



LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

Document 2015 3183

Book 2015 Page 3183 Type 06 044 Pages 17
Date 10/28/2015 Time 10:07:00AM
Rec Amt \$87.00 Aud Amt \$5.00

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**PLAT AND CERTIFICATE
FOR CHAPINS ACRES
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 Chapins Acres, and that the real estate comprising said plat is described as follows:

See Attached Legal Description.

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:

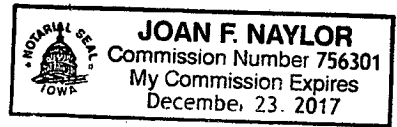
1. Dedication of Plat;
2. Attorney's Opinion;
3. Certificate from County Treasurer;
4. Resolution of the Board of Supervisors of Madison County, Iowa, approving said plat;
5. Agreement with County Engineer;
6. Ground Water Statement;
7. Resolution of City of Winterset approving said Plat;
8. Madison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

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 27 day of October, 2015, by C.J. Nicholl.

Notary Public in and for said State of Iowa

The North 46 rods of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 25, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa, except Parcel "A" thereof more particularly described as follows:

Beginning at the Northwest Corner of the Northeast Quarter of the Southwest Quarter of Section 25, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa, thence South 89°43'38" East 629.80 feet to the northwest corner of Parcel "A" thereof; thence South 00°06'47" West 294.73 feet along the West line of said Parcel "A"; thence North 89°40'24" East 696.46 feet along the South line of said Parcel "A" to the East line of said Northeast Quarter of the Southwest Quarter; thence South 00°02'47" West 483.700 feet along said East line; thence North 89°43'37" West 1324.20 feet to the West line of said Northeast Quarter of the Southwest Quarter; thence North 00°03'15" West 759.00 feet to the Point of Beginning containing 18.53 acres. Said parcel to be divided into 3 Lots. Lot 1 contains 10.95 acres; Lot 2 contains 3.68 acres and is subject to a 25.00 foot access and public utility easement for Lot 1, and Lot 3 contains 3.90 acres and is subject to a 33.00 foot wide County Road easement and a 25.00 foot access and public utility easement for Lot 1 and Lot 2.

EASEMENT LEGAL DESCRIPTION:

A permanent easement for ingress/egress and public utilities across the South 25.00 feet of Lots 2 and 3 of Chapins Acres a subdivision in the Northeast Quarter of the Southwest Quarter of Section 25, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa.

**DEDICATION OF PLAT
OF
CHAPINS ACRES**

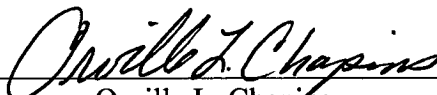
KNOW ALL MEN BY THESE PRESENTS:

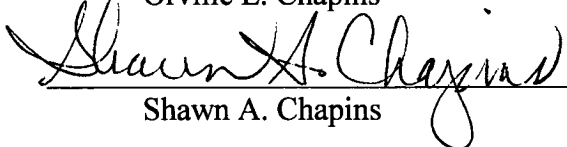
That Orville L. Chapins and Shawn A. Chapins do hereby certify that they are the owners and proprietors of the following-described real estate:

See Attached Legal Description.

That the Subdivision of the above-described real estate, as shown by the Final Plat of Chapins Acres, is with the free consent and in accordance with the owners' desires as owners of said real estate:

Dated this 9th day of October, 2015.



Orville L. Chapins


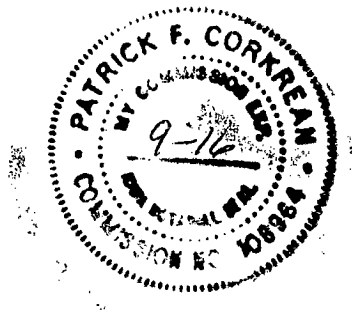
Shawn A. Chapins

STATE OF IOWA, COUNTY OF MADISON:

This instrument was acknowledged before me on this 9th day of Oct., 2015, by Orville L. Chapins and Shawn A. Chapins.



