ENTERED FOR TAXATION
THIS 30 DAY OF July 1981
AUDITORS FEE $10.00

AUDITOR

DEPUTY AUDITOR

Compared

FILED NO. 158
BOOK 115 PAGE 222
1981 JUL 30 PM 4:14
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee $45.00

PLAT AND CERTIFICATE

FOR VENOLIA RURAL ESTATES

FOR PLAT SEE
FARM PLAT BOOK 1
PAGE 170

I, Jerry K. Trevillyan, Madison County Zoning Administrator, do hereby certify that the plat to which this certificate is attached is a plat of a subdivision known and designated as Venolia Rural Estates and that the real estate comprising said plat is described as follows:

> Commencing at the North Quarter (N¼) Corner of Section Twenty-three (23), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., thence N.00°00' 129.32 Feet to the Point of Beginning. Thence S. 85°35'W. 1,315.58 Feet, thence S.00°01'30"E. 797.23 Feet, thence N.85°35'E. 1,315.23 Feet, thence N.00°00' 797.26 Feet to the Point of Beginning. Said parcel contains 24.00 Acres including 0.60 Acres of county road right of way.

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 Venolia Rural Estates.
2. Attorneys Opinion.
3. Certificate of County Treasurer of Madison County, Iowa.
4. Certificate of County Recorder of Madison County, Iowa.
5. Certificate of Clerk of the District Court of Madison County, Iowa.
6. Resolution of the Madison County Board of Supervisors approving said plat.

All of which is duly certified in accordance with the Madison County Subdivision Ordinance.

Dated this 30 day of July, 1981.

Jerry K. Trevillyan
Jerry K. Trevillyan, Madison County Zoning Administrator

Subscribed and sworn to before me by Jerry K. Trevillyan this 30th day of July, 1981.

Lea L. Silverthorn
Deputy Clerk of Court in and for Madison County, Iowa

15pgs.

For Release of Waiver of Covenants Lee Deed Record 136-349 6-4-96

DEDICATION OF PLAT

OF

VENOLIA RURAL ESTATES

KNOW ALL MEN BY THESE PRESENTS:

That we, James D. Venolia and Wanda M. Venolia, husband and wife, do hereby certify that we are the sole owners and proprietors of the following-described real estate:

> Commencing at the North Quarter (N¼) Corner of Section Twenty-three (23), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., thence N.00°00' 129.32 feet to the point of beginning. Thence S.85°35'W. 1,315.58 feet, thence S.00°01'30"E. 797.23 feet, thence N.85°35'E. 1,315.23 feet, thence N.00°00' 797.26 feet to the point of beginning. Said parcel contains 24.00 acres including 0.60 acres of county road right of way.

That the subdivision of the above-described real estate as shown by the final plat of Venolia Rural Estates is with the free consent and in accordance with the owners' desire as owners of said real estate.

Dated this 5th day of December, 1980.

James D. Venolia
James D. Venolia

Wanda M. Venolia
Wanda M. Venolia

STATE OF CALIFORNIA :
: ss
COUNTY OF SAN DIEGO :

On this 5th day of December, 1980, before me, the undersigned a Notary Public in and for the State of Iowa, personally appeared James D. Venolia and Wanda M. Venolia, 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.

LaVonne G. Schmidt
Notary Public in and for the State of California

OFFICIAL SEAL
LaVonne G. Schmidt
NOTARY PUBLIC - CALIFORNIA
SAN DIEGO COUNTY
My comm. expires OCT 3, 1981

LAW OFFICES
WEBSTER, JORDAN, OLIVER & WALTERS
FARMERS' & MERCHANTS' BANK BLDG.
WINTERSET, IOWA 50273

SHIRLEY A. WEBSTER
LEWIS H. JORDAN
JERROLD B. OLIVER
G. STEPHEN WALTERS

AREA CODE 515
TELEPHONE 462-3731

May 21, 1981

21-5-811B

Madison County Zoning Administrator
Madison County Courthouse
Winterset, Iowa 50273

Gentlemen:

We have examined an abstract of title in one part purporting to show the chain of title to the following-described real estate:

> The Northeast Quarter (¼) of the Southwest Quarter (¼) and the Southeast Quarter (¼) of the Southwest Quarter (¼) except one (1) acre in a square form in the Northeast corner thereof of Section Fourteen (14), and the North Half (½) of the Northeast Quarter (¼) of the Northwest Quarter (¼) of Section Twenty-three (23), all in Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa,

from the root of title to date of last continuation, to-wit: April 9, 1981, at 8:00 A. M.

