



Document 2018 106

Book 2018 Page 106 Type 06 044 Pages 17

Date 1/09/2018 Time 1:10:45PM

Rec Amt \$87.00 Aud Amt \$5.00

INDX
ANNO
SCAN

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

Type of Document

SUBDIVISION

PREPARER INFORMATION:

Zoning Office for Dennis and Linda Kraft 515-462-2685

TAXPAYER INFORMATION:

Kraft, Dennis G. & Linda D.
2938 187th St.
Winterset, IA 50273

RETURN DOCUMENT TO:

Kraft, Dennis G. & Linda D.
2938 187th St.
Winterset, IA 50273

GRANTOR:

GRANTEE:

LEGAL DESCRIPTION:

See page:

Document or instrument of associated documents previously recorded:

**PLAT AND CERTIFICATE
FOR KRAFT SUBDIVISION,
MADISON COUNTY, IOWA**

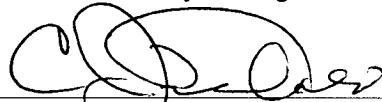
I, C. J. Nicholl, Zoning Administrator of Madison County, Iowa, do hereby certify that the plat to which this certificate is attached is a plat of a subdivision known and designed as Kraft Subdivision, and that the real estate comprising said plat is as follows:

A tract of land located in the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Sixteen (16), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows, to-wit: Commencing at the Southwest corner of the Northwest Quarter (1/4) of said Section Sixteen (16), thence East along the South line of the Northwest Quarter (1/4) of said Section Sixteen (16) 923.4 feet, thence North 0°0' East 330.1 feet, thence West to the West line of said Northwest Quarter (1/4), thence South 330.1 feet to the point of beginning.

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


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

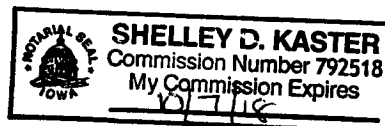


C. J. Nicholl, Zoning Administrator of Madison
County, Iowa

STATE OF IOWA, COUNTY OF MADISON:

This record was acknowledged before me on this 9th day of January, 2018, by C. J. Nicholl.



Notary Public in and for the State of Iowa

Preparer; When recorded, Return to: Brett T. Osborn, 974 - 73rd Street, Suite 20, Des Moines, IA 50312 (515) 223-6000

DEDICATION OF OWNERS

KNOW ALL MEN BY THESE PRESENTS:

Dennis G. Kraft and Linda D. Kraft, being the owner of the following described real estate, to-wit:

A tract of land located in the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Sixteen (16), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows, to-wit: Commencing at the Southwest corner of the Northwest Quarter (1/4) of said Section Sixteen (16), thence East along the South line of the Northwest Quarter (1/4) of said Section Sixteen (16) 923.4 feet, thence North 0°0' East 330.1 feet, thence West to the West line of said Northwest Quarter (1/4), thence South 330.1 feet to the point of beginning;

have caused a survey and subdivision of said real estate to be made, the lots to be marked, named and numbered as shown by a final plat subdivision, the same to be recorded and hereafter designated and known as:

Kraft Subdivision, an Official Plat, Madison County, Iowa.

The owner hereby acknowledges the plat of said real estate is prepared with his free consent and in accordance with his desires.

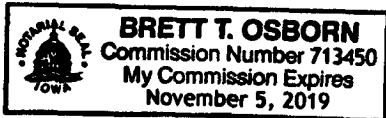
IN WITNESS WHEREOF, Dennis G. Kraft and Linda D. Kraft, husband and wife, has caused these presents to be executed this 7 day of December, 2017.

By: Dennis G. Kraft
Dennis G. Kraft

By: Linda D. Kraft
Linda D. Kraft

State of Iowa)
County of Polk) ss.

On this 7th day of December, 2017, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Dennis G. Kraft and Linda D. Kraft, husband and wife, to me known to be the identical persons named in and who executed the within and foregoing instrument and acknowledged that Dennis G. Kraft and Linda D. Kraft executed the same as a voluntary act and deed.



