Entry No. 27 of the abstract, from Bruce W. Koboldt and Mary L. Koboldt, Husband and Wife, to Earlham Savings Bank in the principle amount of \$100,000, dated November 14, 2011, and filed November 15, 2011, in Book 2011, Page 3064, in the Office of the Recorder of Madison County, Iowa.

Entry No. 17 of the abstract shows an Easement to Warren Water, Inc., dated April 26, 2003, and filed May 2, 2003, in Book 2003, Page 2528 of the Recorder of Madison County, Iowa, for water pipeline purposes.

JORDAN, OLIVER & WALTERS, P.C.

By 

Jerrold B. Oliver

Farmers & Merchants Bank Bldg.

P.O. Box 230

Winterset, Iowa 50273

Telephone: (515) 462-3731

Bruce W. Koboldt and Mary L. Koboldt

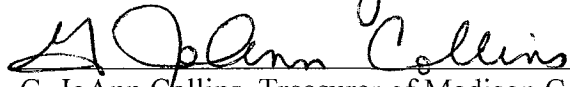
**CERTIFICATE OF THE COUNTY TREASURER  
OF MADISON COUNTY, IOWA**

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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 10<sup>th</sup> day of February, 2014.

  
G. JoAnn Collins, Treasurer of Madison County,  
Iowa

A parcel of land described as Lot 2 Godby Subdivision in the Southwest Quarter of Section 1, Township 77 North, Range 29 West of the 5<sup>th</sup> P.M., Madison County, Iowa, as shown on a Revised Final Plat filed on December 9, 1980, Book 114, Page 459 was retraced and divided into two lots and named Koboldt Subdivision. The lots are dimensioned as shown and contain 3.00 acres each with 0.27 acres of County Road easement each.



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

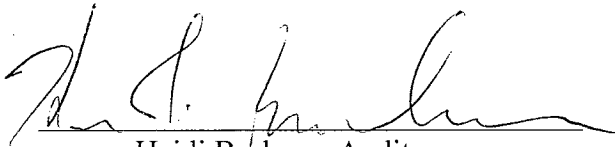
Koboldt Subdivision

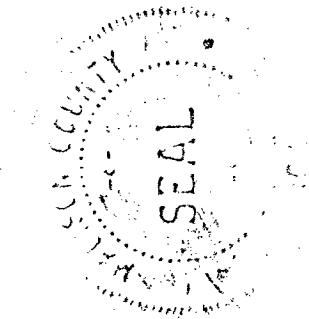
For property located at: See Legal Attached

And owned by: Bruce W. Koboldt and Mary L. Koboldt

Has been approved on the 4<sup>th</sup> day of February, 2014.

By the Auditor, Madison County, Iowa.

  
Heidi Burhans, Auditor



A parcel of land described as Lot 2 Godby Subdivision in the Southwest Quarter of Section 1, Township 77 North, Range 29 West of the 5<sup>th</sup> P.M., Madison County, Iowa, as shown on a Revised Final Plat filed on December 9, 1980, Book 114, Page 459 was retraced and divided into two lots and named Koboldt Subdivision. The lots are dimensioned as shown and contain 3.00 acres each with 0.27 acres of County Road easement each.

**RESOLUTION APPROVING FINAL PLAT  
OF KOBOLDT SUBDIVISION  
MADISON COUNTY, IOWA**

WHEREAS, there was filed in the Office of the Zoning Administrator of Madison County, Iowa, a registered land surveyor's plat of a proposed subdivision known as Koboldt Subdivision; and

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

See 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, Bruce W. Koboldt and Mary L. Koboldt; and

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

WHEREAS, the Board of Supervisors, Madison County, Iowa, finds that said plat conforms to the provisions of the Zoning Ordinance of Madison County, Iowa, and that the plat, papers and documents presented therewith should be approved by the Board of Supervisors, and that said plat, known as Koboldt Subdivision should be approved by the Board of Supervisors, Madison County, Iowa.

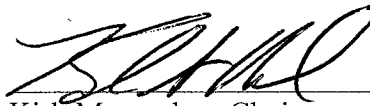
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors, Madison County, Iowa:

1. That said plat, known as Koboldt Subdivision prepared in connection with said plat

and subdivision is hereby approved.

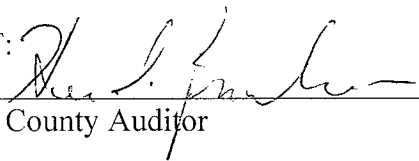
2. The Zoning Administrator of Madison County, Iowa, is hereby directed to certify this resolution which shall be affixed to said plat to the County Recorder of Madison County, Iowa, and attend to the filing and recording of the plat, papers and documents which should be filed and recorded in connection therewith.