In connection with such examination, we find merchantable title to be in

WANDA MAE VENOLIA,
formerly Wanda Mae Warnock,

subject to the following:

1. Entry No. 18 shows the Madison County Zoning Ordinance. This Zoning Ordinance may to some extent limit the use of the real estate under examination.

2. The abstract shows that one-half of the taxes payable in the fiscal year beginning July 1, 1980, are unpaid.

3. The following-described real estate:

Commencing at the North Quarter (N¼) Corner of Section Twenty-three (23), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., thence N. 00°00' 129.32 Feet to the Point of Beginning. Thence S.85°35' W. 1,315.58 Feet, thence S.00°01'30"E. 797.23 Feet, thence N.85°35'E. 1,315.23 Feet, thence N.00°00' 797.26 Feet to the Point of Beginning. Said parcel contains 24.00 acres including 0.60 acres of county road right of way,

which is being subdivided as Venolia Rural Estates, is included within and is a part of the real estate described above and in the caption of the abstract.

4. According to law, you are required to take notice of any conditions on the premises which could be ascertained by reasonable inspection of the same. Some of these matters not ordinarily shown in an abstract include the following:

a. The rights of any person in possession of the premises or any part thereof;

b. Visible easements such as overhanging wires or underground drains;

c. The exact boundaries of the real estate; and

d. Whether or not there have been any improvements placed on the real estate within the last ninety days. If so, you should ascertain that the costs of labor and materials have been paid. If the costs of labor and materials have not been paid, it is possible a mechanic's lien could be filed.

Respectfully submitted,

WEBSTER, JORDAN, OLIVER & WALTERS

By Jerrold B. Oliver

JBO:tw

LAW OFFICES
WEBSTER, JORDAN, OLIVER & WALTERS
FARMERS' & MERCHANTS' BANK BLDG.
WINTERSET, IOWA 50273

SHIRLEY A. WEBSTER
LEWIS H. JORDAN
JERROLD B. OLIVER
G. STEPHEN WALTERS

AREA CODE 515
TELEPHONE 462-3731

June 1, 1981

Mr. Jerry Trevillyan
Madison County Zoning Administrator
Madison County Courthouse
Winterset, IA 50273

Re: Venolia Rural Estates

Dear Jerry:

Supplementing our title opinion dated May 21, 1981, please be advised that all taxes assessed against the real estate being subdivided by Venolia, payable in the fiscal year beginning July 1, 1980, are now paid.

Sincerely,

Jerrold B Oliver

Jerrold B. Oliver

ck

CERTIFICATE OF COUNTY TREASURER

OF MADISON COUNTY, IOWA

I, Esther J. Frank, 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 there are no unpaid taxes against the following-described real estate, to-wit:

> Commencing at the North Quarter (N¼) Corner of Section Twenty-three (23), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., thence N.00°00' 129.32 Feet to the Point of Beginning. Thence S.85°35' W. 1,315.58 Feet, thence S.00°01'30"E. 797.23 Feet, thence N.85°35'E. 1,315.23 Feet, thence N.00°00' 797.26 feet to the Point of Beginning. Said Parcel contains 24.00 acres including 0.60 acres of County Road right of way.

Dated at Winterset, Iowa, this 22nd day of May, 1981.

