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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

Prepared By: Mark L. Smith, POB 230, Winterset, IA 50273
Return To: Mark L. Smith, POB 230, Winterset, IA 50273

Telephone: 515/462-3731

**PLAT AND CERTIFICATE
FOR
HOPE SUBDIVISION
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 Hope Subdivision, an Addition to the City of Winterset, Madison County, Iowa; and, that the real estate comprising said plat is described as follows:

Hope Subdivision a part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa, originally described in an Addendum to a Warranty Deed filed July 28, 2005, in Book 2005, Page 3554 at the Madison County Recorder's Office, which is more particularly described as follows:

Commencing at the Center of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa, thence North 00°00'00" East 696.34 feet along the West line of the Northeast Quarter (NE 1/4) of said Section 36; thence South 89°41'27" East 405.40 feet along the north line of Buchanan Street extended to the Southeast corner of Lot 4 of David M. Griswold Addition to the City of Winterset which is the Point of Beginning; thence North 00°08'06" East 144.56 feet; thence South 89°51'42" East 148.00 feet; thence South 00°08'06" West 145.00 feet to a point on the North line of Buchanan Street; thence North 89°41'27" West 148.00 feet to the Point of Beginning, containing 0.49 acres. Area is divided into two lots fronting on Buchanan Street, Lot 1 is 78.00 feet wide and contains 0.26 acres (11,285 Sq. Ft.) And Lot 2 is 70.00 feet wide and contains 0.23 acres (10,143 Sq. Ft.).

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 Hope Subdivision, an Addition to the City of Winterset, Madison County, Iowa;
- 2) Attorney's Opinion;
- 3) Consent to Platting;
- 4) Certificate of Treasurer;
- 5) Auditor's Approval
- 6) Ground Water Statement;
- 7) Resolution of Winterset City Council,

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

Dated this 20TH day of APRIL, 2016.



A handwritten signature in cursive script that reads "Robert D. Hendricks".

Robert D. Hendricks, Zoning Administrator

STATE OF IOWA, MADISON COUNTY, ss:

On this 20th day of April, 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.

A handwritten signature in cursive script that reads "Cindy M. Bush".

Notary Public in and for the State of Iowa

**DEDICATION OF PLAT
OF
HOPE SUBDIVISION
TO THE CITY OF WINTERSET, MADISON COUNTY, IOWA**

KNOW ALL MEN BY THESE PRESENT:

That Michael E. Bauer and Malissa K. Bauer do certify that they are the sole owners and proprietors of the following-described real estate:

Hope Subdivision a part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa, originally described in an Addendum to a Warranty Deed filed July 28, 2005, in Book 2005, Page 3554 at the Madison County Recorder's Office, which is more particularly described as follows:

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That the subdivision of the above described real estate, as shown by the Final Plat of Hope subdivision, is with the free consent and in accordance with said owners' desires

Dated this 8 day of Apr, 1, 2016.

Michael E. Bauer
Michael E. Bauer

Malissa K. Bauer
Malissa K. Bauer

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 8 day of Apr. 1, 2016, by Michael E. Bauer and Malissa K. Bauer..

Carol Kiernan
Notary Public in and for said State of Iowa



**ATTORNEY'S OPINION FOR FINAL PLAT,
HOPE SUBDIVISION**

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 March 22, 2016, 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, Hope Subdivision, City of Winterset, Madison County, Iowa:

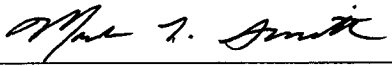
Hope Subdivision a part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa, originally described in an Addendum to a Warranty Deed filed July 28, 2005, in Book 2005, Page 3554 at the Madison County Recorder's Office, which is more particularly described as follows:

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In my opinion, merchantable title to the above described property is in the name of:
Michael E. Bauer and Malissa K. Bauer, as Joint Tenants with full rights of survivorship and not
as Tenants in Common, free and clear of all liens and encumbrances, except an Open-End
Mortgage to American State Bank dated July 6, 2015, and filed July 9, 2015, in Book 2015, Page
1914 of the Recorder's Office of Madison County, Iowa, in the principal amount of \$119,000.00.