Brett T. Osborn
NOTARY PUBLIC in and for the State of Iowa

WETSCH ABBOTT OSBORN VAN VLIET PLC
ATTORNEYS AT LAW

Partners

DAVID L. WETSCH †
KEVIN V. ABBOTT †
BRETT T. OSBORN †
TIMOTHY J. VAN VLIET †*

Des Moines Office
974 - 73rd Street, Suite 20
Des Moines, Iowa 50324
Phone: (515) 223-6000
Fax: (515) 223-6011

www.MidwestLawGroup.com

E-mail: bosborn@MidwestLawGroup.com

PIPER L. HUGHES † †
ERIN J. KOOKER †
PATRICK BUTLER †

Of Counsel
MIKE CHRISTENSEN
JOHN CONGER

† Licensed in Iowa
‡ Licensed in Missouri
* Licensed in Nebraska

**Attorney's Certificate of Titleholder
for Subdivision Purposes**

December 1, 2017

Madison County Board of Supervisors
Madison County Courthouse
112 North John Wayne Drive
Winterset, Iowa 50273

Dear Madison County Board of Supervisors:

Pursuant to Chapter 354 of the Code of Iowa, I have examined title to the property described as:

A tract of land located in the Southwest Quarter (¼) of the Northwest Quarter (¼) of Section Sixteen (16), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows, to-wit: Commencing at the Southwest corner of the Northwest Quarter (¼) of said Section Sixteen (16), thence East along the South line of the Northwest Quarter (¼) of said Section Sixteen (16) 923.4 feet, thence North 0°0' East 330.1 feet, thence West to the West line of said Northwest Quarter (¼), thence South 330.1 feet to the point of beginning,

to be known and platted as **Kraft Subdivision**, an Official Plat, Madison County, Iowa;

as disclosed by a continuation of abstracts, prepared pursuant to §614.29 through §614.38 of the Code of Iowa, last certified by Madison County Abstract Company, extending from June 13, 2017 at 8:00 o'clock a.m. to November 28, 2017 at 8:00 o'clock a.m.

TITLE

I find marketable title of record in fee simple and free from material objections, except as are hereinafter mentioned, to be in:

**DENNIS G. KRAFT and LINDA D. KRAFT, as joint tenants
with full rights of survivorship and not as tenants in common,**

Grantee named under a Warranty Deed dated July 12, 2017 and filed July 25, 2017 in Book 2017, Page 2274 of the Madison County Recorder's Office, as shown at Entry No. 76 to Abstract No. 16762726.

1. Entry No. 8 to Abstract No. 61984 shows an Easement for Public Highway filed April 21, 1967 in Book 95, Page 515 of the Madison County Recorder's Office in favor of Madison County, Iowa. The easement remains in force and effect and should be taken notice of.

2. Entry No. 15 to Abstract No. 61984 shows a Variance issued by Madison County Zoning Board of Adjustment on March 21, 1991 and filed March 26, 1991 in Book 40, Page 202 of the Madison County Recorder's Office. The variance allowed for the construction of a residence.

3. Entry No. 19 to Abstract No. 61984 shows a Resolution to Establish Comprehensive County Zoning Ordinances filed May 21, 1966 in Supervisors Record Book 0, Page 269 of the Madison County Recorder's Office. You should take notice of the zoning of the property under examination.

4. Entry No. 20 to Abstract No. 61984 shows a Cost Sharing Notice pursuant to Iowa Code § 467A.7(16) of the Code of Iowa filed April 21, 1981 in Book 33, Page 488 of the Madison County Recorder's Office. There was an Amendment to the Ordinance on August 14, 1981 recorded in Book 33, Page 665 of the Madison County Recorder's Office as well as a later Amendment recorded August 5, 1992 in Book 41, Page 68 of the Madison County Recorder's Office. You should seek information with the Madison County Soil Conservation District Office to determine the nature and effect against the property under examination, if any.

5. Entry No. 57 to Abstract No. 16762717 shows a County Zoning Ordinance filed July 31, 2001 in Book 2001, Page 3335 of the Madison County Recorder's Office. This Ordinance provided among other things through Amendment dated September 2, 2010, a County flood plain and conservation district regulation for unincorporated areas of Madison County.

6. Entry No. 58 to Abstract No. 16762717 shows a Land Disturbing Activities Regulation Resolution filed August 23, 2004 in Book 2004, Page 3908 of the Madison County Recorder's Office. This regulation only applies to land disturbing activities where the land to be disturbed is in excess of 25,000 square feet.