Esther J. Frank

Esther J. Frank, Treasurer of Madison County, Iowa

IOWA

CERTIFICATE OF THE COUNTY RECORDER

OF MADISON COUNTY, IOWA

I, Mary E. Welty, hereby certify that I am the duly elected and acting Recorder of Madison County, Iowa; that James D. Venolia and Wanda M. Venolia, husband and wife, are the fee simple owners and record title-holders of the following-described real estate, to-wit:

> Commencing at the North Quarter (N¼) Corner of Section Twenty-three (23), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., thence N. 00°00' 129.32 Feet to the Point of Beginning. Thence S.85°35'W. 1,315.58 Feet, thence S.00°01'30"E. 797.23 Feet, thence N.85°35'E. 1,315.23 Feet, thence N.00°00' 797.26 Feet to the Point of Beginning. Said parcel contains 24.00 Acres including 0.60 Acres of County road right of way,

and that said real estate is free and clear of all liens and encumbrances.

Dated at Winterset, Iowa, this 22 day of May, 1981.

Mary E Welty

Mary E. Welty, County Recorder of Madison County, Iowa

RECORDER'S
M. M.
IOWA

CERTIFICATE OF THE CLERK OF THE DISTRICT COURT

OF MADISON COUNTY, IOWA

I, Margaret Wheeler, do hereby certifiy that I am the duly elected and acting Clerk of the District Court of Madison County, Iowa; that I have examined the records in my office and that the following-described real estate, to-wit:

> Commencing at the North Quarter (N¼) Corner of Section Twenty-three (23), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., thence N.00°00' 129.32 Feet to the Point of Beginning. Thence S.85° 35'W. 1,315.58 Feet, thence S.00°01'30" E. 797.23 Feet, thence N.85°35'E. 1,315.23 Feet, thence N.00°00' 797.26 Feet to the Point of Beginning. Said Parcel contains 24.00 Acres including 0.60 Acres of County road right of way,

is free from all judgments, attachments, mechanic's or other liens.

Dated at Winterset, Iowa, this 22 day of May, 1981.

SEAL OF THE DISTRICT COURT MADISON COUNTY IOWA

Margaret Wheeler

Margaret Wheeler, Clerk of the District Court of Madison County, Iowa

RESOLUTION APPROVING FINAL PLAT

OF VENOLIA RURAL ESTATES

WHEREAS, there was filed in the office of the Madison County Zoning Administrator a registered land surveyor's plat of a proposed subdivision known as Venolia Rural Estates; and

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

> Commencing at the North Quarter (N¼) Corner of Section Twenty-three (23), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., thence N. 00°00' 129.32 feet to the point of beginning. Thence S.85°35'W. 1,315.58 Feet, thence S.00°01'30"E. 797.23 Feet, thence N.85°35'E. 1,315.23 Feet, thence N.00°00' 797.26 Feet to the point of beginning. Said parcel contains 24.00 acres including 0.60 acres of county road right of way.

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, James D. Venolia and Wanda M. Venolia; and

WHEREAS, said plat was accompanied by a complete abstract of title and an opinion from an attorney at law showing that the fee title 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 the Clerk of the District Court of Madison County, Iowa, that it is free from all judgments, attachments, mechanic's or other liens, and from the Recorder of Madison County, Iowa, that the title in fee is in said proprietors and that it is free from encumbrance; and

WHEREAS, said subdivision and plat have been approved by the Madison County Zoning Administrator and the Madison County Zoning Commission; and

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

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

Res. Z 7-81-46

1. That said plat known as Venolia Rural Estates prepared in connection with said plat and subdivision is hereby approved.

2. The Madison County Zoning Administrator 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 20 day of July, 1981.

Paul W Brimm
Chairman of the Madison County Board
of Supervisors

ATTEST:

Paul W Gault
Madison County Auditor
By Jean Adkins, Deputy

DEED OF RESTRICTIONS

JAMES D. VENOLIA AND WANDA M. VANOLIA, HUSBAND AND WIFE

TO THE PUBLIC

KNOW ALL MEN BY THESE PRESENTS:

That we, JAMES D. VENOLIA and WANDA M. VENOLIA, husband and wife, are now the fee simple owners and record titleholders of the following-described real estate:

> Commencing at the North Quarter (N¼) Corner of Section Twenty-three (23), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., thence N. 00°00' 129.32 feet to the Point of Beginning. Thence S.85°35'W. 1,315.58 Feet, thence S.00°01'30"E. 797.23 feet, thence N.85°35'E. 1,315.23 feet, thence N.00°00' 797.26 Feet to the point of beginning. Said parcel contains 24.00 Acres including 0.60 Acres of County Road right of way,

which real estate is being platted by the grantors as Venolia Rural Estates.

