



Document 2017 3049

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

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
ARBOR PARK PLAT 3
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 Arbor Park Plat 3, an Addition to the City of Winterset, Madison County, Iowa; and, that the real estate comprising said plat is described as follows:

See Legal Description Attached.

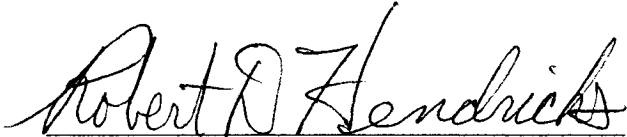
I do further certify that attached hereto are true and correct copies of the following documents that have been submitted in connection with said plat.

- 1) Dedication of Plat of Arbor Park Plat 3, 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;
- 8) Deed of Restrictions.

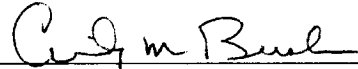
all of which are duly certified in accordance with the Winterset Zoning Ordinance.

Dated this 27TH day of SEPTEMBER 2017.


Robert D. Hendricks, Zoning Administrator

STATE OF IOWA, MADISON COUNTY, ss:

On this 27th day of Sept, 2017, 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



REVISED LEGAL DESCRIPTION – CORKREAN DEVELOPMENT

9/27/17

A part of Lot Fourteen (14) of C & C Allen's Addition to the City of Winterset, Madison County, Iowa, more particularly described as follows, to-wit: Beginning at the Northeast corner of Lot 7, Arbor Park Plat 2, an official plat; thence North 89°22'50" West along the North line of said Lot 7, a distance of 140.00 feet to the Northwest corner of said Lot 7; thence South 00°34'32" East along the West line of said Lot 7, a distance of 80.00 feet to the Southwest corner of said Lot 7; thence North 89°31'08" West along the North line of said Arbor Park Plat 2, a distance of 50.01 feet to the Southeast corner of Lot 8, Arbor Park Plat 2; thence North 00°34'32" West along the East line of said Lot 8, a distance of 111.50 feet to the Northeast corner of said Lot 8; thence North 89°20'28" West along the North line of Lot 8 through 10, Arbor Park Plat 2, a distance of 267.00 feet to the Northwest corner of said Lot 10; thence South 00°33'04" East along the West line of said Lot 10, a distance of 111.50 feet to the Southwest corner of said Lot 10; thence North 89°09'52" West along the North line of Arbor Park Plat 2, a distance of 50.01 feet to the Southeast corner of Lot 9, Arbor Park Plat 1, an official plat; thence North 00°33'04" West along the East line of said Lot 9, a distance of 80.00 feet to the Northeast corner of said Lot 9; thence North 89°25'16" West along the North line of said Lot 9, a distance of 130.00 feet to the Northwest corner of said Lot 9; thence North 00°36'19" West along the East line of Lot 10, Arbor Park Plat 1, a distance of 50.00 feet to the Northeast corner of said Lot 10; thence North 00°43'49" West, 245.76 feet; thence North 81°14'42" East, 103.67 feet to the Southwest corner of Parcel "G" of Lot Fourteen (14) of C & C Allen's Addition as shown in the Plat of Survey recorded in Book 2, Page 389, Madison County, Iowa; thence South 89°45'11" East along the South line of said Parcel "G", 535.00 feet to the Southeast corner of said Parcel "G"; thence South 00°34'47" East along the East line of said Lot Fourteen (14), a distance of 316.28 feet to the point of beginning and containing 4.57 acres (198,948 square feet).

**DEDICATION OF PLAT
OF
ARBOR PARK PLAT 3
TO THE CITY OF WINTERSSET, MADISON COUNTY, IOWA**

KNOW ALL MEN BY THESE PRESENT:

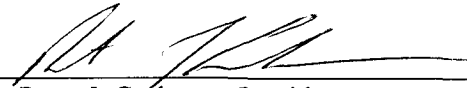
That CorkreanDevelopment, Inc. does hereby certify that it is the sole owner and proprietor of the following-described real estate:

See Legal Attached.

That the subdivision of the above described real estate, as shown by the Final Plat of Arbor Park Plat 3 is with the free consent and in accordance with said owners' desires


Dated this 3rd day of August, 2017.

CORKREAN DEVELOPMENT, INC.

By 
Peter J. Corkrean, President

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 3rd day of August, 2017, by Peter J. Corkrean, as President of Corkrean Development, Inc.