When a land disturbing activity in excess of 25,000 square feet is to occur as part of a project for which a permit is required by a political subdivision, the required permit for the project causing the land disturbing activity shall not be issued unless there is on file with the issuing authority a soil erosion control plan which covers the proposed project and is approved by the soil conservation district commissioners. The Resolution defines "land disturbing activity" as a land change such as tilling, clearing, grading, or excavating, transporting or filling of land which may result in soil erosion from water or wind, the movement of sediment and sediment related pollutants into the waters of the state or onto the lands in the state. You can become acquainted with the limitations that this resolution may place on contemplated uses for the above described property by contacting Madison County Soil Conservation District.

7. Entry No. 72 to Abstract No. 16762724 shows an Easement in favor of Warren District filed November 17, 2014 in Book 2014, Page 2895 of the Madison County Recorder's Office. The easement described therein is 32 feet in width centered on the water pipeline and any appurtenances thereto. The easement remains in force and effect.

8. Entry No. 77 to Abstract No. 16762726 shows real estate taxes for the parcels under examination are as follows:

2016/2017 fiscal year taxes:

First Installment: \$2,356.00 - paid;

Second Installment: \$2,356.00 - due March 1, 2018.

Parcel #400071646030000.

9. The abstract indicates that appropriate lien searches have been conducted against prior titleholder, Scott D. Hessenius and Dianne S. Hessenius as well as current titleholders, Dennis G. Kraft and Linda D. Kraft, with no judgments or liens shown except as noted above.

Respectfully submitted,



BRETT T. OSBORN

Iowa Title Guaranty Examiner No. 3628

BTO/jdk
Abstract Enclosed

Preparer; When recorded, Return to: Brett T. Osborn, 974 - 73rd Street, Suite 20, Des Moines, IA 50312 (515) 223-6000

CERTIFICATE OF TREASURER OF MADISON COUNTY, IOWA

STATE OF IOWA)
) ss
COUNTY OF MADISON)

I, Jana Corkrean, Treasurer of Madison County, Iowa, having examined the records of my office, in accordance with the provisions of §354.11 of the Code of Iowa, pertaining to the real property described as:

A tract of land located in the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Sixteen (16), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows, to-wit: Commencing at the Southwest corner of the Northwest Quarter (1/4) of said Section Sixteen (16), thence East along the South line of the Northwest Quarter (1/4) of said Section Sixteen (16) 923.4 feet, thence North 0°0' East 330.1 feet, thence West to the West line of said Northwest Quarter (1/4), thence South 330.1 feet to the point of beginning;

to be known and platted as:

Kraft Subdivision, an Official Plat, Madison County, Iowa;

do hereby certify the same is free from all certified taxes, special assessments and special rates and charges.

I further certify there are no taxes due for Moneys and Credits, Bushels of Grain, Industrial Machinery, Data Processing Equipment, Utilities or Buildings on Leased Land, against:

**Dennis G. Kraft or
Linda D. Kraft**

who is the record titleholder of said real estate.

JANA CORKREAN
MADISON COUNTY TREASURER

By: *Jana Corkrean*

Subscribed and sworn to before me this 7 day of December, 2017.



Jessica Aldridge
NOTARY PUBLIC - STATE OF IOWA

Preparer; When recorded, Return to: Brett T. Osborn, 974 - 73rd Street, Suite 20, Des Moines, IA 50312 (515) 223-6000

CERTIFICATE OF AUDITOR OF MADISON COUNTY, IOWA

STATE OF IOWA)
) ss
COUNTY OF MADISON)

I, Heidi Burhans, Auditor of Madison County, Iowa, having examined the records of my office, in accordance with the provisions of §354.11 of the Code of Iowa, pertaining to the real property described as:

A tract of land located in the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Sixteen (16), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows, to-wit: Commencing at the Southwest corner of the Northwest Quarter (1/4) of said Section Sixteen (16), thence East along the South line of the Northwest Quarter (1/4) of said Section Sixteen (16) 923.4 feet, thence North 0°0' East 330.1 feet, thence West to the West line of said Northwest Quarter (1/4), thence South 330.1 feet to the point of beginning;

to be known and platted as:

Kraft Subdivision, an Official Plat, Madison County, Iowa;

do hereby certify that the name **Kraft Subdivision** is available in Madison County, Iowa and that the Kraft Subdivision” is hereby approved by the Auditor’s Office of Madison County, Iowa.

