



Document 2021 2955

Book 2021 Page 2955 Type 06 044 Pages 19

Date 7/16/2021 Time 9:22:30AM

Rec Amt \$97.00 Aud Amt \$10.00

INDX
ANNO
SCAN

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

Type of Document

MAPLE WOOD COVE SUBDIVISION

PREPARER INFORMATION:

Zoning Office for George & Patricia Moulton

Contact: Mark Smith, attorney for George & Patricia Moulton, 515-462-3731

TAXPAYER INFORMATION:

Moulton, George E III &

Moulton, Patricia A

3263 State Hwy 92

Prole, IA 50229

RETURN DOCUMENT TO:

Moulton, George E III &

Moulton, Patricia A

3263 State Hwy 92

Prole, IA 50229

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 MAPLE WOOD COVE 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 Maple Wood Cove Subdivision, and that the real estate comprising said plat is described as follows:

Parcel "C" located in that part of the Southwest Quarter (¼) of the Southeast Quarter (¼) of Section Twenty-six (26) and in that part of the Northwest Quarter (¼) of the Northeast Quarter (¼) of Section Thirty-five (35), Township Seventy-six (76) North, Range Twenty-six (26), West of the 5th P.M., Madison County, Iowa, lying North of the centerline of Primary Highway No. Iowa 92, as shown in Plat of Survey filed in Book 3, Page 296, on July 17, 1998, in the Office of the Recorder of 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. Lender's Consent by Community Choice Credit Union;
5. Consent of County Auditor to subdivision name;
6. Agreement with County Engineer;
7. Madison County Soil and Water Conservation District Land Disturbing Activity Affidavit;
8. Approval of Plat by the City of Bevington;
9. Ground Water Statement;
10. Resolution of the Board of Supervisors of Madison County, Iowa, approving said

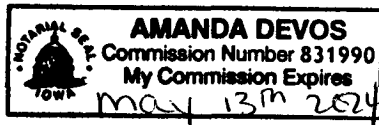
plat; all of which are duly certified in accordance with the Madison County

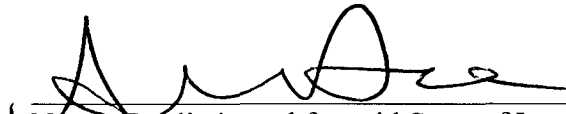
Zoning Ordinance.


C. J. Nicholl

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 15 day of July,
2021, by C.J. Nicholl.




Notary Public in and for said State of Iowa

**DEDICATION OF PLAT
OF
MAPLE WOOD COVE SUBDIVISION
MADISON COUNTY, IOWA**

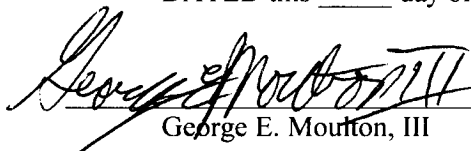
KNOW ALL MEN BY THESE PRESENTS:

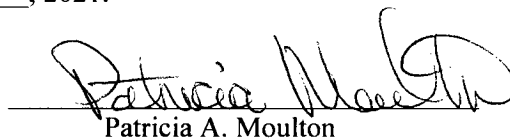
That, I do hereby certify that I am the sole owner and proprietor of the following-
described real state:

Parcel "C" located in that part of the Southwest Quarter (¼) of the Southeast Quarter (¼) of Section Twenty-six (26) and in that part of the Northwest Quarter (¼) of the Northeast Quarter (¼) of Section Thirty-five (35), Township Seventy-six (76) North, Range Twenty-six (26), West of the 5th P.M., Madison County, Iowa, lying North of the centerline of Primary Highway No. Iowa 92, as shown in Plat of Survey filed in Book 3, Page 296, on July 17, 1998, in the Office of the Recorder of 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.

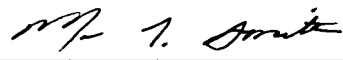
DATED this 28th day of May, 2021.


George E. Moulton, III

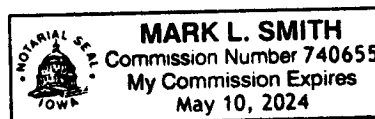

Patricia A. Moulton

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 28th day of May, 2021, by George E. Moulton, III, and Patricia A. Moulton.



