DEED REC. 108 ENTERED FOR TAXATION
THIS 21 DAY OF aug 1978
AUDITORS FEE $ 1.00
George F. Hunkamp
AUDITOR
DEPUTY AUDITOR

FILED NO. 369
BOOK 108 PAGE 244
1978 AUG 21 PM 4:46
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
15pgs. Fee $42.00
Plat $3.00
Farm Plat Book 1 - 143

Mattway Property Development Corporation

to

The Public

DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENCE:

That Mattway Property Development Corporation does hereby certify that it is the sole owner and proprietor of the following described real estate:

The Northeast Quarter (NE¼) of Section Twenty-eight (28) in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

That the disposition of said land as shown by the annexed plat and Engineer's Certificate is with the Corporations free consent and in accordance with the Corporations desires as determined by the action of the Board of Directors.

Dated this 19th day of July, 1978.

MATTWAY PROPERTY DEVELOPMENT CORPORATION

BY Jack M. Miner PRESIDENT
JACK M. MINER

BY Marilyn D. Miner SECRETARY
MARILYN D. MINER

IND.
REC.
PAGE

FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

STATE OF IOWA, Madison COUNTY, ss:

On this 19th day of JULY, A. D. 1978, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Jack M. Miner and Marilyn D. Miner, to me personally known, who, being by me duly sworn, did say that they are the President and Secretary, respectively, of said corporation executing the within and foregoing instrument to which this is attached, that (no seal has been procured by the said ~~XXXXXXXXXXXXXXXXXX~~ corporation; that said instrument was signed (and sealed) on behalf of said corporation by authority of its Board of Directors; and that the said Jack M. Miner and Marilyn D. Miner acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed. (the seal affixed thereto is the seal of said)

Beth Flander
Notary Public in and for said County.

IOWA STATE BAR ASSOCIATION
Official Form No. 12 (Trade-Mark Registered, State of Iowa, 1937)
T-255

30

MATTWAY PROPERTY DEVELOPMENT CORPORATION

TO

THE PUBLIC COVENANTS FOR LAKE VIEW

KNOW ALL MEN BY THESE PRESENTS: That the following compose the covenants covering an addition known as Lake View, an official plat located in and forming a part of Madison County, Iowa and described as follows:

> The Northeast Quarter (NE¼) of Section Twenty-eight (28) Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa and described as Lots Numbered 1 through 29 of LakeView Rural Estates.

1. All lots described herein shall be used for residential and/or agricultural purposes only and no commercial use of the same shall be made. Only one single family dwelling shall be erected on each lot. Additional structures may be erected but may not be used for family dwelling purposes.

2. All residences shall be permanent structures. Temporary living quarters including basements, may be utilized during actual construction of the permanent residence for a period not to exceed six (6) months. There shall be no Mobile Home permitted on the premise except during the six month construction period.

3. All lots, vacant or improved shall be kept free of debris, trash and there shall be no outside storage of disabled vehicles.

4. Domestic and agricultural animals are welcome at Lake View but animals on each lot shall be limited as to number and maintained in such a way so as to not become a nuisance to the general neighborhood.

5. The erection and maintenance of any fence between adjacent lots within Lake View shall be the responsibility of the Parties desiring such fence. The responsibility for the erection and maintenance of fences between these lots and other land not a part of this addition shall be in accordance with the laws of the State Of Iowa and/or ordinances of Madison County or rules and regulations of any governmental agency.

6. A permanent easement is hereby granted for Lot owners for ingress and egress in areas designated as Drive Easements on the final plat of Lake View. The owners of lots contiguous with the Drive Easements shall

be responsible for the maintenance, resurfacing and improvements of any road surface on said easement and each owner shall be required to pay his proportional share of the cost based upon length of roadway normally used.

7. No owner of a lot nor any other person shall obstruct any roadway such as to impede in the use, maintenance or clearing of said roadway, or by leaving thereupon, any vehicles, machinery or any other property.

8. The owners of Lots 2,3,4,5,7,19,20,24 and 25 shall, subject to any rules, regulations or restrictions of the governing body of the Badger Creek Watershed, have the permanent right to use and enjoy the existing Lake contiguous with said lots. Upon approval of the majority of said lot owners, other lot owners in Lake View may be given the permanent right to use and enjoy this Lake. All lot owners priviledged to use and enjoy this lake shall maintain, and be responsible for the lake: that is, bear all costs with reference to the maintenance, upkeep and repair and liability of same. Cost shall be shared equally.

