



Document 2020 5019

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

Type of Document

TITO'S ACRES SUBDIVISION

PREPARER INFORMATION:

Zoning Office for Dawn R. Hammond

Contact: Mark Smith, attorney for Bell, 515-462-3731

TAXPAYER INFORMATION:

Hammond, Dawn

PO Box 242

Truro, IA 50257

RETURN DOCUMENT TO:

Hammond, Dawn

PO Box 242

Truro, IA 50257

Or

Mark Smith-Jordan, Oliver, Walters & Smith P.C.

Farmers & Merchants Bank Building

PO Box 230

Winterset, IA 50273

GRANTOR:

GRANTEE:

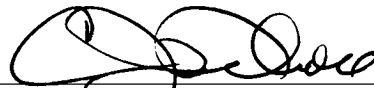
**PLAT AND CERTIFICATE
FOR TITO'S ACRES SUBDIVISION,
MADISON COUNTY, IOWA**

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 designated as Tito's Acres Subdivision, and that the real estate comprising said plat is described as follows:

Lot One (1) of Dawn' Acres, located in the South Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Twenty-one (21), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

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. Dedication of Plat;
2. Attorney's Opinion;
3. Certificate from County Treasurer;
4. Consent of County Auditor to subdivision name;
5. Agreement with County Engineer;
6. Madison County Soil and Water Conservation District Land Disturbing Activity Affidavit;
7. Ground Water Statement;
8. Resolution of the City of Truro, Iowa, approving said plat;
9. Resolution of the Board of Supervisors of Madison County, Iowa, approving said plat; all of which are duly certified in accordance with the Madison County Zoning Ordinance.



C. J. Nicholl

**DEDICATION OF PLAT
OF
TITO'S ACRES SUBDIVISION
MADISON COUNTY, IOWA**

KNOW ALL MEN BY THESE PRESENTS:

That, I do hereby certify that I am the sole owner and proprietor of the following-
described real state:

Lot One (1) of Dawn's Acres, located in the South Half (½) of the Southeast Quarter (¼)
of the Southeast Quarter (¼) of Section Twenty-one (21), Township Seventy-four (74)
North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

That the subdivision of the above-described real estate as shown by the final plat of
Subdivision is with the free consent and in accordance with the owner's desire as owner of said
real estate.

DATED this 3rd day of November, 2020.

Dawn R Hammond
Dawn R. Hammond

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 3rd day of November
2020, by Dawn R. Hammond

Melissa L Young
Notary Public in and for said State of Iowa



**ATTORNEY'S OPINION FOR FINAL PLAT
TITO'S ACRES SUBDIVISION
MADISON COUNTY, IOWA**

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 October 9, 2020, 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, Tito's Acres Subdivision, Madison County, Iowa.

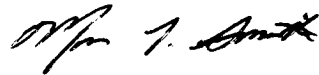
Lot One (1) of Dawn's Acres, located in the South Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Twenty-one (21), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

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

1. An Easement granted to Warren Water, Inc. filed October 19, 1994, in Deed Record 133, Page 487 of the Recorder's Office of Madison County, Iowa for a water line and all necessary appurtenances thereto.

Respectfully submitted,

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

A handwritten signature in black ink, appearing to read 'Mark L. Smith', with a stylized flourish at the end.

Mark L. Smith, Title Guaranty No. 10074

CERTIFICATE OF THE COUNTY TREASURER OF MADISON COUNTY, IOWA

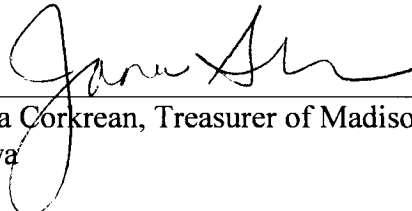
I, Jana Corkrean, do hereby certify that I am the duly elected and acting Treasurer of Madison County, Iowa; that I have examined the records in my office, and that there are no unpaid taxes forming a lien against the following-described real estate, to-wit:

Lot One (1) of Dawn' Acres, located in the South Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Twenty-one (21), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

Subdivision Name: Tito's Acres

Owned by: Dawn R. Hammond

DATED at Winterset, Iowa, this 20 day of November, 2020.