That 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, a one to three car garage and certain accessory buildings provided that accessory buildings other than garages may not be erected in excess of 650 square feet in area. No mobile homes shall be erected or placed on any of the lots in said subdivision. No hog confinement, nursery or finishing structure, cattle finishing structure, poultry laying or raising houses shall be erected on any of the lots in said subdivision.

2. There shall be a 50 foot building set-back line from the county road right-of-way and from the private drive referred to below, and no building or portion of a building shall be located or erected between said set-back line and the county road right-of-way, or said set back line and the private drive.

3. No lot in the plat shall be subdivided into building plots having less than 3 acres in area.

4. 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, provided that this paragraph shall not be determined to apply to an earth-sheltered house, which shall be permitted to be erected in this subdivision.

5. 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.

6. Titleholders of each lot, vacant or improved, shall keep his lot or lots free of weeds and debris.

7. These covenants are to run with the land and shall be binding on all parties and persons claiming through or under them until January 1, 2000, at which time said covenants shall be automatically extended for successive periods of 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 Subdivision agree in writing to any such additional covenants.

8. 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.

9. 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.

10. A perpetual easement for a private drive and utility purposes with the right to construct, maintain and remove electric light lines, telephone lines, poles, wires, conduits, water pipe lines, drain tiles, sewer tile and other necessary installations is hereby granted to all lot owners together with the right of ingress and egress by, through, over and to the following-described real estate:

> Area as shown on final plat 66 feet in width and designated as Private Drive and Utility Easement.

11. 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.

12. The cost of maintaining the perimeter fence running in back of each lot or along side of each lot or in back and side of each lot shall be the responsibility of each lot owner.

13. The proprietors of the plat, James D. Venolia and Wanda M. Venolia, so long as they own one or more of the lots in this subdivision, hereby reserve the right to approve all building plans prior to the construction of any building upon any lot in the subdivision. No building shall be erected in said subdivision unless the building plans have been approved by said proprietors.

Dated this 31 day of March, 1981.

James D. Venolia

James D. Venolia

Wanda M. Venolia

Wanda M. Venolia

STATE OF CALIFORNIA :
: ss
COUNTY OF SAN DIEGO :

On this 31st day of March, 1981, before me, the undersigned, a Notary Public in and for the State of California, personally appeared James D. Venolia and Wanda M. Venolia, 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.

Elise C. Ward

Notary Public in and for the State of California

OFFICIAL SEAL
ELISE C. WARD
NOTARY PUBLIC — CALIFORNIA
PRINCIPAL OFFICE IN
SAN DIEGO COUNTY
My Commission Expires Aug. 10, 1981

10

AMENDMENT TO DEED OF RESTRICTIONS

We, JAMES D. VENOLIA and WANDA M. VENOLIA, husband and wife, are now the fee simple owners and record titleholders of the following-described real estate:

> Commencing at the North Quarter (N¼) Corner of Section Twenty-three (23), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, thence N.00°00' 129.32 feet to the Point of Beginning. Thence S.85°35'W. 1,315.58 feet, thence S.00°01'30"E. 797.23 feet, thence N.85°35'E. 1,315.23 feet, thence N.00°00' 797.26 Feet to the point of beginning. Said parcel contains 24.00 Acres including 0.60 Acres of County Road Right of Way,

which real estate is being platted by the grantors as Venolia Rural Estates. The Deed of Restrictions being filed as a part of the subdivision proceedings of Venolia Rural Estates is hereby amended to add the following thereto:

1. Initial construction and installation of the private road situated within Venolia Rural Estates shall be constructed at the expense of developers, James D. Venolia and Wanda M. Venolia.