Notary Public in and for said State of Iowa



REVISED LEGAL DESCRIPTION – CORKREAN DEVELOPMENT

9/27/17

A part of Lot Fourteen (14) of C & C Allen's Addition to the City of Winterset, Madison County, Iowa, more particularly described as follows, to-wit: Beginning at the Northeast corner of Lot 7, Arbor Park Plat 2, an official plat; thence North $89^{\circ}22'50''$ West along the North line of said Lot 7, a distance of 140.00 feet to the Northwest corner of said Lot 7; thence South $00^{\circ}34'32''$ East along the West line of said Lot 7, a distance of 80.00 feet to the Southwest corner of said Lot 7; thence North $89^{\circ}31'08''$ West along the North line of said Arbor Park Plat 2, a distance of 50.01 feet to the Southeast corner of Lot 8, Arbor Park Plat 2; thence North $00^{\circ}34'32''$ West along the East line of said Lot 8, a distance of 111.50 feet to the Northeast corner of said Lot 8; thence North $89^{\circ}20'28''$ West along the North line of Lot 8 through 10, Arbor Park Plat 2, a distance of 267.00 feet to the Northwest corner of said Lot 10; thence South $00^{\circ}33'04''$ East along the West line of said Lot 10, a distance of 111.50 feet to the Southwest corner of said Lot 10; thence North $89^{\circ}09'52''$ West along the North line of Arbor Park Plat 2, a distance of 50.01 feet to the Southeast corner of Lot 9, Arbor Park Plat 1, an official plat; thence North $00^{\circ}33'04''$ West along the East line of said Lot 9, a distance of 80.00 feet to the Northeast corner of said Lot 9; thence North $89^{\circ}25'16''$ West along the North line of said Lot 9, a distance of 130.00 feet to the Northwest corner of said Lot 9; thence North $00^{\circ}36'19''$ West along the East line of Lot 10, Arbor Park Plat 1, a distance of 50.00 feet to the Northeast corner of said Lot 10; thence North $00^{\circ}43'49''$ West, 245.76 feet; thence North $81^{\circ}14'42''$ East, 103.67 feet to the Southwest corner of Parcel "G" of Lot Fourteen (14) of C & C Allen's Addition as shown in the Plat of Survey recorded in Book 2, Page 389, Madison County, Iowa; thence South $89^{\circ}45'11''$ East along the South line of said Parcel "G", 535.00 feet to the Southeast corner of said Parcel "G"; thence South $00^{\circ}34'47''$ East along the East line of said Lot Fourteen (14), a distance of 316.28 feet to the point of beginning and containing 4.57 acres (198,948 square feet).

**ATTORNEY'S OPINION FOR FINAL PLAT,
ARBOR PARK PLAT 3**

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 July 27, 2017, 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, Arbor Park Plat 3, City of Winterset, Madison County, Iowa:

See Description Attached.

In my opinion, merchantable title to the above-described property is in the name of Corkrean Development, Inc., free and clear of all liens and encumbrances, except:

A. Entry No. 67 shows an Open End Mortgage from Peter J. Corkrean, a Single Person, and Sarah C. Nigg, a Married Person, to Farmers & Merchants State Bank in the principal amount of \$603,750.00 dated June 6, 2006, and filed June 10, 2006, in Book 2006, page 2830 of the Recorder's Office of Madison County, Iowa. This Mortgage was signed and acknowledged by Peter J. Corkrean, Sarah C. Nigg and Shawn Nigg, and acknowledged as Sara C. and Shawn Nigg, as Husband and Wife. This Mortgage is a first lien against the real estate under examination.

B. Entry No. 79 shows an Open End Mortgage from Corkrean Development, Inc., a corporation, by Peter J. Corkrean, President, and personally, and by Sarah C. Nigg, Vice President and personally, to Farmers & Merchants State Bank in the principal amount of \$100,000.00 dated October 16, 2006, and filed October 23, 2006, in Book 2006, Page 4375 of the Recorder's Office of Madison County, Iowa. This Mortgage is a second lien against the real estate under examination.

C. Entry No. 92 shows an Open End Mortgage from Corkrean Development, Inc., By Peter Corkrean, President and Sarah Nigg, Vice President, to Farmers & Merchants State Bank dated November 10, 2016, and filed December 5, 2016, in Book 2016, Page 3713 of the Recorder's Office of Madison County, Iowa, to secure credit in the amount of \$1,200,000.00. This Mortgage is a third lien against the real estate under examination.

We call to your attention the following which appear in the abstract.

A. Entry No. 3 shows an Easement to Madison County for road purposes dated May 21, 1921, and filed September 23, 1927, in Deed Record 66, Page 207 of the Recorder's Office of Madison County, Iowa.