Jana Corkrean, Treasurer of Madison County,
Iowa

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

TITO'S ACRES SUBDIVISION

For property located at:

Lot One (1) of Dawn' Acres, located in the South Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Twenty-one (21), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

And owned by: Dawn R. Hammond

Has been approved on the 17th day of November, 2020.

Auditor, Madison County, Iowa.

By Shelley D. Kaster
Shelley D. Kaster, Auditor

RESOLUTION APPROVING FINAL PLAT OF TITO'S ACRES SUBDIVISION MADISON COUNTY, IOWA

WHEREAS, there was filed in the Office of the City Clerk of the City of Truro, Madison County, Iowa, a registered land surveyor's plat of a proposed subdivision known as Tito's Acres Subdivision; and

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

Lot One (1) of Dawn' Acres, located in the South Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Twenty-one (21), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

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 proprietor, Dawn R. Hammond.

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 proprietor 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.

WHEREAS, the City Council of the City of Truro, Madison County, Iowa, finds that said plat conforms to the provisions of the Ordinances of the City of Truro, Madison County, Iowa, and that the plat, papers and documents presented therewith should be approved by the City of Council of the City of Truro, Madison County, Iowa.

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

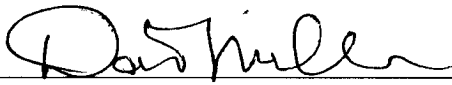
That said plat, known as Tito's Acres Subdivision, prepared in connection with said plat and subdivision is hereby approved.

DATED at Truro, Iowa, this 7th day of December, 2020.

CITY OF TRURO, IOWA

By 
Bryan Arzani, Mayor

ATTEST:


City Clerk

AGREEMENT

This Agreement made and entered into, by and between, the proprietors of Tito's Acres Subdivision and Todd Hagan, Madison County Engineer.

NOW THEREFORE IT IS AGREED AS FOLLOWS:

1. The proprietors of Tito's Acres Subdivision, a Plat of the following described real estate:

Lot One (1) of Dawn's Acres, located in the South Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Twenty-one (21), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

hereby agree that all private roads located within Tito's Acres 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.

Date: 11/03, 2020

PROPRIETORS OF TITO'S ACRES SUBDIVISION

Dawn R. Hammond

Dawn R. Hammond

Todd Hagan 11-23-2020
Todd Hagan, Madison County Engineer

**LAND DISTURBING ACTIVITIES
AFFIDAVIT**

STATE OF IOWA :
 :
 :
MADISON COUNTY :

Pursuant to section 161 A.64, Code of Iowa in consideration for permission to engage in a land disturbing activity 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, Dawn R. Hammond, being first duly sworn on oath, do solemnly swear to affirm that:

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

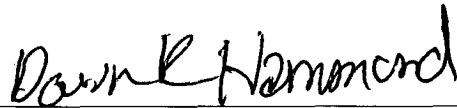
Lot One (1) of Dawn's Acres, located in the South Half (1/2) of the Southeast Quarter (1/4) of the Southeast Quarter (1/4) of Section Twenty-one (21), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

As owner or occupant of the land described above, we are aware that we must establish and maintain soil 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.

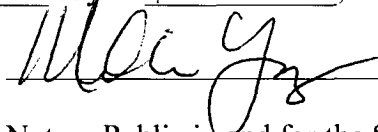
We assume responsibility for all land disturbing activities conducted on this property by us or other people entities we represent. This authority covers only the land and land disturbing activity described above.

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



Dawn R. Hammond

Subscribed and sworn to before me on this 3rd day of November, 2020.



Notary Public in and for the State of Iowa



ZO-RESOLUTION 12-22-20B
APPROVING FINAL PLAT
TITO'S ACRES SUBDIVISION

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 Tito's Acres Subdivision; and

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

Lot One (1) of Dawn's Acres, located in the South Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Twenty-one (21), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

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 proprietor, Dawn R. Hammond.

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 proprietor 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.

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 Tito's Acres Subdivision should be approved by the Board of Supervisors, Madison County, Iowa.