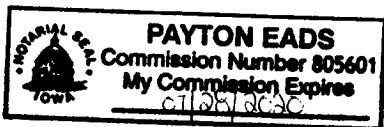
I further certify that Dennis G. Kraft and Linda D. Kraft are the record titleholders of said real estate to be converted to **Kraft Subdivision**.

HEIDI BURHANS
MADISON COUNTY AUDITOR

By: Melley Kraft 1st Deputy Auditor

Subscribed and sworn to before me this 08 day of December, 2017.

Payton Eads
NOTARY PUBLIC - STATE OF IOWA



**ZO-RESOLUTION-01-09-18A
RESOLUTION APPROVING FINAL PLAT
KRAFT SUBDIVISION
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 Kraft Subdivision; and

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

A tract of land located in the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Sixteen (16), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows, to-wit: Commencing at the Southwest corner of the Northwest Quarter (1/4) of said Section Sixteen (16), thence East along the South line of the Northwest Quarter (1/4) of said Section Sixteen (16) 923.4 feet, thence North 0°0' East 330.1 feet, thence West to the West line of said Northwest Quarter (1/4), thence South 330.1 feet to the point of beginning.

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, Dennis G. Kraft and Linda D. Kraft.

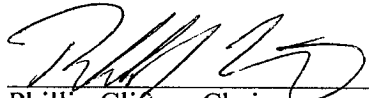
WHEREAS, said plat was accompanied by a complete abstract of title and an opinion from an attorney at law showing that title in fee simple is in said proprietors and that the platted land is free from encumbrance, and a statement from the Treasurer of Madison County, Iowa, that said platted land is free 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 Kraft Subdivision should be approved by the Board of Supervisors, Madison County, Iowa.

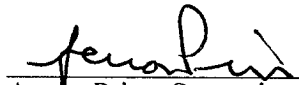
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors, Madison County, Iowa:

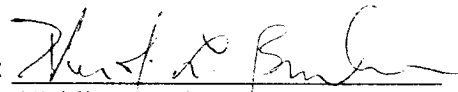
1. That said plat, known as Kraft Subdivision prepared in connection with said plat and subdivision is hereby approved.
2. The Zoning Administrator of Madison County, Iowa, is hereby directed to certify this resolution which shall be affixed to said plat to the County Recorder of Madison County, Iowa, 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 9th day of January, 2018.


Phillip Clifton, Chairman


Robert Duff, Supervisor


Aaron Price, Supervisor

Attest: 
Heidi L. Burhans
Madison County Auditor

RESOLUTION NO. 2017-141

RESOLUTION APPROVING SUBDIVISION PLAT

WHEREAS there was filed in the office of the Zoning Administrator of the City of Winterset, Iowa, subdivision plat of property owned by Dennis & Linda Kraft; and

WHEREAS the parcel of land comprising said plat of survey is described as follows:

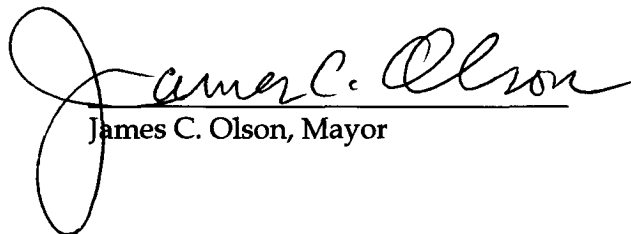
A tract of land located in the Southwest Quarter (¼) of the Northwest Quarter (¼) of Section Sixteen (16), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Southwest corner of the Northwest Quarter (¼) of said Section Sixteen (16), thence East along the South line of the Northwest Quarter (¼) of said Section Sixteen (16) 923.4 feet, thence North 0°0' East 330.1 feet, thence West to the West line of said Northwest Quarter (¼), thence South 330.1 feet to the point of beginning.

WHEREAS the Planning & Zoning Commission of the City of Winterset, Iowa, has reviewed said subdivision plat and finds that the 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 the 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 subdivision plat of property owned by Dennis & Linda Kraft 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 20th day of November, 2017.