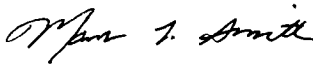
B. Entry No. 6 shows an Easement from Mary C. Ryner and William A. Ryner, Wife and Husband, to and with Wilbur T. Riser and Helen Riser, Husband and Wife, which grants to Mr. and Mrs. Riser an easement for the purpose of installing, maintaining, repairing and replacing or servicing a waterline from the main waterline of the City of Winterset to the Riser property. The said Ryners have the right to tap any waterline previously installed or hereinafter installed by Risers to establish a cattle watering station. The easement also provides for the

sharing of costs of the water. It also provides that Risers shall have the right to enter upon the easement for the purpose of repairing, replacing, maintaining or servicing the waterline and shall reimburse Ryners for any damages to lands or crops. This Easement provides that it shall be a permanent easement and shall extend to the parties, their successors and assigns and shall be treated as a covenant running with the land. You should determine the provisions and location of this Easement.

C. Entries No. 45 and 46 shows Entrance Permits granted by the Iowa Department of Transportation to Earlham Mobile Home Terrace, Inc. You should determine the provisions of these Entrance Permits and also determine your means of access to the real estate under examination. You should also determine if these Entrance Permits are adequate for your purposes in providing access to this real estate.

Respectfully submitted,

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

By 

Mark L. Smith

REVISED LEGAL DESCRIPTION – CORKREAN DEVELOPMENT

9/27/17

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**CONSENT TO PLATTING
FARMERS & MERCHANTS STATE BANK**

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

See Attached Legal Description,

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 mortgages on the above real estate:

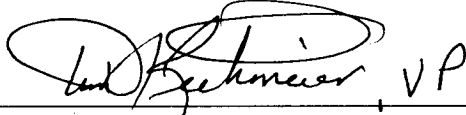
A. An Open End Mortgage from Peter J. Corkrean, a Single Person, and Sarah C. Nigg, a Married Person, to Farmers & Merchants State Bank in the principal amount of \$603,750.00 dated June 6, 2006, and filed June 10, 2006, in Book 2006, page 2830 of the Recorder's Office of Madison County, Iowa. This Mortgage was signed and acknowledged by Peter J. Corkrean, Sarah C. Nigg and Shawn Nigg, and acknowledged as Sara C. and Shawn Nigg, as Husband and Wife. This Mortgage is a first lien against the real estate under examination.

B. An Open End Mortgage from Corkrean Development, Inc., a corporation, by Peter J. Corkrean, President, and personally, and by Sarah C. Nigg, Vice President and personally, to Farmers & Merchants State Bank in the principal amount of \$100,000.00 dated October 16, 2006, and filed October 23, 2006, in Book 2006, Page 4375 of the Recorder's Office of Madison County, Iowa. This Mortgage is a second lien against the real estate under examination.

C. An Open End Mortgage from Corkrean Development, Inc., By Peter Corkrean, President and Sarah Nigg, Vice President, to Farmers & Merchants State Bank dated November 10, 2016, and filed December 5, 2016, in Book 2016, Page 3713 of the Recorder's Office of Madison County, Iowa, to secure credit in the amount of \$1,200,000.00. This Mortgage is a third lien against the real estate under examination.

Dated this 3rd day of August, 2017.

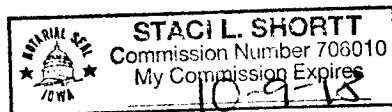
Farmers & Merchants State Bank

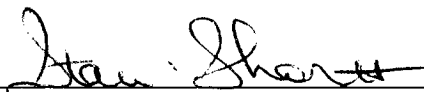
By , VP

Title: Vice President

STATE OF IOWA, COUNTY OF MADISON: ss

This instrument was acknowledged before me on this 3rd day of August, 2017, by Tim J. Rethmeier as Vice President of Farmers & Merchants State Bank.





Notary Public in and for said State

REVISED LEGAL DESCRIPTION – CORKREAN DEVELOPMENT

9/27/17

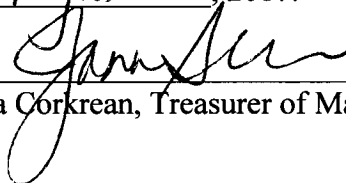
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CERTIFICATE OF THE COUNTY TREASURER OF MADISON COUNTY, IOWA

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:

See Legal Attached.

DATED at Winterset, Iowa, this 3 day of August, 2017.



Jana Corkrean, Treasurer of Madison County, Iowa

REVISED LEGAL DESCRIPTION – CORKREAN DEVELOPMENT

9/27/17

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CERTIFICATE OF AUDITOR

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

**Arbor Park Plat 3,
City of Winterset, Madison County, Iowa.**

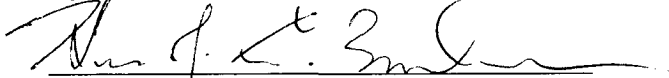
For property located at:

See Legal Description Attached,

And owned by: Corkrean Development, Inc.