Notary Public in and for said State of Iowa



**CONSENT TO PLATTING
BY COMMUNITY CHOICE CREDIT UNION**

Community Choice Credit Union does consent to the platting and subdivision of the following-described real estate:

Parcel "C" located in that part of the Southwest Quarter (¼) of the Southeast Quarter (¼) of Section Twenty-six (26) and in that part of the Northwest Quarter (¼) of the Northeast Quarter (¼) of Section Thirty-five (35), Township Seventy-six (76) North, Range Twenty-six (26), West of the 5th P.M., Madison County, Iowa, lying North of the centerline of Primary Highway No. Iowa 92, as shown in Plat of Survey filed in Book 3, Page 296, on July 17, 1998, in the Office of the Recorder of Madison County, Iowa,

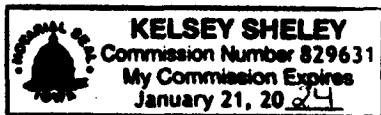
in accordance with the ordinances of Madison County, Iowa, and the laws of the State of Iowa.

The undersigned holds a mortgage against said real estate as follows:

A Mortgage from George E. Moulton, III, and Patricia Moulton, Husband and Wife, to Community Choice Credit Union, dated March 18, 2021, and filed March 22, 2021, in Book 2021, Page 1152 of the Recorder's Office of Madison County, Iowa. to secure indebtedness in the amount of \$198,000.00.

A Mortgage from George E. Moulton, III, and Patricia A. Moulton, Husband and Wife, to Community Choice Credit Union, dated March 18, 2021, and filed March 22, 2021, in Book 2021, Page 1153 of the Recorder's Office of Madison County, Iowa to secure credit in the amount of \$100,000.00.

Dated this 28th day of MAY, 2021.



COMMUNITY CHOICE CREDIT UNION

By [Signature]

STATE OF Idwa, COUNTY OF Blk

This instrument was acknowledged before me on this 28 day of May, 2021 by KRISTINA CHAPMAN as Branch Manager of Community Choice Credit Union.

[Signature]
Notary Public in and for said State

**ATTORNEY'S OPINION FOR FINAL PLAT
MAPLE WOOD COVE 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 March 31, 2021, at 10:30 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, Maple Wood Cove:

Parcel "C" located in that part of the Southwest Quarter (¼) of the Southeast Quarter (¼) of Section Twenty-six (26) and in that part of the Northwest Quarter (¼) of the Northeast Quarter (¼) of Section Thirty-five (35), Township Seventy-six (76) North, Range Twenty-six (26), West of the 5th P.M., Madison County, Iowa, lying North of the centerline of Primary Highway No. Iowa 92, as shown in Plat of Survey filed in Book 3, Page 296, on July 17, 1998, in the Office of the Recorder of Madison County, Iowa.

In my opinion, merchantable title to the above-described property is in the name of the GEORGE E. MOULTON, III, AND PATRICIA A. MOULTON, husband and wife, as Joint Tenants with Full Rights of Survivorship and Not as Tenants in Common, free and clear of all liens and encumbrances, except:

1. Entry No. 78 shows a Real Estate Mortgage, Assignment of Rents, and Fixture Filing, from George E. Moulton, III, and Patricia Moulton, Husband and Wife, to Community Choice Credit Union dated March 18, 2021, and filed March 22, 2021, in Book 2021, Page 1152 of the Recorder's Office of Madison County, Iowa, to secure indebtedness in the amount of \$198,000. This Mortgage is a first lien against the real estate under examination.

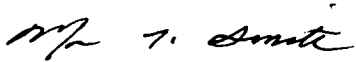
2. Entry No. 79 shows a Real Estate Mortgage, Assignment of Rents and Fixture Filing from George E. Moulton, III, and Patricia A. Moulton, Husband and Wife, to Community Choice Credit Union dated March 18, 2021, and filed March 22, 2021, in Book 2021, Page 1153 of the Recorder's Office of Madison County, Iowa, to secure indebtedness in the amount of \$100,000. This Mortgage is a second lien against the real estate under examination.

