



Document 2019 364

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INDX
ANNO
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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
BELLAMY ADDITION PLAT 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 Bellamy Addition Plat 4, 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.

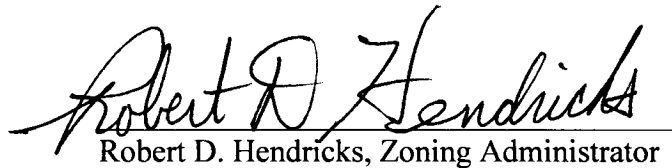
I do further certify that attached hereto are true and correct copies of the following documents that have been submitted in connection with said plat.

- 1) Dedication of Plat of Bellamy Addition Plat 4, an Addition to the City of Winterset, Madison County, Iowa;
- 2) Attorney's Opinion;
- 3) Certificate of Treasurer;
- 4) Auditor's Approval;

- 5) Consent of CoBank ACB;
- 6) Ground Water Statement; and
- 7) Resolution of Winterset City Council;

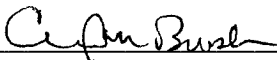
all of which are duly certified in accordance with the Winterset Zoning Ordinance.

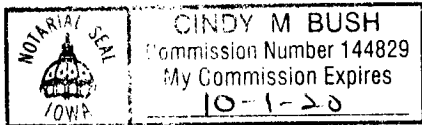
Dated this 22nd day of JANUARY, 2019.


Robert D. Hendricks, Zoning Administrator

STATE OF IOWA, MADISON COUNTY, ss:

On this 22nd day of January, 2019, 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



All that part of the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) and the North Half of the Southeast Quarter (N1/2 SE1/4), including Amended Parcel "K" as filed in Book 2008 Page 1101 of the Madison County Recorder's Office, Amended Parcel "M" as filed in Book 2015 Page 3258, and Amended Parcel "N" filed in Book 2015 Page 3257, all in Section 31, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

Beginning at the Center of Section of said Section 31, Township 76 North, Range 27 West (Section 31-76-27), thence North 00°07'49" East, along the West line of the NE1/4 of said Section 31-76-27, a distance of 289.53 feet, to a point located 258 feet North of the North line of the right of way of the C.P.I. & P.R.R.; thence South 89°13'42" East, a distance of 1138.50 feet; thence South 00°10'04" West, a distance of 282.60 feet, to a point on the North line of said Amended Parcel "K"; thence South 89°33'07" East, along the North line of said Amended Parcel "K", a distance of 230.07 feet, to the Northeast corner of said Amended Parcel "K"; thence South 00°07'07" West, along the East line of said Amended Parcel "K", a distance of 990.61 feet, to the Southeast corner of said Amended Parcel "K", being a point on the North Right-of-way line of Court Avenue; thence continuing South 00°07'07" West, along the projection South of the East line of said Amended Parcel "K", a distance of 60.00 feet; thence North 89°51'14" West, a distance of 620.92 feet; thence North 00°06'57" West, a distance of 54.91 feet, to the Southwest corner of said Amended Parcel "K"; thence North 00°08'33" East, along the West line of said Amended Parcel "K", a distance of 800.75 feet; thence North 89°33'34" West, a distance of 231.92 feet; thence North 89°34'29" West, a distance of 283.43 feet; thence North 89°34'33" West, a distance of 202.09 feet, to the Southwest corner of said Amended Parcel "N"; thence continuing North 89°34'33" West, along the projection West of the South line of the Amended Parcel "N", a distance of 30.00 feet, to a point on the West line of the SE ¼ of said Section 31-76-27; thence North 00°06'37" East, along the said West line of the SE1/4, a distance of 197.96 feet, to the Point of Beginning, containing 25.87 acres, more or less, including 1.17 acres of road right-of-way.

**DEDICATION OF PLAT
OF
BELLAMY ADDITION PLAT 4
TO THE CITY OF WINTERSET, MADISON COUNTY, IOWA**

KNOW ALL MEN BY THESE PRESENT:

That the City of Winterset, Iowa, and Agriland FS, Inc., f/k/a Rolling Hills FS, Inc., do hereby certify that they are the sole owners and proprietors 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 Bellamy Addition Plat 4 is with the free consent and in accordance with said owners' desires

Dated this 16th day of JANUARY, 2019.