Has been approved on the 3rd day of August, 2017.

By the Auditor, Madison County, Iowa.


Heidi Burhans, Auditor

REVISED LEGAL DESCRIPTION – CORKREAN DEVELOPMENT

9/27/17

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RESOLUTION 2017-101

RESOLUTION APPROVING SUBDIVISION PLAT
ARBOR PARK PLAT 3

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 Arbor Park Plat 3, an addition to the City of Winterset, Madison County, Iowa; and

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

A PART OF LOT 14, C & C ALLEN'S ADDITION, AN OFFICIAL PLAT IN THE CITY OF WINTERSET, MADISON COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 7, ARBOR PARK PLAT 2, AN OFFICIAL PLAT; THENCE NORTH 89°22'50" WEST ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 140.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 7; THENCE SOUTH 00°34'32" EAST ALONG THE WEST LINE OF SAID LOT 7, A DISTANCE OF 80.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 7; THENCE NORTH 89°31'08" WEST ALONG THE NORTH LINE OF SAID ARBOR PARK PLAT 2, A DISTANCE OF 50.01 FEET TO THE SOUTHEAST CORNER OF LOT 8, ARBOR PARK PLAT 2; THENCE NORTH 00°34'32" WEST ALONG THE EAST LINE OF SAID LOT 8, A DISTANCE OF 111.50 FEET TO THE NORTHEAST CORNER OF SAID LOT 8; THENCE NORTH 89°20'28" WEST ALONG THE NORTH LINE OF LOT 8 THROUGH 10, ARBOR PARK PLAT 2, A DISTANCE OF 267.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 10; THENCE SOUTH 00°33'04" EAST ALONG THE WEST LINE OF SAID LOT 10, A DISTANCE OF 111.50 FEET TO THE SOUTHWEST CORNER OF SAID LOT 10; THENCE NORTH 89°09'52" WEST ALONG THE NORTH LINE OF ARBOR PARK PLAT 2, A DISTANCE OF 50.01 FEET TO THE SOUTHEAST CORNER OF LOT 9, ARBOR PARK PLAT 1, AN OFFICIAL PLAT; THENCE NORTH 00°33'04" WEST ALONG THE EAST LINE OF SAID LOT 9, A DISTANCE OF 80.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 9; THENCE NORTH 89°25'16" WEST ALONG THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 130.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE NORTH 00°36'19" WEST ALONG THE EAST LINE OF LOT 10, ARBOR PARK PLAT 1, A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 10; THENCE NORTH 00°43'49" WEST, 245.76 FEET; THENCE NORTH 81°14'42" EAST, 103.67 FEET TO THE SOUTHWEST CORNER OF PARCEL 'G' AS SHOWN IN THE WARRANTY DEED RECORDED IN BOOK 63 PAGE 453, MADISON COUNTY, IOWA; THENCE SOUTH 89°45'11" EAST ALONG THE SOUTH LINE OF SAID PARCEL 'G', 535.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 'G' OF LOT FOURTEEN (14) OF C & C ALLEN'S ADDITION AS SHOWN IN THE PLAT OF SURVEY RECORDED IN BOOK 2, PAGE 389, MADISON COUNTY, IOWA; THENCE SOUTH 89°45'11" EAST ALONG THE SOUTH LINE OF SAID PARCEL "G", 535.00 FEET TO THE

SOUTHEAST CORNER OF SAID PARCEL "G", THENCE SOUTH 00°34'47" EAST ALONG THE EAST LINE OF SAID LOT FOURTEEN (14), A DISTANCE OF 316.28 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.57 ACRES (198,948 SQUARE FEE).

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 owner, Corkrean Development Inc.; and,

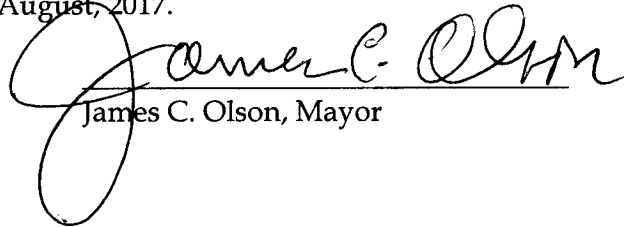
WHEREAS, said plat was accompanied by an opinion from an attorney at law showing that title in fee simple is in said owners and that the platted land is free from encumbrance, and a certified statement from the Treasurer of Madison County, Iowa, that said platted land is free from taxes; and

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 Council of the City of Winterset, Madison County, Iowa.