4. The following Easements are shown of record:

- a. Entry No. 14 shows an Easement granted to Northwestern Bell Telephone Company, filed October 8, 1962, in Deed Record 91, Page 632 of the Recorder's Office of Madison County, Iowa, for a communication system, and all necessary appurtenances thereto.
- b. Entry No. 19 shows an Easement granted to Warren Water, Inc., filed November 15, 1989, in Deed Record 121, Page 601 of the Recorder's Office of Madison County, Iowa, for a waterline and all necessary appurtenances thereto.
- c. Entry No. 30 shows an Easement between predecessors in interest, which states that there is an existing driveway presently shared between the owners of the real estate under examination and the Jordans. This Easement states that each party shall have a perpetual easement on the 20 feet adjacent to their respective one-half of said existing driveway and that each party shall be responsible for one-half of the maintenance of the driveway.

Respectfully submitted,

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

By 

Mark L. Smith, Title Guaranty No. 10074

CERTIFICATE OF THE COUNTY TREASURER OF MADISON COUNTY, IOWA

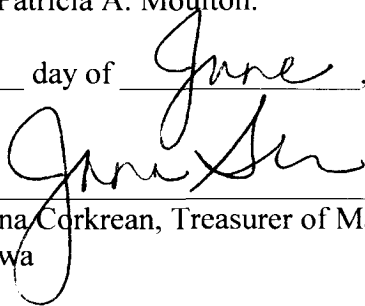
I, Jana Corkrean, do hereby certify that I am the duly elected and acting Treasurer of Madison County, Iowa; that I have examined the records in my office, and that there are no unpaid taxes forming a lien against the following-described real estate, to-wit:

MAPLE WOOD COVE SUBDIVISION

Parcel "C" located in that part of the Southwest Quarter (¼) of the Southeast Quarter (¼) of Section Twenty-six (26) and in that part of the Northwest Quarter (¼) of the Northeast Quarter (¼) of Section Thirty-five (35), Township Seventy-six (76) North, Range Twenty-six (26), West of the 5th P.M., Madison County, Iowa, lying North of the centerline of Primary Highway No. Iowa 92, as shown in Plat of Survey filed in Book 3, Page 296, on July 17, 1998, in the Office of the Recorder of Madison County, Iowa.

owned by: George E. Moulton, III, and Patricia A. Moulton.

DATED at Winterset, Iowa, this 8 day of June, 2021.



Jana Corkrean, Treasurer of Madison County,
Iowa

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

MAPLE WOOD COVE SUBDIVISION

For property located at:

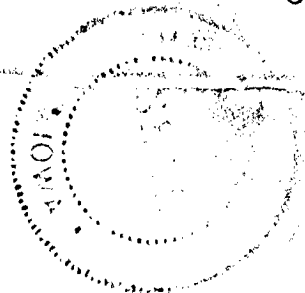
Parcel "C" located in that part of the Southwest Quarter (¼) of the Southeast Quarter (¼) of Section Twenty-six (26) and in that part of the Northwest Quarter (¼) of the Northeast Quarter (¼) of Section Thirty-five (35), Township Seventy-six (76) North, Range Twenty-six (26), West of the 5th P.M., Madison County, Iowa, lying North of the centerline of Primary Highway No. Iowa 92, as shown in Plat of Survey filed in Book 3, Page 296, on July 17, 1998, in the Office of the Recorder of Madison County, Iowa.

And owned by: George E. Moulton, III, and Patricia A. Moulton

Has been approved on the 2nd day of June, 2021.

Auditor, Madison County, Iowa.

By Shelley D. Kaster
Shelley D. Kaster, Auditor



City of Bevington
202 Jefferson Street
Bevington, Iowa 50033

April 14, 2021

Boldman Surveying & Consulting L.L.C.
521 West Green Street
Winterset, Iowa 50273

Dear Boldman Surveying/Consulting;

The Bevington City Council met during their regular scheduled City Council meeting on April 14, 2021, and discussed the survey plat sent to the City of Bevington due to being within two miles of the City. The Council approved of the survey plat submitted for George & Patty Moulton at 3263 Highway 92, Prole, Iowa 50229

PLAT OF SURVEY

FINAL PLAT

Maple Wood Cove Minor Subdivision described as "Parcel C" located in that part the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26 and in that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of County, Iowa lying North of the centerline of Primary Highway No. 92, as shown in Plat of Survey filed in Book 3, page 296, on July 17, 1998 in the office of the Recorder of Madison County, Iowa.

