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INDX

ANNO

SCAN

LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

CHEK

✓ Return to +  
Preparer

Information Mark L. Smith, P.O. Box 230, Winterset, Iowa 50273; 515-462-3731

**AFFIDAVIT EXPLANATORY OF TITLE**

STATE OF IOWA :  
 :SS  
MADISON COUNTY :

I, Mark L. Smith, after first being duly sworn upon oath, depose and state as follows:

1. This Affidavit Explanatory of Title concerns the following described real property:

**See Attached Exhibit "A"**

2. I am an Attorney practicing in Madison County, Iowa, and I handled the Bloom Ridge Subdivision proceedings.

3. There was an error in the legal description listed on all of the subdivision documents, except the actual final plat itself.

4. Our office prepared and submitted all of the subdivision documents using the legal description that was on the preliminary plat of survey.

5. The preliminary plat of survey was amended at the request of the county zoning administrator, after submittal of the original documents.

6. All notices, proceedings, hearings, votes and approvals were done based on the final plat of survey which accompanies the subdivision proceeding documents and is recorded on April 3, 2019, in Book 2019, Page 962 along with the other subdivision proceeding documents.

7. However, the legal description used on all of the subdivision proceeding documents other than the final plat, did not get updated to correspond with the final plat of survey.

8. The correct legal description for the Bloom Ridge Subdivision is the legal

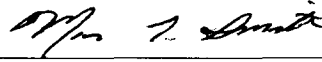
description used on the final plat of survey and shown in this Affidavit.

9. Attached to this Affidavit are the following documents:

- Certificate of the County Treasurer for the correct legal description
- Lender Consent to Platting for the correct legal description
- Agreement regarding the private roads for the correct legal description
- Land Disturbing Activities Affidavit for the correct legal description

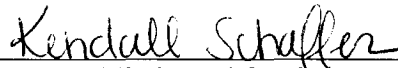
10. These documents supplement the originals in the Platting proceeding and have the correct legal description on them.

11. I give this Affidavit to Cure any perceived cloud on title.

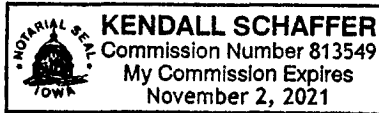


Mark L. Smith

Subscribed and sworn to before me by the said Mark L. Smith on this 18 day of September, 2020.



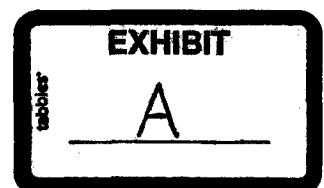
Notary Public in and for the State of Iowa



**LEGAL DESCRIPTION: BLOOM RIDGE**

A parcel of land now included in and forming a part of the North Half of the Northeast Quarter of the Southeast Quarter of Section 25, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

Beginning at the East Quarter Corner of the Northeast Quarter of the Southeast Quarter of Section 25, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence South  $00^{\circ}01'17''$  West along the East Line of the North Half of the Northeast Quarter of the Southeast Quarter of said Section 25, a distance of 658.27 feet to the Southeast Corner of the North Half of the Northeast Quarter of the Southeast Quarter of said Section 25, also being the Northeast Corner of WINDHAM RIDGE, an Official Plat, now included in and forming a part of Madison County, recorded in Book 2016, Page 705 of the Madison County Recorder's Office; thence South  $83^{\circ}09'45''$  West along the North Line of said WINDHAM RIDGE, a distance of 1314.42 feet to the Northwest Corner of said WINDHAM RIDGE and the Southwest Corner of the North Half of the Northeast Quarter of the Southeast Quarter of said Section 25; thence North  $00^{\circ}33'14''$  East along the West Line of the North Half of the Northeast Quarter of the Southeast Quarter of said Section 25, a distance of 666.98 feet to the Northwest Corner of the Northeast Quarter of the Southeast Quarter of said Section 25; thence North  $83^{\circ}30'32''$  East along the North Line of the North Half of the Northeast Quarter of the Southeast Quarter of said Section 25, a distance of 1307.24 feet to the Point of Beginning, containing 19.79 Acres, which includes 0.65 Acres for Public Highway Easement, subject to all easements, restrictions and covenants of record.