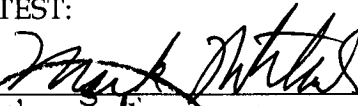
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winterset, Iowa:

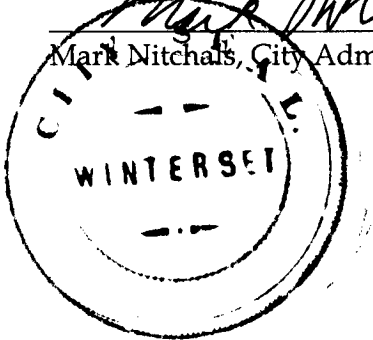
1. Said plat, known as Arbor Park Plat, an addition to the City of Winterset, Madison County, Iowa, prepared in connection with said plat and subdivision is hereby approved.
2. The Zoning Administrator of the City of Winterset, Madison County, Iowa, is hereby directed to certify this resolution which shall be affixed to said plat to the County documents which should be filed and recorded in connection therewith.

Passed and approved this 21st day of August, 2017.


James C. Olson, Mayor

ATTEST:


Mark Nitchals, City Administrator



**DEED OF RESTRICTIONS
ARBOR PARK PLAT 3,
AN ADDITION TO THE CITY OF WINTERSET,
MADISON COUNTY, IOWA**

That Corkrean Development, Inc. an Iowa corporation, is now the fee simple owner and record titleholder of the following-described real estate, to-wit:

See Attached Legal Description,

which real estate is being platted as Arbor Park Plat 3, an Addition to the City of Winterset, Madison County, Iowa.

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 in a manner consistent with the Winterset Zoning Ordinance, the above-described real estate being located in R-2, one and two family residential district. No structure shall be erected on any lot except a single-family 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 400 square feet in area. One story dwellings shall contain a minimum of 1100 total square feet of finished ground floor area. Two story dwellings shall contain a minimum of 1200 total square feet of finished area on the main and second levels. Also, a townhouse consisting of two residential units, may be constructed on any lot. No construction shall start on any such dwelling until the plans have been approved by the developer. No mobile homes, manufactured homes, double-wide homes or earth homes shall be erected or placed on any of the lots in said Arbor Park Plat 3 an Addition to the City of Winterset, Madison County, Iowa. Motor homes, camper trailers, boats, motorcycles and other recreational vehicles shall not be stored on the premises unless the same are stored in a

garage as permitted by these covenants.

2) No exposed tile foundation shall be permitted and all exposed exterior concrete wall material shall be painted or covered with brick or stone veneer.

3) Any dog run, trash receptacle, or other out structure of like nature, shall be properly screened by reasonable shrubbery or decorative fence or both.

4) No automotive, boat or other mechanical repair work may be performed at or on any lot and all hobby type activity of a similar nature shall be confined to the interior of buildings on the lot. No bulky or unsightly piece of machinery shall be kept on any lot at any time.

5) Satellite dishes must be permanently installed to be located so that no part of the dish is viewable from the front of the home it services.

6) All portions of a lot not occupied by structures, walkways, driveways, parking or landscaping shall be sodded with grass within ninety (90) days after completion of the residence thereon unless weather conditions make this requirement impossible to satisfy, in which event, they shall be sodded within sixty (60) days after weather conditions reasonably permit compliance with this requirement. At least two trees shall be planted by any lot owner.

7) No lot in the Plat shall be further subdivided, except that a lot may be divided and sold to or with adjoining lots to increase their size.

8) 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.

9) 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.

10) The titleholder of each lot, vacant or improved, shall keep his lot or lots free of weeds and debris, and shall not engage in an activity which is a nuisance.

11) These covenants are to run with the land and shall be binding on all parties and persons claiming through or under them, at which time said covenants shall be automatically 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 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 Arbor Park Plat 3, an Addition to the City of Winterset, Madison County, Iowa, agree in writing to any such additional covenants, provided that as long as the Developer owns a lot or lots in Arbor Park Plat 3, the Developer shall have the right to add additional covenants to this Deed of Restrictions, amend such Deed of Restrictions or delete any portion of such deed of Restrictions without the consent of any of the other owners in Arbor Park Plat 3. The easements shown at numbered paragraph 14 hereof are perpetual in nature and may not be deleted.

12) If any party 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.

13) Invalidity 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.

14) Perpetual easements for ingress, egress, drainage and utility purposes are hereby granted to the City of Winterset, Iowa, Mid American Energy, Century Link, Mediacom, Farmers Electric Coop - Greenfield and their successors and assigns for the installation, operation,

maintenance and repair thereof, as shown by the Engineer's Final Plat filed herewith.

15) 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. No fences shall be erected in any front yard of any lot. 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 for record in the Madison County Recorder's office in order to apprise prospective purchasers of their obligations with respect to such fencing.