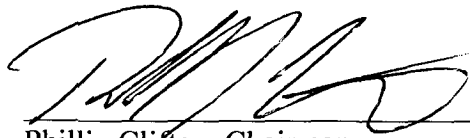
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors, Madison County, Iowa:

1. That said plat, known as Tito's Acres 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 22 day of DECEMBER 2020.

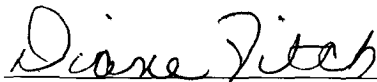
Madison County Board of
Supervisors



Phillip Clifton, Chairman

☒ Aye

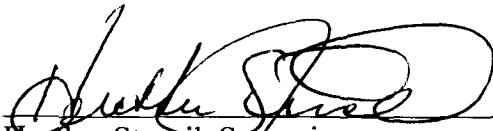
☐ Nay



Diane Fitch, Supervisor

☒ Aye

☐ Nay

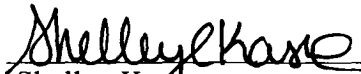


Heather Stancil, Supervisor

☒ Aye

☐ Nay

Attest:



Shelley Kasper

Madison County Auditor



Document 2020 5019

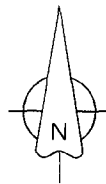
Book 2020 Page 5019 Type 06 044 Pages 15
Date 12/30/2020 Time 3:46:27PM
Rec Amt \$77.00 Aud Amt \$5.00

INDX
ANNO
SCAN
CHEK

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

TITO'S ACRES - FINAL PLAT		SURVEY LEGEND	
INDEX LEGEND		() - Recorded Distance/Bearing	
LOCATION: LOT 1 OF DAWN'S ACRES OF THE SE 1/4 OF SE 1/4 OF SECTION 21, T 74N, R 26W, MADISON COUNTY, IOWA		- - - - 40' Road Easement	
OWNER: DAWN HAMMOND PO BOX 242, TRURO IA 50257		- - - - Section line	
SURVEY FOR: (OWNER)		* * - Fence line	
PREPARED BY CHAD A. DANIELS RETURN TO: DANIELS LAND SURVEYING, 22598 18TH AVE, NEW VIRGINIA IA 50210 515-577-2583		☒ Driveway	
		Monuments	
		▲ - Found section corner	
		● - Set 1/2" red plastic capped rebar, #17532	
		○ - Set 12" landscape spike w/ brass washer, #17532	
		■ - Found 5/8" OCR #13427	
		□ - Found 1/4" Rebar	
		BASIS OF BEARINGS IS IA RCS ZONE 8	
DESCRIPTION: Lot One of Dawn's Acres of the Southeast Quarter of the Southeast Quarter of Section 21, Township 74 North, Range 26 West of the 5th P.M., Madison County, Iowa. CURRENT ZONING - A-1(AGRICULTURE) PROPOSED WATER - WARREN WATER PROPOSED SEWER - INDIVIDUAL SYSTEMS			
		PROJECT MAP (Not to scale)	
		I hereby certify that this surveying document was prepared by me and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa. Signed 9/8/20 Chad A. Daniels Date Iowa License No. 17532 My license renewal date is 12-31-2020 Page No.'s covered by this seal: 1 and 2	
PROJ. NO. 1472		DATE OF SURVEY: 9/4/2020	
		PAGE 1 of 2	