Sincerely,

Kathy Kieler

Kathy Kieler, City Clerk

RESOLUTION APPROVING FINAL PLAT OF MAPLE WOOD COVE SUBDIVISION MADISON COUNTY, IOWA

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

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

Parcel "C" located in that part of the Southwest Quarter (¼) of the Southeast Quarter (¼) of Section Twenty-six (26) and in that part of the Northwest Quarter (¼) of the Northeast Quarter (¼) of Section Thirty-five (35), Township Seventy-six (76) North, Range Twenty-six (26), West of the 5th P.M., Madison County, Iowa, lying North of the centerline of Primary Highway No. Iowa 92, as shown in Plat of Survey filed in Book 3, Page 296, on July 17, 1998, in the Office of the Recorder of 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 proprietors, George E. Moulton, III and Patricia A. Moulton.

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, except for mortgages, with the lender signing a consent, and 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 Bevington, Madison County, Iowa, finds that said plat conforms to the provisions of the Ordinances of the City of Bevington, Madison County, Iowa, and that the plat, papers and documents presented therewith should be approved by the City of Council of the City of Bevington, Madison County, Iowa.

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

1. That said plat, known as Maple Wood Cove Subdivision, prepared in connection with said plat and subdivision is hereby approved.
2. The City Clerk of the City of Bevington, 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 Bevington, Iowa, this 14 day of April, 2021.

CITY OF BEVINGTON

By Mark Bussanmas
Jim Bussanmas, Mayor

ATTEST:

Kathy Kueler
City Clerk

AGREEMENT

This Agreement made and entered into, by and between, the proprietors of Maple Wood Cove Subdivision and Todd Hagan, Madison County Engineer.

NOW THEREFORE IT IS AGREED AS FOLLOWS:

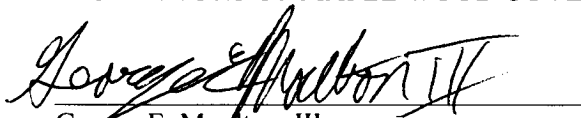
1. The proprietors of Maple Wood Cove Subdivision, a Plat of the following described real estate:

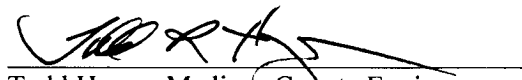
Parcel "C" located in that part of the Southwest Quarter (¼) of the Southeast Quarter (¼) of Section Twenty-six (26) and in that part of the Northwest Quarter (¼) of the Northeast Quarter (¼) of Section Thirty-five (35), Township Seventy-six (76) North, Range Twenty-six (26), West of the 5th P.M., Madison County, Iowa, lying North of the centerline of Primary Highway No. Iowa 92, as shown in Plat of Survey filed in Book 3, Page 296, on July 17, 1998, in the Office of the Recorder of Madison County, Iowa.

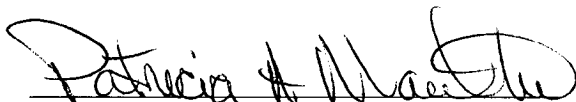
hereby agree that all private roads located within Maple Wood Cove Subdivision are private roads and are not being dedicated to Madison County, Iowa. Said proprietors consent and agree that such roads shall not be maintained in any manner by Madison County, Iowa, or the Madison County Engineer's Department.

Date: JUNE 1st, 2021

PROPRIETORS OF MAPLE WOOD COVE


George E. Moulton, III


Todd Hagan, Madison County Engineer


Patricia A. Moulton

**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, George E. Moulton, III, and Patricia A. Moulton, 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:

Parcel "C" located in that part of the Southwest Quarter (¼) of the Southeast Quarter (¼) of Section Twenty-six (26) and in that part of the Northwest Quarter (¼) of the Northeast Quarter (¼) of Section Thirty-five (35), Township Seventy-six (76) North, Range Twenty-six (26), West of the 5th P.M., Madison County, Iowa, lying North of the centerline of Primary Highway No. Iowa 92, as shown in Plat of Survey filed in Book 3, Page 296, on July 17, 1998, in the Office of the Recorder of Madison County, Iowa.