16) No animals shall be kept or maintained on any of the lots in Arbor Park Plat 3 to the City of Winterset, Madison County, Iowa, except ordinary household pets.

17) Any person, partnership, corporation or other entity purchasing a vacant lot in Arbor Park Plat 3, an Addition to the City of Winterset, Madison County, Iowa, shall commence construction of a residential dwelling within twelve (12) months of the date of delivery of a deed to said purchaser from the developer. In the event such buyer has not commenced construction within said 12-month period, the developer shall have the right to repurchase said lot at the same price paid by the buyer plus interest at the rate of seven percent (7%) per annum from and after date of the Deed from developer to buyer; and upon developer exercising the option to repurchase the lot buyer shall promptly comply and furnish to developer an abstract showing merchantable title and a warranty deed.

18) "Developer" is defined as Corkrean Development, Inc., an Iowa Corporation.

Dated this 3rd day of August, 2017.


CORKREAN DEVELOPMENT, INC.

By 
Peter Corkrean, President and Secretary

STATE OF IOWA :
:SS
MADISON COUNTY :

This instrument was acknowledged before me on this 3rd day of August, 2017, by Peter Corkrean, President and Secretary of Corkrean Development, Inc.




Notary Public in and for the State of Iowa

REVISED LEGAL DESCRIPTION – CORKREAN DEVELOPMENT

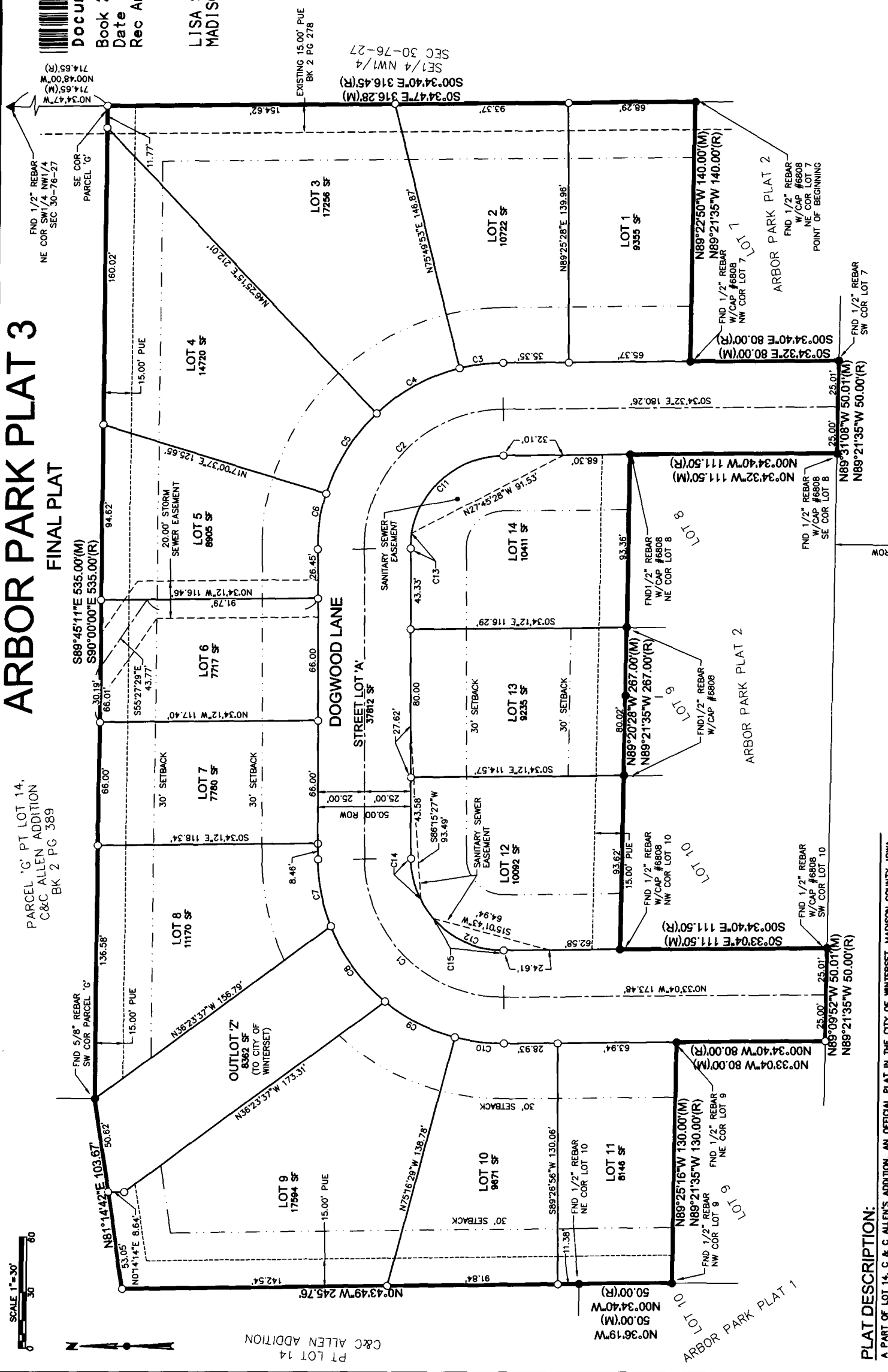
9/27/17

A part of Lot Fourteen (14) of C & C Allen's Addition to the City of Winterset, Madison County, Iowa, more particularly described as follows, to-wit: Beginning at the Northeast corner of Lot 7, Arbor Park Plat 2, an official plat; thence North 89°22'50" West along the North line of said Lot 7, a distance of 140.00 feet to the Northwest corner of said Lot 7; thence South 00°34'32" East along the West line of said Lot 7, a distance of 80.00 feet to the Southwest corner of said Lot 7; thence North 89°31'08" West along the North line of said Arbor Park Plat 2, a distance of 50.01 feet to the Southeast corner of Lot 8, Arbor Park Plat 2; thence North 00°34'32" West along the East line of said Lot 8, a distance of 111.50 feet to the Northeast corner of said Lot 8; thence North 89°20'28" West along the North line