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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

**DEDICATION OF PLAT
Recorder's Cover Sheet**

Preparer Information: Jerrold B. Oliver, 101 1/2 W. Jefferson, Winterset, IA 50273, Phone:
(515) 462-3731

Taxpayer Information: Lucas Beeler and Katie R. Beeler, 2373 Scenic Valley Drive, West
Des Moines, IA 50266

Return Address: Jerrold B. Oliver, PO Box 230, Winterset, IA 50273

Grantors: Lucas Beeler and Katie R. Beeler

Grantees: Lucas Beeler and Katie R. Beeler

Legal Description: See Page 2.

Document or instrument number if applicable:

**PLAT AND CERTIFICATE
FOR
BIRCHWOOD ESTATES PLAT NO. 4
AN ADDITION TO THE CITY OF WINTERSET,
MADISON COUNTY, IOWA**

I, Robert D. Hendricks, Zoning Administrator of the City of Winterset, Iowa, do hereby certify that the Plat to which this certificate is attached is a plat of a subdivision known and designated as Birchwood Estates Plat No. 4, an Addition to the City of Winterset, Madison County, Iowa; and, that the real estate comprising said plat is described as follows:


See description attached.

I do further certify that attached hereto are true and correct copies of the following documents that have been submitted in connection with said plat.

- 1) Dedication of Plat of Birchwood Estates Plat No. 4, an Addition to the City of Winterset, Madison County, Iowa;
- 2) Attorney's Opinion;
- 3) Certificate of Treasurer;
- 4) Auditor's Approval;
- 5) Ground Water Statement;
- 6) Resolution of Winterset City Council;
- 7) ~~Restrictive Covenants,~~ *RDH*

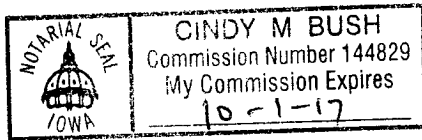
all of which are duly certified in accordance with the Winterset Zoning Ordinance.

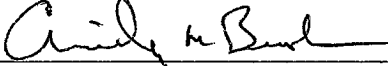
Dated this 28th day of MARCH, 2016,


Robert D. Hendricks, Zoning Administrator

STATE OF IOWA, MADISON COUNTY, ss:

On this 28th day of March, 2016, before me, the undersigned, a Notary Public in and for the said State, personally appeared, Robert D. Hendricks, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.




Notary Public in and for the State of Iowa

LEGAL DESCRIPTION:

A portion of Parcel "N" in the Southwest Quarter of the Northwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa more particularly described as follows:

Beginning at the Southwest Corner of Lot 11, Block 4, Birchwood Estates Plat No. 1; thence North $89^{\circ}53'18''$ East 367.00 feet along the North line of Benton Street to a point on the South line of Lot 9, Block 5, Birchwood Estates Plat No. 1; thence South $00^{\circ}16'10''$ East 552.00 feet along the centerline of Block 10; thence South $89^{\circ}53'18''$ West 367.00 feet to the centerline of Block 11; thence North $00^{\circ}16'10''$ West 552.00 feet to the Point of Beginning containing 4.65 acres.

**DEDICATION OF PLAT
OF
BIRCHWOOD ESTATES PLAT NO. 4
TO THE CITY OF WINTERSET, MADISON COUNTY, IOWA**

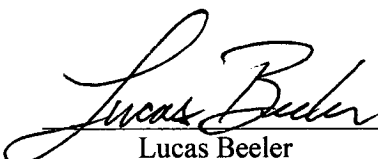
KNOW ALL MEN BY THESE PRESENT:

That Lucas Beeler and Katie R. Beeler, Husband and Wife, do certify that they are the sole owners and proprietors of the following-described real estate:


See attached description.

That the subdivision of the above described real estate, as shown by the Final Plat of BIRCHWOOD ESTATES PLAT NO. 4, is with the free consent and in accordance with the owners' desires as owners of the above-described real estate.

Dated this 15 day of March, 2016.



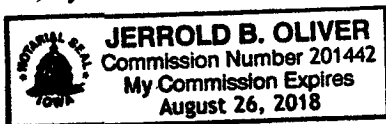
Lucas Beeler

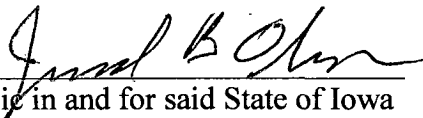


Katie R. Beeler

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 15 day of March, 2016, by Lucas Beeler.

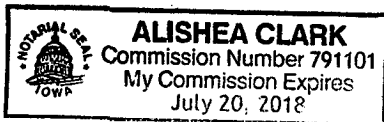





Notary Public in and for said State of Iowa

STATE OF IOWA, COUNTY OF POLK

This instrument was acknowledged before me on this 16th day of March, 2016, by Katie R. Beeler.