DATED at Winterset, Iowa, this 15<sup>th</sup> day of April, 2014.



Kirk Macumber, Chairman, Board of Supervisors,  
Madison County, Iowa

ATTEST:



Madison County Auditor

A parcel of land described as Lot 2 Godby Subdivision in the Southwest Quarter of Section 1, Township 77 North, Range 29 West of the 5<sup>th</sup> P.M., Madison County, Iowa, as shown on a Revised Final Plat filed on December 9, 1980, Book 114, Page 459 was retraced and divided into two lots and named Koboldt Subdivision. The lots are dimensioned as shown and contain 3.00 acres each with 0.27 acres of County Road easement each.

**AGREEMENT**

This Agreement, made and entered into, by and between, the proprietors of Koboldt Subdivision and Todd Hagan, Madison County Engineer.

NOW THEREFORE IT IS AGREED AS FOLLOWS:

1. The proprietors of Koboldt Subdivision, a Plat of the following described real estate:

See Attached Legal Description

hereby agree that all private roads located within Koboldt Subdivision are private roads and are not being dedicated to Madison County, Iowa. Said proprietors consent and agree that such roads shall not be maintained in any manner by Madison County, Iowa, or the Madison County Engineer's Department.

PROPRIETORS OF KOBOLDT SUBDIVISION

Bruce W. Koboldt  
Bruce W. Koboldt

Mary L. Koboldt  
Mary L. Koboldt

Todd Hagan  
Todd Hagan, Madison County Engineer 2-5-14

A parcel of land described as Lot 2 Godby Subdivision in the Southwest Quarter of Section 1, Township 77 North, Range 29 West of the 5<sup>th</sup> P.M., Madison County, Iowa, as shown on a Revised Final Plat filed on December 9, 1980, Book 114, Page 459 was retraced and divided into two lots and named Koboldt Subdivision. The lots are dimensioned as shown and contain 3.00 acres each with 0.27 acres of County Road easement each.

**RESOLUTION APPROVING  
FINAL PLAT OF  
KOBOLDT SUBDIVISION  
MADISON COUNTY, IOWA**

WHEREAS, there was filed in the Office of the City Administrator of the City of Earlham, Madison County, Iowa, a registered land surveyor's plat of a proposed subdivision known as Koboldt Subdivision; and

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

**See Exhibit "A" Attached**

Subject to easements of record.

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, Bruce W. Koboldt and Mary L. Koboldt; and

WHEREAS, said plat was accompanied by an opinion from an attorney at law showing that title in fee simple is in said proprietors and that the platted land is free from encumbrance, except as noted therein and 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 Earlham, Madison County, Iowa, finds that said plat conforms to the provisions of the Ordinances of the City of Earlham, Madison County, Iowa, and that the plat, papers and documents presented therewith should be approved by the City of Council of the City of Earlham, Madison County, Iowa.

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

1. Said plat, known as Koboldt Subdivision prepared in connection with said plat and



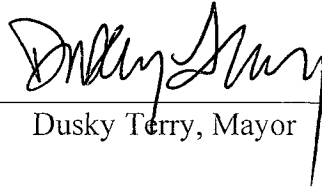
subdivision is hereby approved.

2. The requirement of the Subdivision Ordinance of the City of Earlham, that certain improvements be constructed in connection with said plat is hereby waived.

3. The City of Earlham, 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 Earlham, Iowa, this 10<sup>th</sup> day of March, 2014.

CITY OF EARLHAM, IOWA

By   
Dusky Terry, Mayor

ATTEST:

  
Linette Crouch, City Clerk

A parcel of land described as Lot 2 Godby Subdivision in the Southwest Quarter of Section 1, Township 77 North, Range 29 West of the 5<sup>th</sup> P.M., Madison County, Iowa, as shown on a Revised Final Plat filed on December 9, 1980, Book 114, Page 459 was retraced and divided into two lots and named Koboldt Subdivision. The lots are dimensioned as shown and contain 3.00 acres each with 0.27 acres of County Road easement each.