CITY OF WINTERSET, IOWA

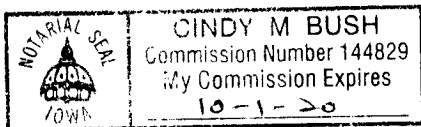
By _____

Brown

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 16th day of January, 2019, by Kelley Brown as City Administrator of the City of Winterset, Iowa.

Cindy M Bush
Notary Public in and for said State of Iowa



AGRILAND FS, INC.

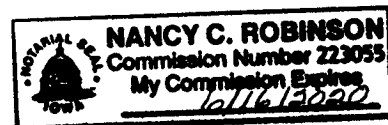
By _____

[Signature]

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 3 day of January, 2019, by John Knobloch as General Manager of Agriland FS, Inc.

Nancy C Robinson
Notary Public in and for said State of Iowa



All that part of the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) and the North Half of the Southeast Quarter (N1/2 SE1/4), including Amended Parcel "K" as filed in Book 2008 Page 1101 of the Madison County Recorder's Office, Amended Parcel "M" as filed in Book 2015 Page 3258, and Amended Parcel "N" filed in Book 2015 Page 3257, all in Section 31, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

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**ATTORNEY'S OPINION FOR FINAL PLAT,
BELLAMY ADDITION PLAT 4**

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 five (5) parts, last certified to December 10, 2018, 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, Bellamy Addition Plat 4 Subdivision, City of Winterset, Madison County, Iowa:

See attached legal description.

In my opinion, merchantable title subject to all Easements and Reservations of record to the above described property is in the name of: City of Winterset, Iowa and Agriland FS, Inc., f/k/a Rolling Hills FS, Inc., free and clear of all liens and encumbrances, except as follows:

1. An amended and restated Real Estate Mortgage is shown between Agriland FS, Inc. and CoBank, ACB dated February 10, 2011 and filed May 24, 2011, in Book 2011, Page 1340 of the Recorder's Office of Madison County, Iowa to secure credit in the amount of \$317,000,000.00. This Mortgage is a first lien against part of the real estate under examination.

Dated this day 20th day of December 2018.

Respectfully submitted,

JORDAN, OLIVER, WALTERS & SMITH, PC

By  _____

Mark L. Smith
101 ½ W Jefferson, POB 230
Winterset, Iowa 50273
Telephone: (515) 462-3731
ATTORNEY AT LAW

All that part of the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) and the North Half of the Southeast Quarter (N1/2 SE1/4), including Amended Parcel "K" as filed in Book 2008 Page 1101 of the Madison County Recorder's Office, Amended Parcel "M" as filed in Book 2015 Page 3258, and Amended Parcel "N" filed in Book 2015 Page 3257, all in Section 31, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

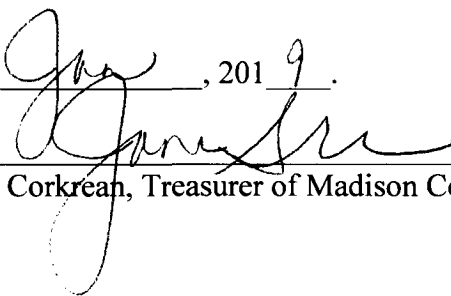
Beginning at the Center of Section of said Section 31, Township 76 North, Range 27 West (Section 31-76-27), thence North 00°07'49" East, along the West line of the NE1/4 of said Section 31-76-27, a distance of 289.53 feet, to a point located 258 feet North of the North line of the right of way of the C.P.I. & P.R.R.; thence South 89°13'42" East, a distance of 1138.50 feet; thence South 00°10'04" West, a distance of 282.60 feet, to a point on the North line of said Amended Parcel "K"; thence South 89°33'07" East, along the North line of said Amended Parcel "K", a distance of 230.07 feet, to the Northeast corner of said Amended Parcel "K"; thence South 00°07'07" West, along the East line of said Amended Parcel "K", a distance of 990.61 feet, to the Southeast corner of said Amended Parcel "K", being a point on the North Right-of-way line of Court Avenue; thence continuing South 00°07'07" West, along the projection South of the East line of said Amended Parcel "K", a distance of 60.00 feet; thence North 89°51'14" West, a distance of 620.92 feet; thence North 00°06'57" West, a distance of 54.91 feet, to the Southwest corner of said Amended Parcel "K"; thence North 00°08'33" East, along the West line of said Amended Parcel "K", a distance of 800.75 feet; thence North 89°33'34" West, a distance of 231.92 feet; thence North 89°34'29" West, a distance of 283.43 feet; thence North 89°34'33" West, a distance of 202.09 feet, to the Southwest corner of said Amended Parcel "N"; thence continuing North 89°34'33" West, along the projection West of the South line of the Amended Parcel "N", a distance of 30.00 feet, to a point on the West line of the SE ¼ of said Section 31-76-27; thence North 00°06'37" East, along the said West line of the SE1/4, a distance of 197.96 feet, to the Point of Beginning, containing 25.87 acres, more or less, including 1.17 acres of road right-of-way.