James C. Olson, Mayor

ATTEST:


Mark Nitchals, City Administrator

**LAND DISTURBING ACTIVITIES
AFFIDAVIT**

STATE OF IOWA)
) ss.
MADISON COUNTY)

Pursuant to section 161A.64, Code of Iowa in consideration for permission to engage in a land disturbing activities as defined in that statute, and recognizing that the agency authorized by that statute to receive and file this affidavit will rely on the statements we make herein, we, Dennis G. Kraft and Linda D. Kraft , being first duly sworn on oath, do solemnly swear to affirm that:

We do not plan to engage in land disturbing activities upon the following described real estate:

A tract of land located in the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Sixteen (16), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows, to-wit: Commencing at the Southwest corner of the Northwest Quarter (1/4) of said Section Sixteen (16), thence East along the South line of the Northwest Quarter (1/4) of said Section Sixteen (16) 923.4 feet, thence North 0°0' East 330.1 feet, thence West to the West line of said Northwest Quarter (1/4), thence South 330.1 feet to the point of beginning,

As owners and occupants of the land described above, we are aware that we must establish and maintain still conservation practices as necessary to meet the soil loss limits established by the Madison County Soil and Water Conservation District, pursuant to Sections 161A.43, and 161A.44, Code of Iowa.

We are aware that loss limit regulations prohibit sediment from leaving the site in excess of 5 tons per acre per year. The land disturbing activities described above will be conducted in a manner that will insure compliance with the soil loss limit regulations.

We assume responsibility for all land disturbing activities conducted on this property by us or other people entities we represent. This authority covers only the land and land disturbing activities described above.

We are the owners of the land, and have full authority to enter into this agreement.

DATED at Winterset, Iowa, this 7 day of December, 2017.

Dennis G. Kraft

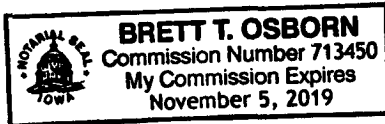
Dennis G. Kraft

Linda D. Kraft

Linda D. Kraft

STATE OF IOWA, COUNTY OF Polk:

This instrument was acknowledged before me by Dennis G. Kraft and Linda D. Kraft, on this 7th day of December, 2017.



Brett T. Osborn

NOTARY PUBLIC in and for the State of
Iowa

INDEX LEGEND

COUNTY: Madison
 SITE ADDRESS: 2403 Cumming Road
 CITY: Winterset TOWNSHIP: 76 RANGE: 27
 ALIQUOT PART: SW1/4 NW1/4
 SUBDIVISION NAME:
 BLOCK: LOT(S): 1 & 2
 PROPRIETOR: Dennis & Linda Kraft
 2938 187th Street, Winterset, Iowa 50273
 REQUESTED BY: Dennis Kraft
 SURVEYOR NAME: Vincent E. Piagentini