9. Any lot owner or group of lot owners may, subject to any rules, regulations or restrictions of the governing body of the Badger Creek Watershed, install, maintain and improve equipment necessary to withdraw, purify and transport water from the existing lake on areas shown as utility or drive easements on the final plat of Lake View. Such water withdrawn may be used for domestic and livestock use only and shall not be sold commercially.

10. No owner of a lot nor any other person shall in any way cause pollution of the existing or any new lake in Lake View.

11. Invalidation of any one of these covenants by judgment or order shall in no way affect any other provisions which shall remain in full force and effect.

12. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until fifty (50) years from date, at which time said covenants shall automatically be 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 change the said covenants

in whole or in part.

13. If the parties hereto, or any of them, or their heirs or assigns shall violate or attempt to violate any of the covenants or restrictions herein, any person or persons owning any of the lots in said development or subdivision is authorized to commence any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenants or restrictions to prevent the violation or attempted violation by such person resulting from such violation.

DATED THIS 19th DAY OF JULY, 1978.

MATTWAY PROPERTY DEVELOPMENT CORRPORATION

BY Jack M. Miner
JACK M. MINER, PRESIDENT

BY Marilyn D. Miner
MARILYN D. MINER, SECRETARY

STATE OF IOWA)
) SS
MADISON COUNTY)

On this 19th day of July, 1978, before me, the undersigned Notary Public in and for said County, in said State, personally appeared Jack M. Miner and Marilyn D. Miner, to me personally known, who being by me duly sworn, did say that they are the President and Secretary respectively, of said corporation executing the within and foregoing instrument to which this is attached; that the seal affixed thereto is the seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and that the said Jack M. Miner and Marilyn D. Miner acknowledged the execution of said instrument to be their voluntary act and deed as such officers, of said corporation, by it and by them voluntarily executed.

Beth Flander
NOTARY PUBLIC.

BETH FLANDER
Iowa
NOTARIAL SEAL

MATTWAY PROPERTY DEVELOPMENT CORPORATION

TO

THE PUBLIC RESTRICTIVE COVENANT

KNOW ALL MEN BY THESE PRESENTS:

That Mattway Property Development Corporation does hereby impose the following restriction upon the real estate legally described as:

> Lots 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 of Lake View Rural Estates a subdivision of the Northeast Quarter (NE¼) of Section Twenty-eight (28), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

That no residence structures or structures appurtunant thereto shall be constructed upon such lots until such time as the County roadway on the west side of said Lake View Rural Estates has been improved to the current standards for local gravel roads as established by Madison County, Iowa, and until permanent markers have been located and established.

This covenant shall be binding until such time as the Madison County Engineer shall certify in a writing to be filed with the Recorder of Madison County that said roadway is in a condition meeting such standards.

This covenant shall run in favor of Madison County, Iowa and the public and may be enforced by Madison County refusing to issue any building permits for such lots or any action at law or equity.

Dated at Winterset, Iowa, this 19thday of July, 1978.

MATTWAY PROPERTY DEVELOPMENT CORPORATION

By Jack M. Miner
Jack M. Miner, President

By Marilyn D. Miner
Marilyn D. Miner, Secretary

STATE OF IOWA)
) ss
MADISON COUNTY)

On this 19th day of July, 1978, before me, the undersigned Notary Public in and for said County, in said State, personally appeared Jack M. Miner and Marilyn D. Miner, to me personally known, who being by me duly

sworn, did say that they are the President and Secretary respectively, of said corporation executing the within and foregoing instrument to which this is attached; that the seal affixed thereto is the seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and that the said Jack M. Miner and Marilyn D. Miner acknowledged the execution of said instrument to be their voluntary act and deed as such officers, of said corporation, by it and by them voluntarily executed.

Notary Public

Flander and Casper
ATTORNEYS AT LAW
223 EAST COURT AVENUE
WINTERSET, IOWA 50273

LEONARD M. FLANDER
JOHN E. CASPER

AREA CODE 515
TELEPHONE 462-4912

July 21, 1978

TO WHOM IT MAY CONCERN:

This is to certify that this day I have examined the title to the premises legally described as:

Northeast Quarter (NE¼) of Section Twenty-eight (28) in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa,

as disclosed by the attached abstract of title being abstract No. 43182 originally prepared by and last certified to by the Security Loan and Abstract Company of Winterset, Iowa containing 42 entries and continued to June 15, 1978 at 3:22 o'clock P. M.