2. The cost of maintenance, repairs and snow removal after the initial construction of said private road shall be paid and borne by the lot owners, with the owner of each lot paying One-eighth (1/8) of the cost of any such repairs, maintenance or snow removal.

Dated this 29th day of JUNE, 1981.

James D. Venolia

James D. Venolia

Wanda M. Venolia

Wanda M. Venolia

STATE OF CALIFORNIA :
: ss
COUNTY OF SAN DIEGO :

On this 29th day of JUNE, 1981, before me, the undersigned, a Notary Public in and for the State of California, personally appeared James D. Venolia and Wanda M. Venolia, 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.

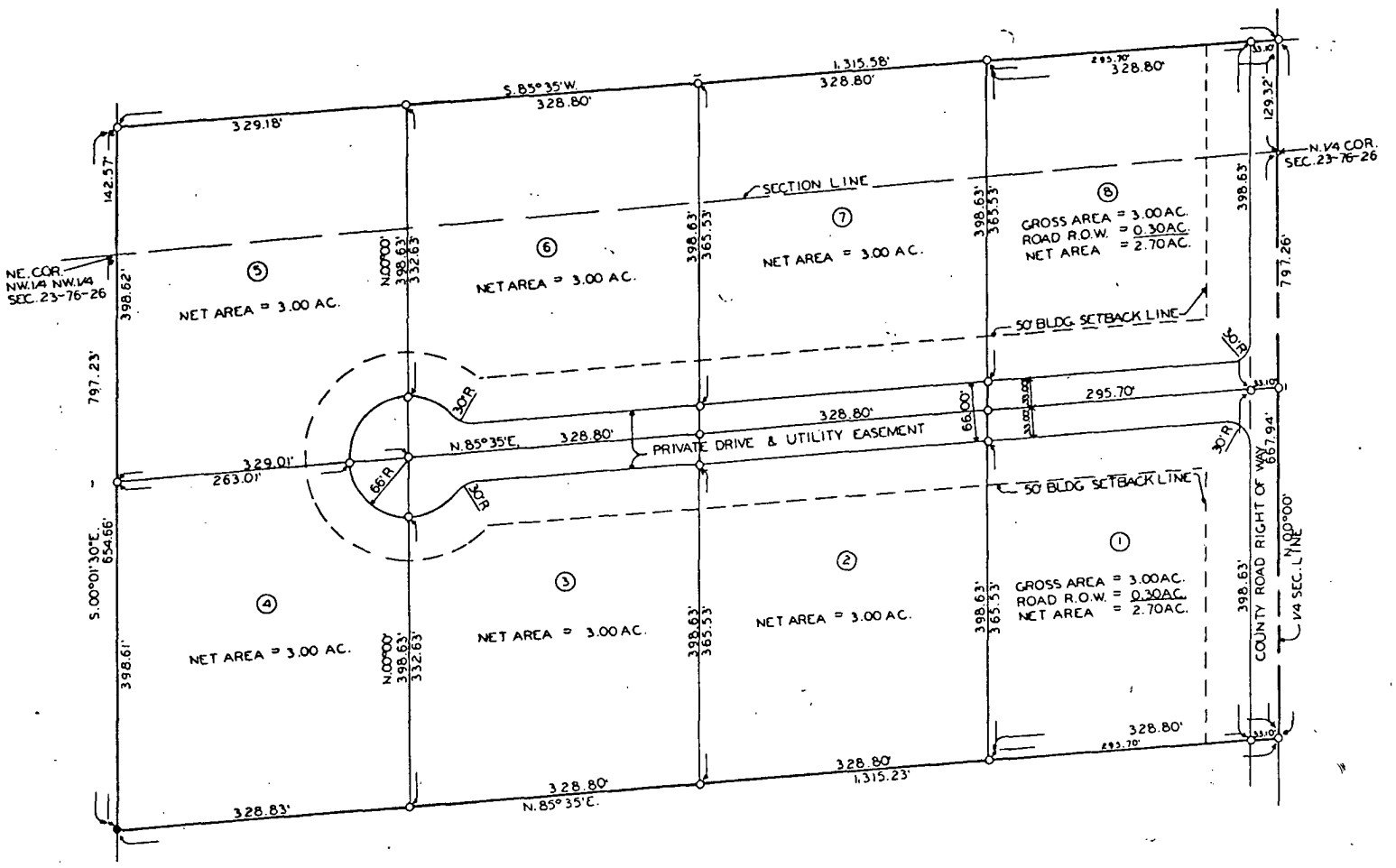
Jo Ann Mayberry

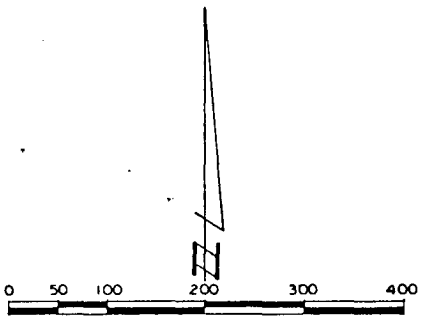
Notary Public in and for the State of California

OFFICIAL SEAL
Jo Ann Mayberry
NOTARY PUBLIC CALIFORNIA
PRINCIPAL OFFICE IN
SAN DIEGO COUNTY
MY COMMISSION EXPIRES DEC. 21, 1984

FINAL PLAT
VENOLIA RURAL ESTATES

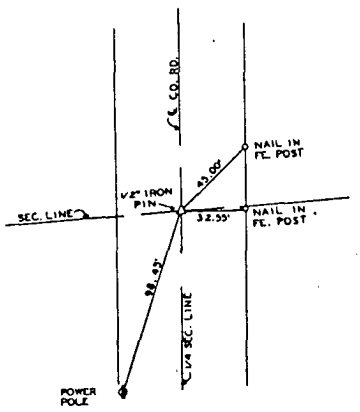
A SUBDIVISION OF PART OF THE N.E.1/4 NW. 1/4 OF SEC. 23 - T76N - R 26 W
& PART OF THE SE.1/4 SW.1/4 OF SEC. 14 - T76N - R26W OF THE 5TH P.M.,
MADISON COUNTY, IOWA