Prepared by: Jerrold B. Oliver, PO BOX 230, Winterset, IA 50273 515/462-3731  
Return to: Jerrold B. Oliver, PO BOX 230, Winterset, IA 50273 515/462-3731

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**AFFIDAVIT**

**STATE OF IOWA** :  
: ss.  
**MADISON COUNTY** :

We, Bruce W. Koboldt and Mary L. Koboldt, first being duly sworn on oath state that this Affidavit concerns the chain of title to the following described real estate:

See Legal Description Attached

We further state that there is a lawful fence on North and West boundary lines of the above described real estate.

Bruce W Koboldt

Bruce W. Koboldt

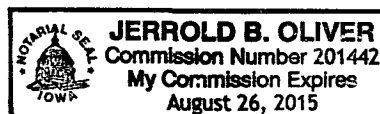
Mary L Koboldt

Mary L. Koboldt

Subscribed and sworn to before me on this 6 day of Feb, 2014.

Jerrold B Oliver

Notary Public in and for the State of Iowa



A parcel of land described as Lot 2 Godby Subdivision in the Southwest Quarter of Section 1, Township 77 North, Range 29 West of the 5<sup>th</sup> P.M., Madison County, Iowa, as shown on a Revised Final Plat filed on December 9, 1980, Book 114, Page 459 was retraced and divided into two lots and named Koboldt Subdivision. The lots are dimensioned as shown and contain 3.00 acres each with 0.27 acres of County Road easement each.

**LAND DISTURBING ACTIVITIES  
AFFIDAVIT**

**STATE OF IOWA** :  
: **SS**  
**MADISON COUNTY** :

Pursuant to section 161 A.64, Code of Iowa in consideration for permission to engage in a land disturbing activity as defined in that statute, and recognizing that the agency authorized by that statute to receive and file this affidavit will rely on the statements we make herein, we, Bruce W. Koboldt and Mary L. Koboldt, Husband and Wife, being first duly sworn on oath, do solemnly swear to affirm that:

We do not plan to engage in land disturbing activities upon the following described real estate:

See Legal Description Attached

As owners or occupants of the land described above, we are aware that we must establish and maintain soil conservation practices as necessary to meet the soil loss limits established by the Madison County Soil and Water Conservation District, pursuant to sections 161A.43, and 161A.44, Code of Iowa.

We are aware that loss limit regulations prohibit sediment from leaving the site in excess of 5 tons per acre per year. The land disturbing activities described above will be conducted in a manner that will insure compliance with the soil loss limit regulations.

We assume responsibility for all land disturbing activities conducted on this property by us or other people entities we represent. This authority covers only the land and land disturbing activity described above .

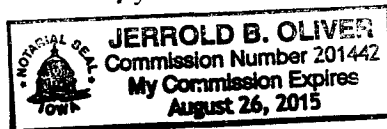
We are the owners of the land, and have full authority to enter into this agreement.

Bruce W. Koboldt  
Bruce W. Koboldt

Mary L. Koboldt  
Mary L. Koboldt

Subscribed and sworn to before me on this 6 day of Feb, 2014.

Jerrold B. Oliver  
Notary Public in and for the State of Iowa



A parcel of land described as Lot 2 Godby Subdivision in the Southwest Quarter of Section 1, Township 77 North, Range 29 West of the 5<sup>th</sup> P.M., Madison County, Iowa, as shown on a Revised Final Plat filed on December 9, 1980, Book 114, Page 459 was retraced and divided into two lots and named Koboldt Subdivision. The lots are dimensioned as shown and contain 3.00 acres each with 0.27 acres of County Road easement each.