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 2 day of Jan, 2019.



Jana Corkrean, Treasurer of Madison County, Iowa

All that part of the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) and the North Half of the Southeast Quarter (N1/2 SE1/4), including Amended Parcel "K" as filed in Book 2008 Page 1101 of the Madison County Recorder's Office, Amended Parcel "M" as filed in Book 2015 Page 3258, and Amended Parcel "N" filed in Book 2015 Page 3257, all in Section 31, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

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CERTIFICATE OF AUDITOR

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

**Bellamy Addition Plat 4,
City of Winterset, Madison County, Iowa.**


For property located at:

See Legal Description Attached,

And owned by: City of Winterset and Agriland FS, Inc., f/k/a Rolling Hills FS, Inc.

Has been approved on the 2nd day of January, 2019.

By the Auditor, Madison County, Iowa.



Heidi Burhans, Auditor

All that part of the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) and the North Half of the Southeast Quarter (N1/2 SE1/4), including Amended Parcel "K" as filed in Book 2008 Page 1101 of the Madison County Recorder's Office, Amended Parcel "M" as filed in Book 2015 Page 3258, and Amended Parcel "N" filed in Book 2015 Page 3257, all in Section 31, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

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**CONSENT TO PLATTING
COBANK, ACB**

CoBank ACB 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 mortgage on the above real estate:

A Real Estate Mortgage from Agriland FS, Inc. to CoBank ACB in the principal amount of \$317,000,000.00 dated February 10, 2011, and filed May 24, 2011, in Book 2011, Page 1340 of the Recorder's Office of Madison County, Iowa.

Dated this 17 day of JANUARY, 2019.

CoBank ACB

By

Deino Sather

DEINO SATHER

Title: REGIONAL VICE PRESIDENT

STATE OF Nebraska COUNTY OF Douglas : ss

This instrument was acknowledged before me on this 17th day of January, 2019, by Colleen Schmidt as associate of CoBank ACB.

Colleen C Schmidt
Notary Public in and for said State

COLLEEN C SCHMIDT
General Notary - State of Nebraska
My Commission Expires Oct 13, 2021

All that part of the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) and the North Half of the Southeast Quarter (N1/2 SE1/4), including Amended Parcel "K" as filed in Book 2008 Page 1101 of the Madison County Recorder's Office, Amended Parcel "M" as filed in Book 2015 Page 3258, and Amended Parcel "N" filed in Book 2015 Page 3257, all in Section 31, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

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**RESOLUTION APPROVING
FINAL PLAT OF BELLAMY ADDITION PLAT 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 Bellamy Addition Plat 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 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, City of Winterset, Iowa, and Agriland FS, Inc., f/k/a Rollins Hills FS, Inc., and Lender, CoBank ACB; 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, except a Real Estate Mortgage to CoBank ACB, 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.

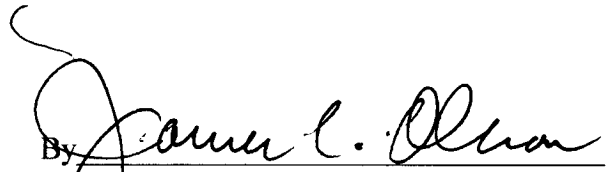
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winterset, Madison County, Iowa:

1. Said plat, known as Bellamy Addition Plat 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 JANUARY, 2019.

CITY OF WINTERSET, IOWA

By 
James C. Olson, Mayor

ATTEST:



Kelley L. Brown, City Administrator

All that part of the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) and the North Half of the Southeast Quarter (N1/2 SE1/4), including Amended Parcel "K" as filed in Book 2008 Page 1101 of the Madison County Recorder's Office, Amended Parcel "M" as filed in Book 2015 Page 3258, and Amended Parcel "N" filed in Book 2015 Page 3257, all in Section 31, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

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