On the date and time last mentioned above, I find title of said premises to be in:

MATTWAY PROPERTY DEVELOPMENT CORPORATION

free and clear of all liens and encumbrances of any kind except two mortgage liens in favor of Central Savings Association, Chariton, Iowa rising from the instrument recorded in Book 129 at page 319 of the records of the Madison County Recorders Office and the instrument recorded in Book 129 at page 429 of the records of the Madison County Recorders Office.

Respectfully submitted,

LEONARD M FLANDER
LMF/bf

CENTRAL SAVINGS ASSOCIATION

TO

THE PUBLIC.

KNOW ALL MEN BY THESE PRESENTS:

The above named Corporation is the owner and holder of certain mortgages upon the real estate legally described as:

> Northeast Quarter (NE¼) of Section Twenty-eight (28), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

which mortgages are recorded in Book 129 at page 319 and Book 129 at page 429 of the records in the office of the Recorder of Madison County, Iowa and does hereby consent to the platting and subdivision of said real estate and hereby consents that the premises shall hereafter be known as:

> Lots 1 through 29 of Lake View Rural Estates a subdivision of the Northeast Quarter (NE¼) of Section Twenty-eight (28), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa

and does hereby consent to all restrictive covenants in connection therewith, and release incumbrances on utility easements.

Dated this 19th day of July, 1978.

CENTRAL SAVINGS ASSOCIATION

BY _____

David E. McCabe, President-Secretary

FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

STATE OF IOWA, Lucas COUNTY, ss:

On this 19th day of July, A.D. 1978, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared David E. McCabe and _____, to me personally known, who, being by me duly sworn, did say that he is the President and Secretary, respectively, of said corporation executing the within and foregoing instrument to which this is attached, that (the seal affixed thereto is the seal of said) corporation; that said instrument was signed (and sealed) on behalf of said corporation by authority of its Board of Directors; and that the said President and Secretary as such officers acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

JOHN W. DUPP
MY COMMISSION EXPIRES
September 30, 1979

_____
Notary Public in and for said County and State.

IOWA STATE BAR ASSOCIATION
Official Form No. 12 (Trade-Mark Registered, State of Iowa, 1967)
This Printing: Dec. 6, 1977

(Sections 558.39 and 558.39, Code of Iowa)

712180

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:

The Northeast Quarter (NE¼) of Section Twenty-eight (28) in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

Dated at Winterset, Iowa on this 21 day of July, 1978.

Esther J. Frank

Esther J. Frank, Madison County Treasurer.

MADISON COUNTY IOWA TREASURER

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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 Mattway Property Development Corporation are now the fee simple owners and record title holders of the following described real estate, to-wit:

> The Northeast Quarter (NE¼) of Section Twenty-eight (28) in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa,

Dated at Winterset, Iowa, on this 21 day of July, 1978.

Mary E. Welty

MARY E. WELTY, MADISON COUNTY RECORDER

CERTIFICATE OF THE CLERK OF THE DISTRICT COURT

OF MADISON COUNTY, IOWA

I, Margaret Wheeler, do hereby certify 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:

The Northeast Quarter (NE¼) of Section Twenty-eight (28) in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa,.

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

Dated at Winterset, Iowa, this 21 day of July, 1978.

/s/ Margaret Wheeler
Marguerite Towers Deputy

MARGARET WHEELER, CLERK OF THE DISTRICT COURT OF MADISON COUNTY, IOWA.

SEAL OF THE DISTRICT COURT MADISON COUNTY IOWA

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RESOLUTION APPROVING FINAL PLAT
OF
LAKE VIEW RURAL ESTATES SUBDIVISION
SECTION 28, T77N R26W
Madison County, Iowa

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 Lake View Rural Estates Subdivision and,

WHEREAS, the real estae comprising said plat is desired as follows:

> Northeast Quarter (NE¼) of Section Twenty-eight (28), in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa,

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, Jack M. Miner and Marilyn D. Miner, Mattway Proprety Development Corporation, and,

WHEREAS, said plat was accompanied by an opinion from an attorney at law showing that the fee title is in said proprietor 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 judgements, 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 emcumbrance; 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 Lake View Rural Estates Subdivision should be approved by the Board of Supervisors of Madison County, Iowa.

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

1. That said plat know as Lake View Rural Estates Subdivision prepared in Connection with said plat and subdivision are hereby approved, and

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 this 21 day of August, 1978, in Winterset, Iowa.