Document 2014 893

Book 2014 Page 893 Type 06 044 Pages 23

Date 4/16/2014 Time 4:03 PM

Rec Amt \$117.00 Aud Amt \$5.00

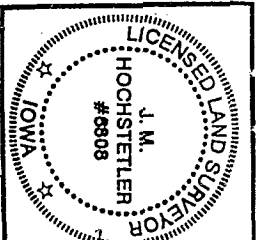
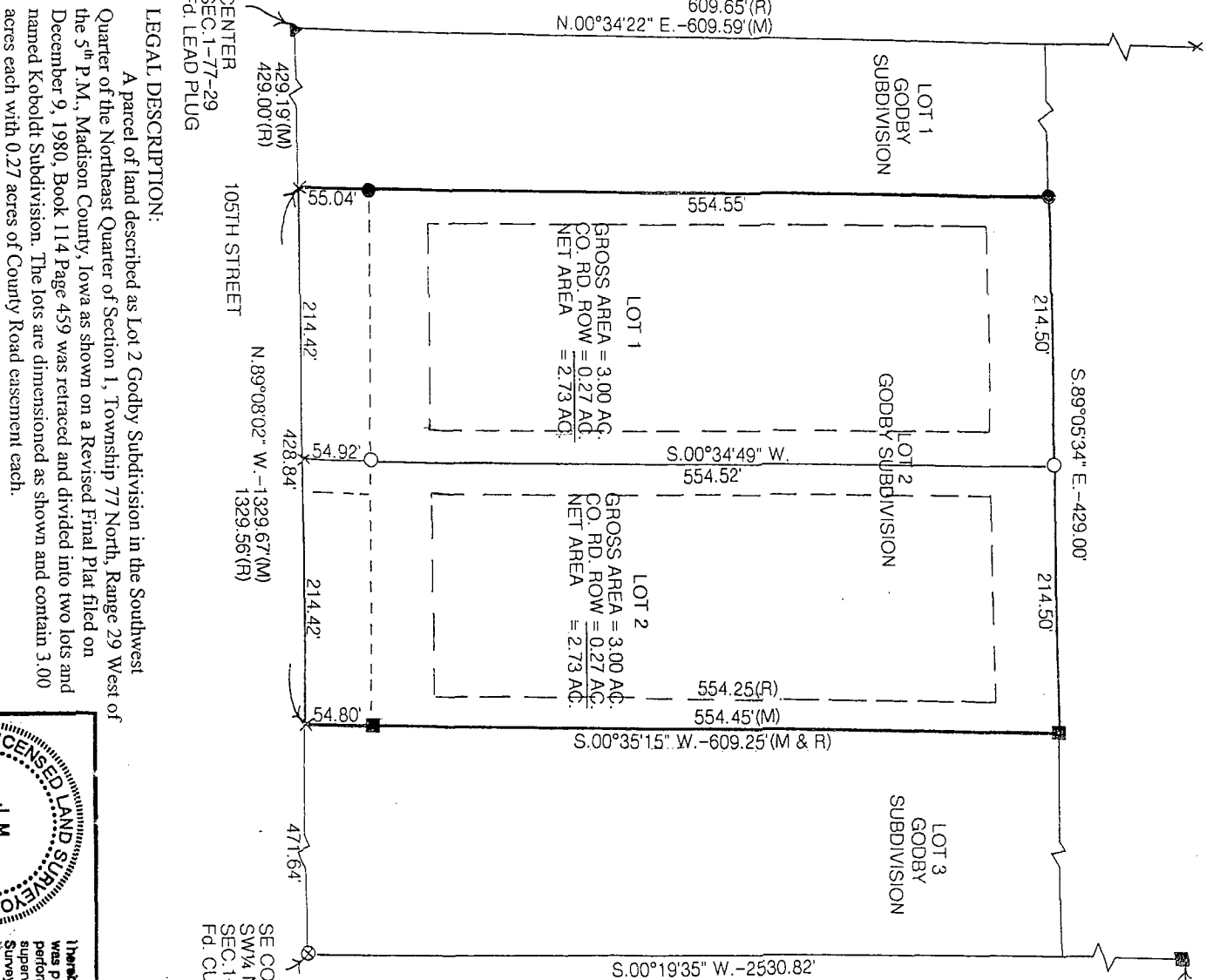
INDX  
ANNO  
SCAN

LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

CHEK

### 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



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 6908 Date 4/15/14  
My license renewal date is December 31, 2017  
Pages or sheets covered by this seal: 1

- CAPPED IRON ROD (CIR) #6808 SET
- CIR #8105 FOUND
- 1/2" IRON ROD FOUND
- "X" CUT IN CONCRETE
- ▲ LEAD PLUG FOUND
- (M) MEASURED DISTANCE
- (R) RECORDED DISTANCE
- COUNTY ROAD ROW
- BUILDING SET BACK



DATE OF SURVEY: 9-18-2013  
0 100 200

- NOTES:
1. Front & Rear Set Back=50.00'
  2. Side Yard Building Set Back =25.00'
  3. Driveway Apron Width=24.00'
  4. Water to be Rural Water.
  5. Sanitary Sewer to be Private Individual System.

### FINAL PLAT

**KOBOLDT SUBDIVISION**  
OWNER/DEVELOPER  
BRUCE W. & MARY L. KOBOLDT  
1162 FAWN AVE.  
EARLHAM, IOWA 50072  
PH. 515-250-9923

**LAND SURVEYORS**  
VANCE & HOCHSTETLER, P.C.  
110 WEST GREEN STREET  
WINTERSET, IA 50273  
PH. 515-462-3995  
VANDHENGINEERS@AOL.COM