0 200 400 FEET



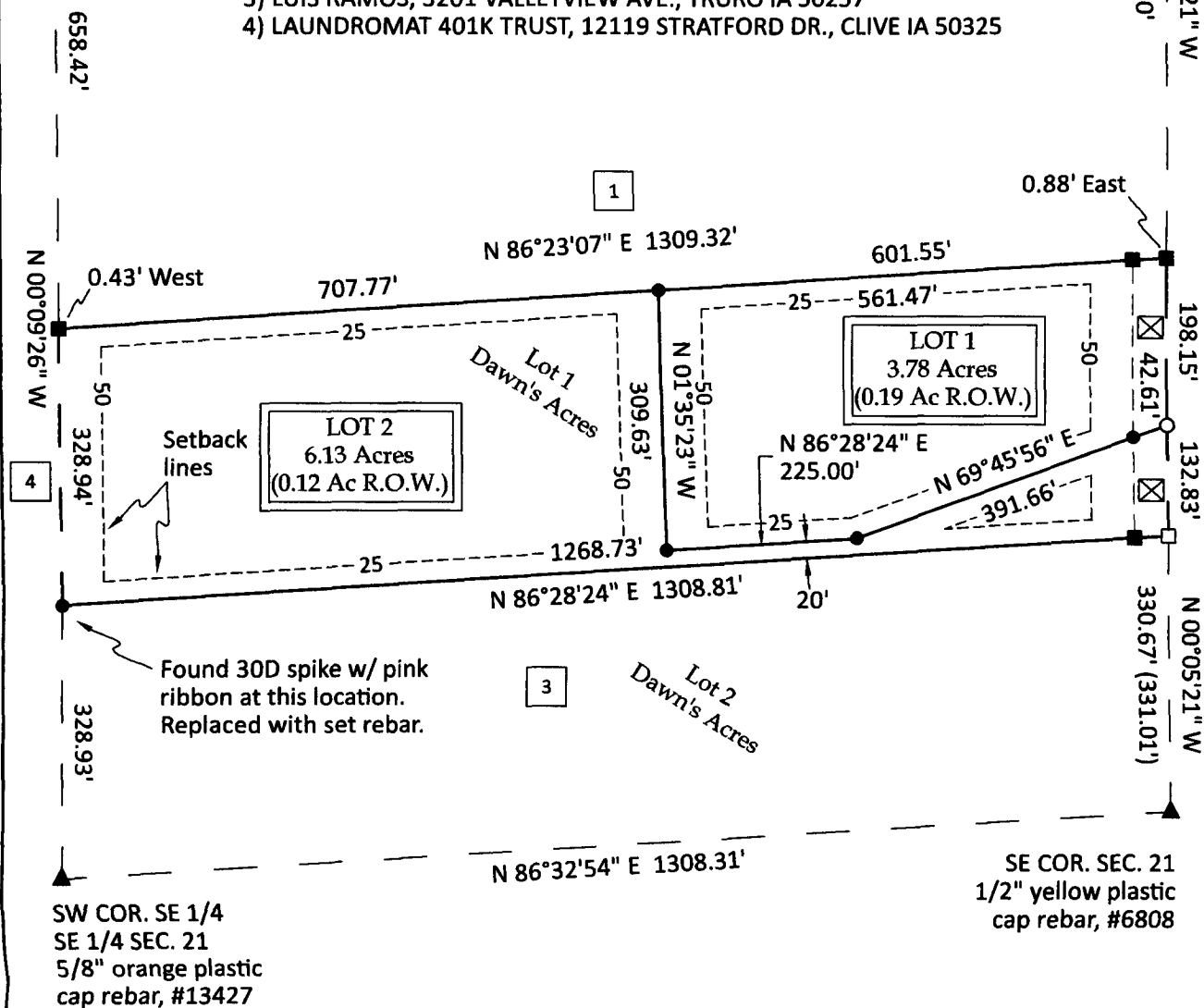
NW COR. SE 1/4
SE 1/4 SEC. 21
1/2" yellow plastic
cap rebar, #6808

NE COR. SE 1/4
SE 1/4 SEC. 21
1/2" yellow plastic
cap rebar, #6808

N 86°13'36" E 1310.33'

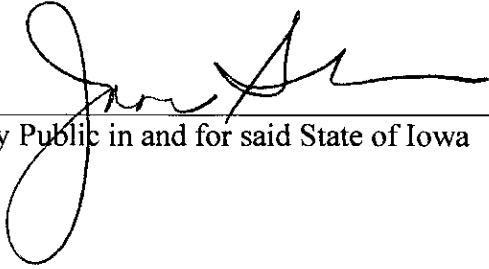
ADJOINERS (NUMBERS IN A BOX):

- 1) FRANK WITT, 3183 VALLEYVIEW AVE., TRURO IA 50257
- 2) PHILLIPS LEGACY FARMS LLC, 2727 WHITE OAK DR., AMES IA 50014
- 3) LUIS RAMOS, 3201 VALLEYVIEW AVE., TRURO IA 50257
- 4) LAUNDROMAT 401K TRUST, 12119 STRATFORD DR., CLIVE IA 50325



STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 30 day of Dec,
2020, by C.J. Nicholl.



Notary Public in and for said State of Iowa