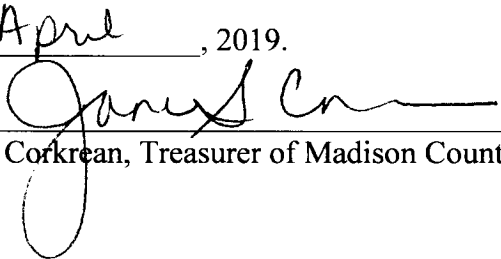
# CERTIFICATE OF THE COUNTY TREASURER OF MADISON COUNTY, IOWA

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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 Exhibit "A" attached.**

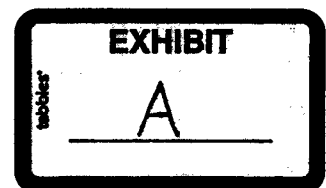
DATED at Winterset, Iowa, this 23 day of April, 2019.

  
\_\_\_\_\_  
Jana Corkrean, Treasurer of Madison County, Iowa

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**CONSENT TO PLATTING  
NORWEST BANK**

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

**See Attached Exhibit "A"**

in accordance with the ordinances of 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 Summer M. Clark and Ryan C. Clark, wife and husband, to Norwest Bank in the principal amount of \$468,351.00 dated May 15, 1989, and filed November 15, 1989, in Book 121, Page 583 of the Recorder's Office of Madison County, Iowa.

Dated this 24<sup>th</sup> day of April, 2019.

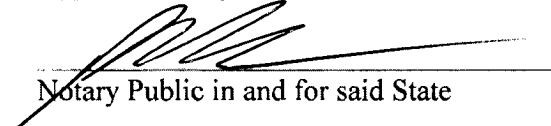
NORWEST BANK

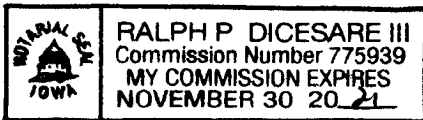
By

  
ED E. ARNDORFER  
Title: EXECUTIVE V.P.

STATE OF Iowa, COUNTY OF Polk : ss

This instrument was acknowledged before me on this 24<sup>th</sup> day of April, 2019, by Ed E. Arndorfer as Executive Vice Pres. of Norwest Bank.

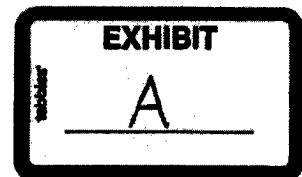
  
Notary Public in and for said State



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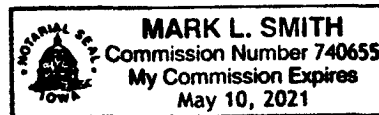


STATE OF IOWA, COUNTY OF MADISON:

This instrument was acknowledged before me by Summer M. Clark and Ryan C. Clark on this 1~~st~~ day of September, ~~2019~~  
2020.

*Mark L. Smith*

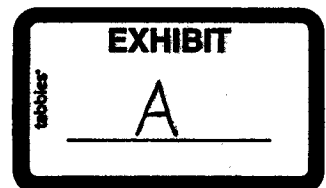
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## AGREEMENT

This Agreement, made and entered into, by and between, the proprietors of Bloom Ridge Subdivision, and the Madison County Engineer.


NOW THEREFORE IT IS AGREED AS FOLLOWS:

1. The proprietors of Bloom Ridge Subdivision, a Plat of the following described real estate

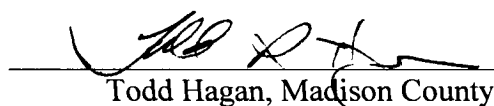
See Exhibit "A" attached

hereby agree that all private roads located within Bloom Ridge Subdivision are private roads and are not being dedicated to Madison County, Iowa. Said proprietors consent and agree that such roads shall not be maintained in any manner by Madison County, Iowa, or the Madison County Engineer's Department.

PROPRIETORS OF BLOOM RIDGE SUBDIVISION

  
Summer M. Clark

  
Ryan C. Clark

  
Todd Hagan, Madison County Engineer

9-15-2020

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