Paul W. Binns, Chairman
Madison County Board of Supervisors

ATTEST:

George F. Abrahams
Madison County Auditor

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PLAT AND CERTIFICATE
FOR
LAKE VIEW RURAL ESTATES SUBDIVISION

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 Lake View Rural Estates Subdivision and that the real estate comprising said plat is described as follows:

> Northeast Quarter (NE¼) of SEction Twenty-eight (28) in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa,

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 Lake View Rural Estates Subdivision.
2. Attorney's Opinion.
3. Certificate of County Treasurer of Madison County, Iowa.
4. Certificate of County Recorder of Madison County, Iowa.
5. Certificate of the Clerk of the District Court of Madison County, Iowa.
6. Resolution by 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 21st day of August, 1978.

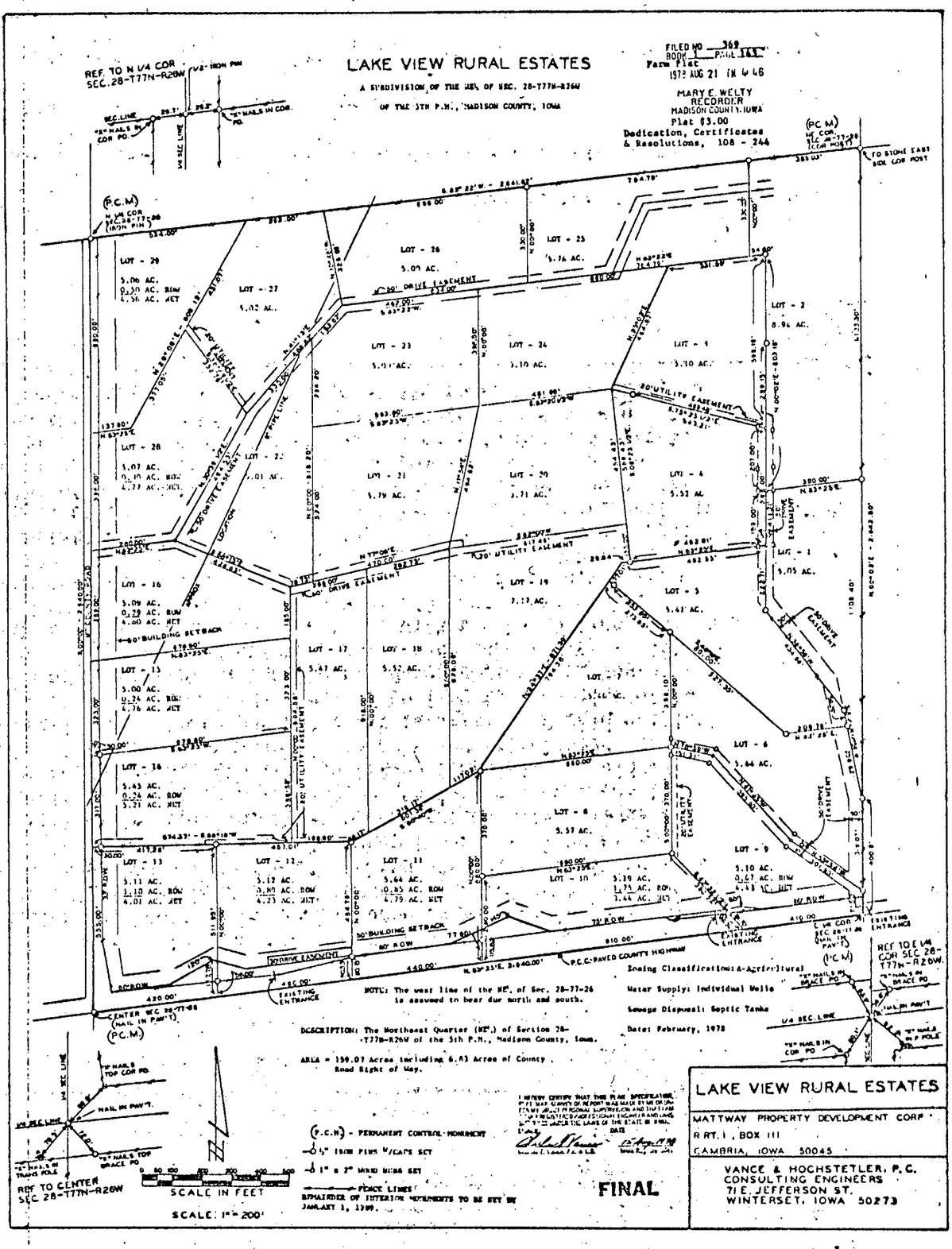
Jerry K. Trevillyan
Jerry K. Trevillyan,
Madison County Zoning Administrator

STATE OF IOWA :
: ss
MADISON COUNTY :

On this 21 day of August, 1978, before me, the undersigned personally appeared, Jerry K. Trevillyan, Madison County Zoning Administrator, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledge that he executed the same as his voluntary act and deed.