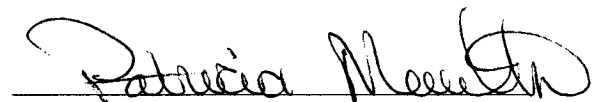
As owner or occupant of the land described above, we are aware that we must establish and maintain soil conservation practices as necessary to meet the soil loss limits established by the Madison County Soil and Water Conservation District, pursuant to sections 161A.43, and 161A.44, Code of Iowa.

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.

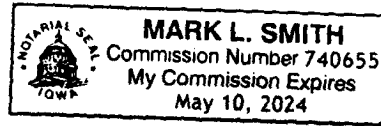

George E. Moulton, III


Patricia A. Moulton

Subscribed and sworn to before me on this 28th day of May, 2021.

Mark L. Smith

Notary Public in and for the State of Iowa



RESOLUTION APPROVING FINAL PLAT OF MAPLE WOOD COVE 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 Maple Wood Cove Subdivision; and

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

Parcel "C" located in that part of the Southwest Quarter (¼) of the Southeast Quarter (¼) of Section Twenty-six (26) and in that part of the Northwest Quarter (¼) of the Northeast Quarter (¼) of Section Thirty-five (35), Township Seventy-six (76) North, Range Twenty-six (26), West of the 5th P.M., Madison County, Iowa, lying North of the centerline of Primary Highway No. Iowa 92, as shown in Plat of Survey filed in Book 3, Page 296, on July 17, 1998, in the Office of the Recorder of 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 proprietors, George E. Moulton, III and Patricia A. Moulton.

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, except two Mortgages and the Mortgagee has consent to this plat, 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 Maple Wood Cove 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 Maple Wood Cove 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 13 day of July 2021.

Madison County Board of Supervisors



Phil Clifton, Chairman

☒ Aye

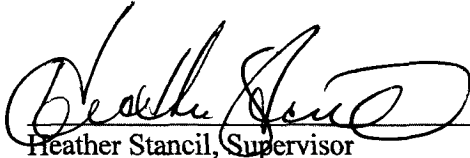
☐ Nay



Diane Fitch, Supervisor

☒ Aye

☐ Nay



Heather Stancil, Supervisor

☐ Aye

☐ Nay

Attest:



Shelley Kaster
Madison County Auditor

1/2 IR W OPC SET #13427
1/2 IR W YPC FOUND #13286
PLSS CORNER FOUND
IDOT MONUMENT (RAIL OR CAP)