Notary Public in for the State of Iowa



The North 46 rods of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 25, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa, except Parcel "A" thereof more particularly described as follows:

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**ATTORNEY'S OPINION FOR FINAL PLAT,
CHAPINS ACRES**

I, Mark L. Smith, 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 25, 2015, 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, Chapins Acres, Madison County, Iowa:

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In my opinion, merchantable title to the above described property is in the name of Orville L. Chapins and Shawn A. Chapins, Husband and Wife, as Joint Tenants with full rights of survivorship and not as Tenants in Common, free and clear of all liens and encumbrances.


The abstract does show the following Easements:

A. Entry No. 64 shows an Easement from Orville Lloyd Chapins and Shawn Anne Chapins, to Jack Vierling, dated and filed for record May 14, 1999, in Deed Record 141, Page 418, granting an Easement for the use of a well and waterline, and an easement for an existing lane.

B. Entry No. 72 shows an Easement granted to Southern Iowa Rural Water Association, its successors and assigns, dated December 10, 2001, and filed May 31, 2002, in Book 2002, Page 2579 of the Recorder's Office of Madison County, Iowa, for water pipeline.

Respectfully submitted,

JORDAN, OLIVER, WALTERS & SMITH, P.C.

By 

Mark L. Smith
101 ½ West Jefferson
P.O. Box 230
Winterset, Iowa 50273
Telephone: (515) 462-3731
ATTORNEYS FOR CHAPINS ACRES.

CERTIFICATE OF THE COUNTY TREASURER OF MADISON COUNTY, IOWA

I, Jana Corkrean, 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:

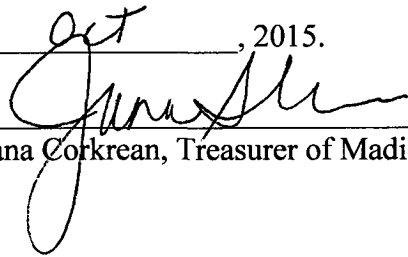
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DATED at Winterset, Iowa, this 12 day of Oct, 2015.



Jana Corkrean, Treasurer of Madison County, Iowa

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

Chapins Acres

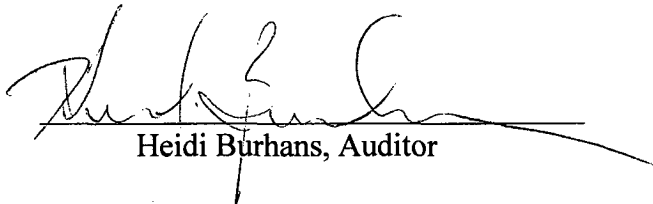
For property located at:

See Legal Description Attached;

And owned by: Orville L. Chapins and Shawn A. Chapins, Husband and
Wife,
As Joint Tenants with full rights of survivorship and not as
Tenants in Common.

Has been approved on the 8th day of October, 2015.

By the Auditor, Madison County, Iowa.


Heidi Burhans, Auditor

The North 46 rods of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 25, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa, except Parcel "A" thereof more particularly described as follows:

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ZO-RESOLUTION-10-27-15
RESOLUTION APPROVING FINAL PLAT
OF CHAPINS ACRES
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 Chapins Acres; and

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

See Attached Legal Description.

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, Orville L. Chapins and Shawn A. Chapins; 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 a 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 Chapins Acres 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 Chapins Acres 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.

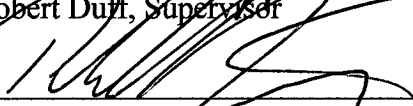
DATED at Winterset, Iowa, this 27th day of October, 2015.