Notary Public in and for said State of Iowa

LEGAL DESCRIPTION:

A portion of Parcel "N" in the Southwest Quarter of the Northwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa more particularly described as follows:

Beginning at the Southwest Corner of Lot 11, Block 4, Birchwood Estates Plat No. 1; thence North $89^{\circ}53'18''$ East 367.00 feet along the North line of Benton Street to a point on the South line of Lot 9, Block 5, Birchwood Estates Plat No. 1; thence South $00^{\circ}16'10''$ East 552.00 feet along the centerline of Block 10; thence South $89^{\circ}53'18''$ West 367.00 feet to the centerline of Block 11; thence North $00^{\circ}16'10''$ West 552.00 feet to the Point of Beginning containing 4.65 acres.

**ATTORNEY'S OPINION FOR FINAL PLAT OF BIRCHWOOD ESTATES
PLAT NO. 4**

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 March 7, 2016, at 8:00 a.m., by Madison County Abstract Co., purporting to show the chain of title to the following described property, which is the real property contained in Final Plat of Birchwood Estates Plat No. 4, to the City of Winterset, Madison County, Iowa:

A portion of Parcel "N" in the Southwest Quarter of the Northwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa more particularly described as follows:

Beginning at the Southwest Corner of Lot 11, Block 4, Birchwood Estates Plat No. 1; thence North 89°53'18" East 367.00 feet along the North line of Benton Street to a point on the South line of Lot 9, Block 5, Birchwood Estates Plat No. 1; thence South 00°16'10" East 552.00 feet along the centerline of Block 10; thence South 89°53'18" West 367.00 feet to the centerline of Block 11; thence North 00°16'10" West 552.00 feet to the Point of Beginning containing 4.65 acres.

In my opinion, merchantable title to the above described property is in the name of sole proprietor, Lucas Beeler free and clear of all liens and encumbrances, except an Open-End Mortgage held by Farm Credit Services of America, FLCA, in the principal amount of \$249,000 dated February 17, 2011, and filed February 23, 2011, in Book 2011, Page 517 of the Recorder's Office of Madison County, Iowa.

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

By  _____

Jerrold B. Oliver
Farmers & Merchants Bank Bldg.
PO BOX 230
Winterset, IA 50273

Telephone: (515)462-3731

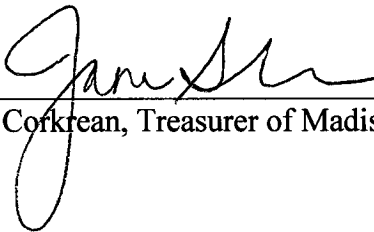
Facsimile: (515)462-3734

**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, to-wit:

See description attached.

DATED at Winterset, Iowa, this 17 day of March, 2016.



Jana Corkrean, Treasurer of Madison County, Iowa

LEGAL DESCRIPTION:

A portion of Parcel "N" in the Southwest Quarter of the Northwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa more particularly described as follows:

Beginning at the Southwest Corner of Lot 11, Block 4, Birchwood Estates Plat No. 1; thence North $89^{\circ}53'18''$ East 367.00 feet along the North line of Benton Street to a point on the South line of Lot 9, Block 5, Birchwood Estates Plat No. 1; thence South $00^{\circ}16'10''$ East 552.00 feet along the centerline of Block 10; thence South $89^{\circ}53'18''$ West 367.00 feet to the centerline of Block 11; thence North $00^{\circ}16'10''$ West 552.00 feet to the Point of Beginning containing 4.65 acres.

**APPROVAL OF SUBDIVISION PLAT NAME
BY MADISON COUNTY AUDITOR**

Date: 14 March 2016

The Madison County Auditor's Office has reviewed the Final Plat of BIRCHWOOD ESTATES PLAT NO. 4 for the following-described real estate:

See description attached.

Pursuant to Iowa Code 354.6(2) and 354.11(1)(e), we approve the Subdivision name or title and have no objections to this Subdivision Plat being recorded.

Melley O Kaste 1st Deputy Auditor
County Auditor of Madison County, Iowa

LEGAL DESCRIPTION:

A portion of Parcel "N" in the Southwest Quarter of the Northwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa more particularly described as follows:

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**RESOLUTION APPROVING
FINAL PLAT OF BIRCHWOOD ESTATES PLAT NO. 4**

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 Birchwood Estates Plat No. 4, an Addition to the City of Winterset, Madison County, Iowa; and

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

See attached 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, Lucas Beeler and Katie R. Beeler; 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, and a 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 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 Birchwood Estates Plat No. 4, 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 21st day of March, 2016.

CITY OF WINTERSET, IOWA

By James C. Olson
James C. Olson, Mayor

ATTEST:

Mark Nitchals
Mark Nitchals, City Administrator

LEGAL DESCRIPTION:

A portion of Parcel "N" in the Southwest Quarter of the Northwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa more particularly described as follows:

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