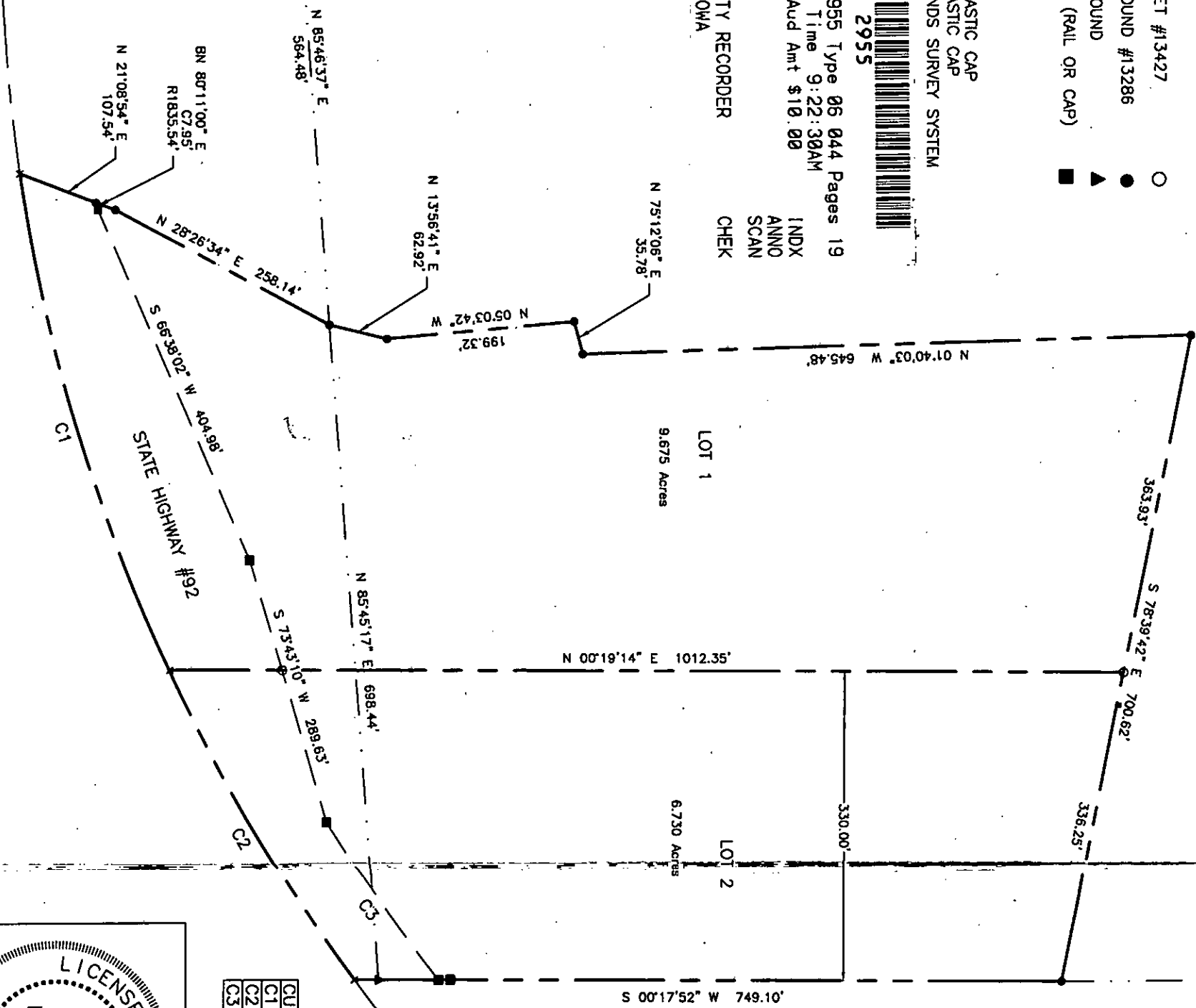
IR=IRON ROD
OPC=ORANGE PLASTIC CAP
YPC=YELLOW PLASTIC CAP
PLSS=PUBLIC LANDS SURVEY SYSTEM

Document 2021 2955

Book 2021 Page 2955 Type 06 044 Pages 19
Date 7/16/2021 Time 9:22:30AM
Rec Amt \$97.00 Aud Amt \$10.00

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

INDX
ANNO
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CHK



FINAL PLAT

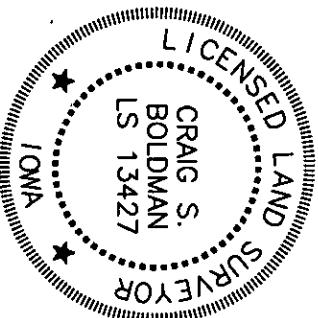
Maple Wood Cove Minor Subdivision described as Parcel "C" located in that part the SW 1/4 SE 1/4 of Section 26 and in that part of the NW 1/4 NE 1/4 of Section 35, Township 76 North, Range 26 West of the 5th P.M., Madison County, Iowa, lying North of the centerline of Primary Highway No. 92, as shown in Plot of Survey filed in Book 3, Page 296, on July 17, 1998 in the Office of the Recorder of Madison County, Iowa



INDEX LEGEND

Location:: S26-T76N-R26W of the 5th P.M.
Requestor: George and Patricia Moulton
Proprietor: George and Patricia Moulton
Project: 21009 Date of Survey: 3/6,8,10/21
Surveyor Co: Boldman Surveying & Consulting
Prepared by/Return to: Craig S. Boldman
521 West Green Street, Winterset, Ia 50273
Phone/fax: 515-462-9242

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1910.54'	552.33'	550.40'	N 73°21'33" E	16°33'50"
C2	1910.54'	385.77'	385.11'	S 59°17'34" W	11°34'08"
C3	1839.96'	207.73'	207.62'	S 55°04'34" W	6°28'07"



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa
Signature: *Craig S. Boldman* Date: *3/16/21*
Name: Craig S. Boldman P.L.S. No. 13427
Renewal date is December 31, 2022
Pages or sheets covered by this seal: *111*