of Lot 8 through 10, Arbor Park Plat 2, a distance of 267.00 feet to the Northwest corner of said Lot 10; thence South 00°33'04" East along the West line of said Lot 10, a distance of 111.50 feet to the Southwest corner of said Lot 10; thence North 89°09'52" West along the North line of Arbor Park Plat 2, a distance of 50.01 feet to the Southeast corner of Lot 9, Arbor Park Plat 1, an official plat; thence North 00°33'04" West along the East line of said Lot 9, a distance of 80.00 feet to the Northeast corner of said Lot 9; thence North 89°25'16" West along the North line of said Lot 9, a distance of 130.00 feet to the Northwest corner of said Lot 9; thence North 00°36'19" West along the East line of Lot 10, Arbor Park Plat 1, a distance of 50.00 feet to the Northeast corner of said Lot 10; thence North 00°43'49" West, 245.76 feet; thence North 81°14'42" East, 103.67 feet to the Southwest corner of Parcel "G" of Lot Fourteen (14) of C & C Allen's Addition as shown in the Plat of Survey recorded in Book 2, Page 389, Madison County, Iowa; thence South 89°45'11" East along the South line of said Parcel "G", 535.00 feet to the Southeast corner of said Parcel "G"; thence South 00°34'47" East along the East line of said Lot Fourteen (14), a distance of 316.28 feet to the point of beginning and containing 4.57 acres (198,948 square feet).

SCALE 1"=30'

PARCEL 'G' PT LOT 14,
C&C ALLEN ADDITION
BK 2 PG 389

ARBOR PARK PLAT 3 FINAL PLAT



CURVE DATA:

CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD	CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD
C1	89°58'52"	75.00'	117.78'	N44°28'22"E	106.05'	C9	24°28'24"	100.00'	42.86'	N26°56'43"E	42.33'
C2	89°59'40"	75.00'	117.80'	S45°34'22"E	106.06'	C10	15°16'35"	100.00'	26.66'	N70°51'13"E	26.58'
C3	13°35'36"	100.00'	23.72'	S72°21'18"E	23.67'	C11	89°59'40"	50.00'	78.53'	N45°34'22"W	70.71'
C4	28°24'38"	100.00'	51.33'	S28°52'26"E	50.77'	C12	89°58'52"	50.00'	78.52'	S44°28'22"W	70.70'
C5	28°24'38"	100.00'	51.33'	S58°17'04"E	50.77'	C13	9°24'59"	50.00'	8.22'	N85°31'42"W	8.21'
C6	17°34'49"	100.00'	30.68'	S81°48'47"E	30.56'	C14	28°17'49"	50.00'	22.95'	S78°16'54"W	22.75'
C7	21°18'36"	100.00'	37.19'	S78°48'30"W	36.98'	C15	49°22'19"	50.00'	43.00'	S24°08'05"W	41.76'
C8	28°57'18"	100.00'	50.54'	N53°38'34"E	50.00'						