1/2" IRON PINS W/CAPS SET

IRON PINS FOUND



REF. TO N.1/4 COR.
SEC. 23-T76N-R26W

DESCRIPTION:
COMMENCING AT THE N.¼ COR. OF SEC. 23-T76N-R26W OF THE 5TH P.M., THENCE N.00°00' 129.32 FEET TO THE POINT OF BEGINNING. THENCE S.85°35'W. 1,315.58 FEET, THENCE S.00°01'30"E. 797.23 FEET, THENCE N.85°35'E. 1,315.23 FEET, THENCE N.00°00' 797.26 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 24.00 ACRES INCLUDING 0.60 ACRES OF COUNTY ROAD RIGHT OF WAY AS FOLLOWS:
SE.¼ SW.¼ OF SEC. 14-176N-R26W 4.09 ACRES INCLUDING 0.10 ACRES OF COUNTY ROAD RIGHT OF WAY,
NE.¼ NW.¼ OF SEC. 23-T76N-R26W 19.91 ACRES INCLUDING 0.50 ACRES OF COUNTY ROAD RIGHT OF WAY.

NOTE:
THE EAST LINE OF THE NW.¼ OF SEC. 23-T76N-R26W IS ASSUMED TO BEAR DUE NORTH AND SOUTH.

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, [illegible] WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

SIGNED [redacted]

Charles T. Vance, P.E. & L.S. — 2/24/1981 — Iowa Reg. No. 5041

FINAL PLAT
VENOLIA RURAL ESTATES
OWNER & DEVELOPER JAMES D. & WANDA M. VENOLIA 14769 HIGH VALLEY ROAD POWAY, CALIFORNIA 92064
VANCE & HOCHSTETLER, P.C. CONSULTING ENGINEERS 71 JEFFERSON WINTERSET, IOWA 50273