Respectfully submitted,

JORDAN, OLIVER, WALTERS & SMITH, PC

By 

Mark L. Smith

101 ½ W Jefferson, POB 230

Winterset, Iowa 50273

Telephone: (515) 462-3731

ATTORNEYS FOR MICHAEL E. BAUER
AND MALISSA K. BAUER

**CONSENT TO PLATTING
AMERICAN STATE BANK**

American State Bank does consent to the platting and subdivision of the following-described real estate:

Hope Subdivision a part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa, originally described in an Addendum to a Warranty Deed filed July 28, 2005, in Book 2005, Page 3554 at the Madison County Recorder's Office, which is more particularly described as follows:

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in accordance with the ordinances of the City of Winterset, Madison County, Iowa, and the laws of the State of Iowa.

The undersigned holds the following mortgage on the above real estate:

A Mortgage from Michael E. Bauer and Malissa K. Bauer, Husband and Wife, to American State Bank dated July 6, 2015, and filed July 9, 2015 to secure indebtedness in the amount of \$119,000.00. This Mortgage is a first lien against the real estate under examination.

Dated this 1st day of April, 2016.

American State Bank

By

Comuel Siles

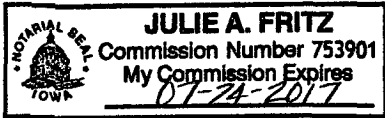
Title:

Vice President

STATE OF IOWA, COUNTY OF MADISON: ss

This instrument was acknowledged before me on this 8th day of April, 2016,
by Connie Siefkas as Vice President of American State Bank

Julie A. Fritz, Iowa
Notary Public in and for said State



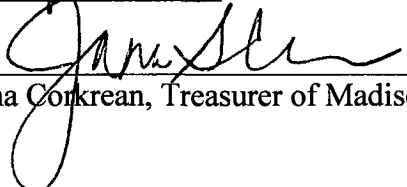
CERTIFICATE OF THE COUNTY TREASURER OF MADISON COUNTY, IOWA

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:

Hope Subdivision a part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa, originally described in an Addendum to a Warranty Deed filed July 28, 2005, in Book 2005, Page 3554 at the Madison County Recorder's Office, which is more particularly described as follows:

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DATED at Winterset, Iowa, this 8 day of April, 2016.



Jana Corkrean, Treasurer of Madison County, Iowa

CERTIFICATE OF AUDITOR

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

**Hope Subdivision
City of Winterset, Madison County, Iowa.**

For property located at:

Hope Subdivision a part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa, originally described in an Addendum to a Warranty Deed filed July 28, 2005, in Book 2005, Page 3554 at the Madison County Recorder's Office, which is more particularly described as follows:

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And owned by **Michael E. Bauer and Malissa K. Bauer, Husband and Wife,:**
As Joint Tenants with Full Rights of Survivorship, and Not as Tenants in Common.

Has been approved on the 7th day of April, 2016.

By the Auditor, Madison County, Iowa.

Shelley D. Kast 1st Deputy Auditor
Heidi Buhans, Auditor

**RESOLUTION APPROVING
FINAL PLAT OF HOPE SUBDIVISION**

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 Hope Subdivision, an Addition to the City of Winterset, Madison County, Iowa; and

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

Hope Subdivision a part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa, originally described in an Addendum to a Warranty Deed filed July 28, 2005, in Book 2005, Page 3554 at the Madison County Recorder's Office, which is more particularly described as follows:

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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, Michael E. Bauer and Malissa K. Bauer; 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 Hope Subdivision, 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 18th day of April, 2016.

CITY OF WINTERSET, IOWA

By James C. Olson
James C. Olson, Mayor

ATTEST:

Mark Nitchals
Mark Nitchals, City Administrator