SEAL
IOWA
MADISON COUNTY
DISTRICT COURT

Ida L. Silverthorn, Deputy
Clerk of the District Court
Madison County, Iowa


LAKE VIEW RURAL ESTATES
A SUBDIVISION OF THE NE¼ OF SEC. 28-T77N-R26W
OF THE 5TH P.M., MADISON COUNTY, IOWA
FILED NO 369
BOOK 1 PAGE 166
Farm Plat
1978 AUG 21 PM 4:46
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Plat $3.00
Dedication, Certificates & Resolutions, 108 - 244
REF. TO N ¼ COR SEC. 28-T77N-R26W
(P.C.M) N ¼ COR SEC 28-77-26 (IRON PIN)
(P.C.M) NE COR SEC 28-77-26 (CAN MONUMENT)
TO STONE EAST SIDE COR POST
LOT - 29 5.06 AC. 0.30 AC. R/W 4.56 AC. M/L
LOT - 27 5.02 AC.
LOT - 26 5.09 AC.
LOT - 25 5.76 AC.
LOT - 2 8.94 AC.
LOT - 23 5.01 AC.
LOT - 24 5.10 AC.
LOT - 4 5.10 AC.
LOT - 28 5.07 AC. 0.30 AC. R/W 4.77 AC. M/L
LOT - 22 5.01 AC.
LOT - 21 5.79 AC.
LOT - 20 5.71 AC.
LOT - 6 5.52 AC.
LOT - 1 5.05 AC.
LOT - 16 5.09 AC. 0.29 AC. R/W 4.80 AC. M/L
LOT - 19 7.17 AC.
LOT - 5 5.61 AC.
LOT - 15 5.00 AC. 0.24 AC. R/W 4.76 AC. M/L
LOT - 17 5.67 AC.
LOT - 18 5.52 AC.
LOT - 7 5.66 AC.
LOT - 8 5.64 AC.
LOT - 14 5.43 AC. 0.24 AC. R/W 5.21 AC. M/L
LOT - 13 5.11 AC. 0.10 AC. R/W 4.01 AC. M/L
LOT - 12 5.12 AC. 0.10 AC. R/W 4.23 AC. M/L
LOT - 11 5.64 AC. 0.85 AC. R/W 4.79 AC. M/L
LOT - 10 5.39 AC. 0.75 AC. R/W 3.44 AC. M/L
LOT - 9 5.10 AC. 0.67 AC. R/W 4.18 M/L
50' DRIVE EASEMENT
50' UTILITY EASEMENT
50' BUILDING SETBACK
66' R/W
33' R/W
EXISTING ENTRANCE
P.C.C.-PAVED COUNTY HIGHWAY
CENTER SEC 28-77-26 (NAIL IN PAVT.)
REF TO E ¼ COR SEC 28-T77N-R26W.
NOTE: The west line of the NE¼ of Sec. 28-77-26 is assumed to bear due north and south.
DESCRIPTION: The Northeast Quarter (NE¼) of Section 28-T77N-R26W of the 5th P.M., Madison County, Iowa.
AREA = 159.07 Acres including 6.83 Acres of County Road Right of Way.
Zoning Classification: A-Agricultural
Water Supply: Individual Wells
Sewage Disposal: Septic Tanks
Date: February, 1978
(P.C.M) - PERMANENT CONTROL MONUMENT
½" IRON PINS W/CAPS SET
1" x 2" WOOD MONS SET
FENCE LINES
REMAINDER OF INTERIOR MONUMENTS TO BE SET BY JANUARY 1, 1989.
REF TO CENTER SEC 28-T77N-R26W
SCALE IN FEET
SCALE: 1" = 200'
FINAL
LAKE VIEW RURAL ESTATES
MATTWAY PROPERTY DEVELOPMENT CORP.
R RT. 1, BOX 111
CAMBRIA, IOWA 50045
VANCE & HOCHSTETLER, P.C.
CONSULTING ENGINEERS
71 E. JEFFERSON ST.
WINTERSET, IOWA 50273