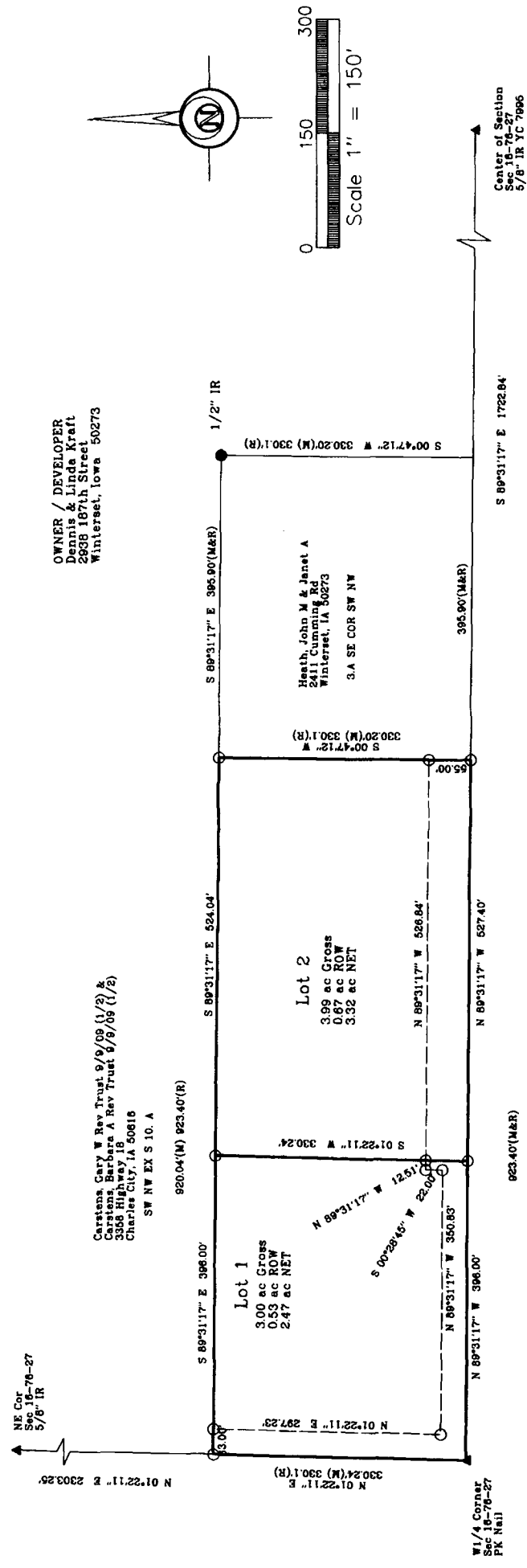
Final Plat
Kraft Subdivision

Document 2018 106
 Book 2018 Page 106 Type 06 044 Pages 17
 Date 1/09/2018 Time 1:10:45PM
 Rec Amt \$67.00 Aud Amt \$5.00
 LINDX
 ANNO
 SCAN
 CHECK

Legal Description
 A tract of land located in the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Sixteen (16), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County Iowa, described as follows, to-wit: Commencing at the Southwest corner of the Northwest Quarter (1/4) of said Section Sixteen (16), thence East along the South line of the Northwest Quarter (1/4) of said Section Sixteen (16), 923.4 feet, thence North 0° East 330.1 feet, thence West to the West line of said Northwest Quarter (1/4), thence South 330.1 feet to the point of beginning.

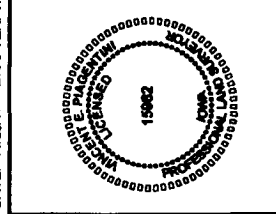
Carstena, Gary W Rev Trust, 9/9/09 (1/2) &
 Barbara A Rev Trust 9/9/09 (1/2)
 3355 Hill, Winterset, IA 50273
 Charles City, IA 50816
 SW NW EX S 10. A

OWNER / DEVELOPER
 Dennis & Linda Kraft
 2938 187th Street
 Winterset, Iowa 50273



- NOTES:**
1. Building setbacks to be 50 feet front and rear yard and 25 feet side yard.
 2. Sewer to be individual septic tank and laterals.
 3. Water to be rural water.
 4. Power to be MidAmerican Energy.
 5. Property is currently zoned Agricultural.
 6. Any new driveway entrances shall have a 24 foot minimum width.

- SYMBOLS LEGEND:**
- R RECORDED DISTANCE
 - M MEASURED DISTANCE
 - C CALCULATED DISTANCE
 - CORNER MONUMENT FOUND
 - SET 1/2" R YC 15982
 - ▲ UNLESS NOTED SECTION CORNER FOUND
 - △ SECTION CORNER SET
 - POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT
 - YC YELLOW CAP



DATE OF SURVEY FIELDWORK: 8/21/17 DRAWING DATE: 9/21/17 REVISION DATE: 11/30/17 DRAFTER: VP PROJECT NO: 17359

I HEREBY CERTIFY THAT THIS SURVEYING DOCUMENT WAS PREPARED AND THE RELATED 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.

Vincent E. Piagentini
 VINCENT E. PIAGENTINI, IOWA LIC. NO 15982 DATE 11/30/17
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2018.
 ADDITIONAL PAGES CERTIFIED (NONE UNLESS INDICATED HERE)

ABACI CONSULTING, INC.
 CIVIL ENGINEERING - LAND SURVEYING
 101 NE CIRCLE DR., GRIMES, IOWA 50111, PH. (515)988-5048

SPACE ABOVE FOR USE BY RECORDER OFFICE

LISA SMITH, COUNTY RECORDER
 MADISON COUNTY IOWA