PLAT DESCRIPTION:
A PART OF LOT 14, C & C ALLEN'S ADDITION, AN OFFICIAL PLAT IN THE CITY OF WINTERSET, MADISON COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 7, ARBOR PARK PLAT 2, AN OFFICIAL PLAT; THENCE NORTH 89°22'50" WEST ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 140.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 7; THENCE SOUTH 00°34'32" EAST ALONG THE WEST LINE OF SAID LOT 7, A DISTANCE OF 80.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 7; THENCE NORTH 89°31'08" WEST ALONG THE NORTH LINE OF SAID ARBOR PARK PLAT 2, A DISTANCE OF 50.01 FEET TO THE SOUTHEAST CORNER OF SAID LOT 7; THENCE NORTH 89°25'16" WEST ALONG THE NORTH LINE OF SAID ARBOR PARK PLAT 2, A DISTANCE OF 111.50 FEET TO THE NORTHEAST CORNER OF SAID LOT 7; THENCE NORTH 89°25'16" WEST ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 50.01 FEET TO THE SOUTHWEST CORNER OF SAID LOT 7; THENCE SOUTH 00°33'04" EAST ALONG THE WEST LINE OF SAID LOT 7, A DISTANCE OF 111.50 FEET TO THE SOUTHWEST CORNER OF SAID LOT 7; THENCE NORTH 89°09'52" WEST ALONG THE NORTH LINE OF ARBOR PARK PLAT 2, A DISTANCE OF 50.01 FEET TO THE SOUTHWEST CORNER OF SAID LOT 7; THENCE SOUTH 00°33'04" EAST ALONG THE WEST LINE OF SAID LOT 7, A DISTANCE OF 80.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 7; THENCE NORTH 89°25'16" WEST ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 130.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 7; THENCE NORTH 89°25'16" WEST ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 7; THENCE NORTH 00°36'19" WEST ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 7; THENCE NORTH 81°44'42" EAST, 103.67 FEET TO THE SOUTHWEST CORNER OF PARCEL 'G' OF LOT 14, C & C ALLEN'S ADDITION AS SHOWN IN THE PLAT OF SURVEY RECORDED IN BOOK 2 PAGE 389, MADISON COUNTY, IOWA; THENCE SOUTH 89°45'11" EAST ALONG THE SOUTH LINE OF SAID PARCEL 'G', 535.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 'G'; THENCE SOUTH 00°34'47" EAST ALONG THE EAST LINE OF SAID LOT 14, A DISTANCE OF 316.28 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.57 ACRES (198,948 SQUARE FEET). THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

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Book 2017 Page 3049 Type 06 044 Pages 25
Date 9/27/2017 Time 3:27:23PM
Rec Amt \$127.00 Aud Amt \$5.00
INDEX
ANNO
SCAN
CHECK

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PHONE: (515) 369-4400 FAX: (515) 369-4410
TECH: ENGINEER:



ARBOR PARK PLAT 3 FINAL PLAT

1605.233
1/1

ENGINEER/SURVEYOR:
CIVIL DESIGN ADVANTAGE
3405 SE CROSSROADS DR, SUITE G
GRIMES, IOWA 50111

OWNER/DEVELOPER:
CORKREAN DEVELOPMENT INC
65 JEFFERSON
WINTERSET, IA 50273

DATE OF SURVEY:
MAY 20, 2016

ZONING:
R-RESIDENTIAL

BULK REGULATIONS:
SETBACKS: 30'
FRONT: 30'
REAR: 30'
SIDE: 5' MIN/15' TOTAL

LEGEND:

SECTION CORNER AS NOTED	FOUND	SET
1/2" REBAR, YELLOW CAP #19747	▲	△
(UNLESS OTHERWISE NOTED)	●	○
PLATTED BEARING & DISTANCE	P	M
MEASURED BEARING & DISTANCE	R	R
RECORDED BEARING & DISTANCE	D	D
DEEDED BEARING & DISTANCE	MPE	MPE
MINIMUM PROTECTION ELEVATION	P.U.E.	P.U.E.
PUBLIC UTILITY EASEMENT	---	---
CENTERLINE	---	---
SECTION LINE	---	---
EASEMENT LINE	---	---

NOTE
INDIVIDUAL PROPERTY OWNERS MAY BE RESPONSIBLE FOR THE CONSTRUCTION OF SIDEWALKS ON THEIR PROPERTY. PRIOR TO CONSTRUCTION OF ANY SIDEWALKS REFER TO THE PROJECT CONSTRUCTION DRAWINGS AND CONSULT WITH CITY ENGINEER FOR THE LOCATION, WIDTH AND ELEVATION OF SIDEWALK. ANY SET MONUMENTATION SHOWN ON THIS PLAT WILL BE COMPLETED WITHIN ONE YEAR FROM THE DATE THIS PLAT WAS RECORDED.



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 PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.
Michael D. Lee 5-17-17
MICHAEL D. LEE, P.L.S.
DATE
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2018
PAGES OR SHEETS COVERED BY THIS SHEET
THIS SHEET