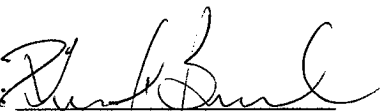
Aaron Price, Chairman



Robert Duff, Supervisor



Phillip Clifton, Supervisor

Attest: 

Heidi Burhans
Madison County Auditor

The North 46 rods of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 25, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa, except Parcel "A" thereof more particularly described as follows:

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AGREEMENT

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

NOW THEREFORE IT IS AGREED AS FOLLOWS:

1. The proprietors of Chapins Acres, a Plat of the following described real estate:

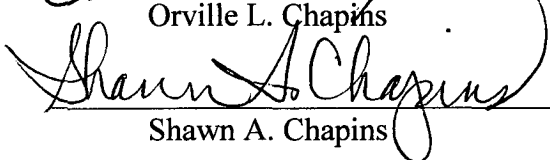
See Attached Legal Description

hereby agree that all private roads located within Chapins Acres 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.

CHAPINS ACRES
PROPRIETORS OF ~~SANBURG~~ SUBDIVISION



Orville L. Chapins



Shawn A. Chapins

 10/14/15

Todd Hagan, Madison County Engineer

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RESOLUTION NO. 2015-111

RESOLUTION APPROVING SUBDIVISION PLAT

WHEREAS there was filed in the office of the Zoning Administrator of the City of Winterset, Iowa, the final plat of the Chapins Acres subdivision of property owned by Orville L. & Shawn A. Chapins; and

WHEREAS the parcel of land comprising the final plat of Chapins Acres subdivision is described as follows:

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WHEREAS the Planning & Zoning Commission of the City of Winterset, Iowa, has reviewed the final plat of Chapins Acres subdivision and finds that the subdivision plat conforms to the provisions of the land use plan and is in compliance with the Ordinances of the City of Winterset, Madison County, Iowa, and recommends that Chapins Acres subdivision plat should be approved by the City Council of the City of Winterset, Iowa.

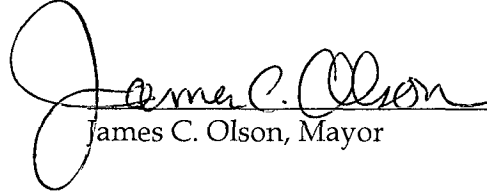
NOW THEREFORE BE IT RESOLVED by the City Council of the City of Winterset, Iowa:

1. The final plat of Chapins Acres subdivision on property owned by Orville L. & Shawn A. Chapins as described above is hereby approved.

2. The requirement of the Subdivision Ordinance of the City of Winterset, Iowa that certain improvements be constructed within said subdivision plat is hereby waived.

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

Passed and approved this 5th day of October, 2015


James C. Olson, Mayor

ATTEST:


Mark Nitchals, City Administrator



Document 2015 3183

Book 2015 Page 3183 Type 06 044 Pages 17

Date 10/28/2015 Time 10:07:00AM

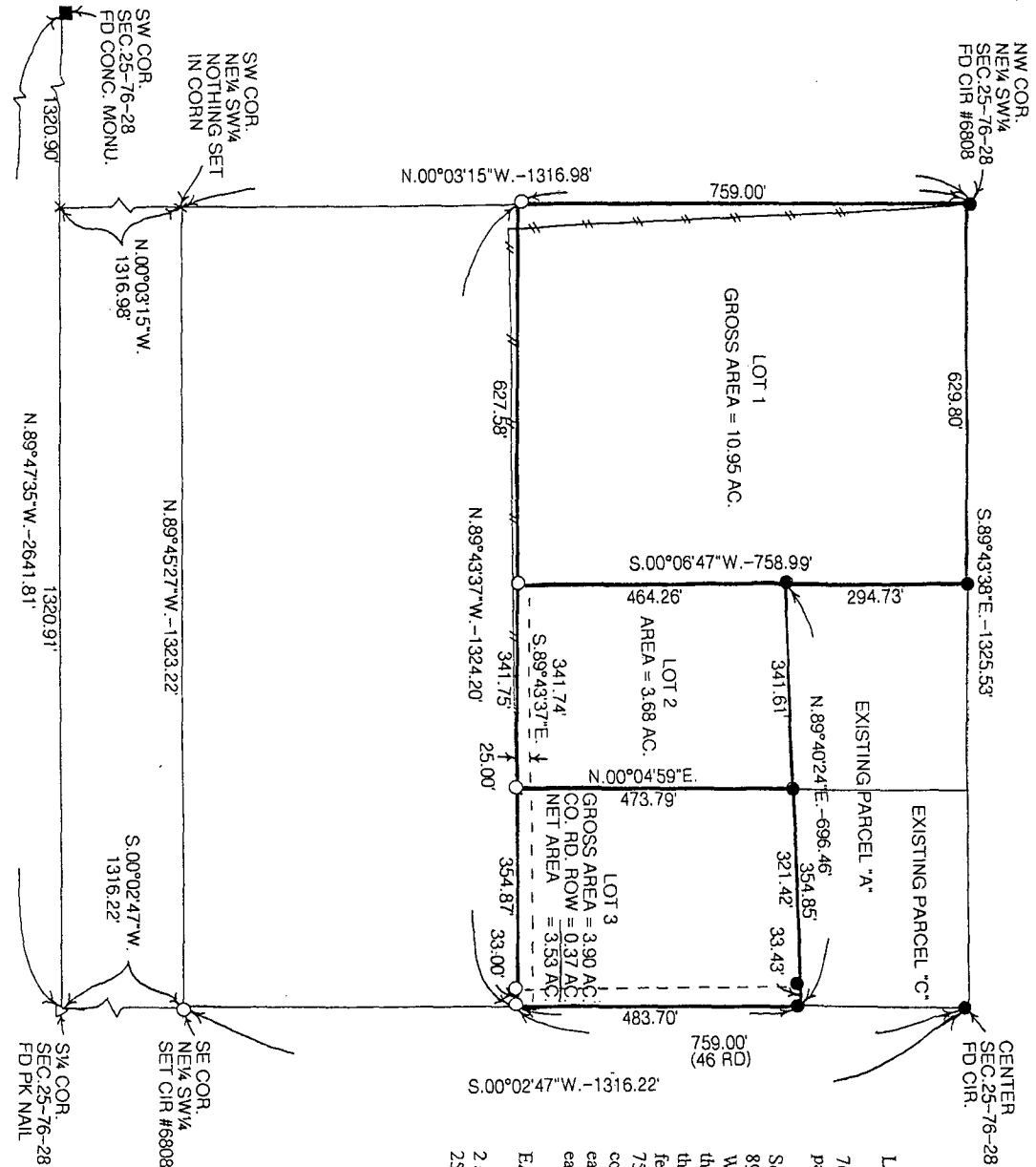
Rec Amt \$87.00 Aud Amt \$5.00

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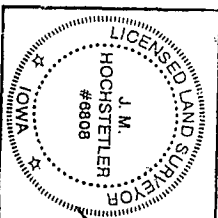
LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

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

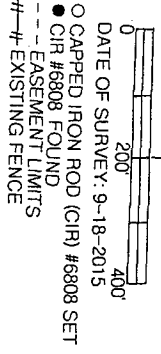


- NOTES:
1. Building setback to be 50 feet front and rear yard and 25 feet side yards.
 2. Sewer to be individual septic tank and laterals.
 3. Water to be rural water.
 4. Power to be Farmer's Electric.
 5. Area zoned agricultural.
 6. Any new driveway entrances shall have a 24 foot minimum width.



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 8808 Date 10/12/2015
My license renewal date is December 31, 2015
Pages or sheets covered by this seal: 1



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FINAL PLAT

CHAPINS ACRES
OWNER/DEVELOPER:
ORVILLE L. & SHAWN A. CHAPINS
2062 210TH STREET
WINTERSET, IA 50273
LAND SURVEYOR:
VANCE & HOCHSTETLER, P.C.
110 WEST GREEN ST.
WINTERSET, IOWA 50273
(515) 462-3995