



Document 2021 3300

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

Type of Document

PREPARER INFORMATION: (name, address, phone number)

Zoning Office for Buck Haven Estates LLC.

Contact person is Bryan Loya, Attorney for Buck Haven 515-369-2502

TAXPAYER INFORMATION: (name and mailing address)

Buck Haven Estates LLC

4123 NW 95th Place

Polk City, IA 50266

RETURN DOCUMENT TO: (name and mailing address)

Buck Haven Estates LLC

4123 NW 95th Place

Polk City, IA 50266

GRANTOR: (name)

GRANTEE: (name)

LEGAL DESCRIPTION: (if applicable)

An irregular shaped parcel of land within Government Lot 3 south of the Highway, Government Lot 5 south of the Highway, and part of Government Lot 4, all in Section 30, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the most northerly corner of Parcel A as shown on the Plat of Survey recorded in Book 3 at Page 278, said point being on the southerly Right of Way line of County Road G4R as it is presently established; thence N68°24'59"E along said Right of Way line, a distance of 404.22 feet; thence N74°07'39"E along said Right of Way line, a distance of 301.50 feet; thence N70°27'44"E along said Right of Way line, a distance of 342.97 feet; thence S09°35'01"E, a distance of 663.50 feet; thence S31°27'15"E, a distance of 783.35 feet; thence S00°12'24"E, a distance of 927.36 feet; thence S81°55'15"W, a distance of 467.37 feet; thence N81°14'16"W, a distance of 345.22 feet to the east line of said Parcel A; thence N00°51'00"E along the east line of said Parcel A, a distance of 1032.14 feet; thence N38°33'39"W along the east line of said Parcel A, a distance of 1081.82 feet; thence N51°13'56"W along the east line of said Parcel A, a distance of 62.49 feet to the point of beginning.

Said tract of land being subject to and together with any and all easements and restrictions of record. Said tract of land contains 40.43 Acres.

Document or instrument of associated documents previously recorded:
(if applicable)

**PLAT AND CERTIFICATE
FOR BUCK HAVEN ESTATES,
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 Buck Haven Estates, and that the real estate comprising said plat is described as follows:

An irregular shaped parcel of land within Government Lot 3 south of the Highway, Government Lot 5 south of the Highway, and part of Government Lot 4, all in Section 30, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the most northerly corner of Parcel A as shown on the Plat of Survey recorded in Book 3 at Page 278, said point being on the southerly Right of Way line of County Road G4R as it is presently established; thence N68°24'59"E along said Right of Way line, a distance of 404.22 feet; thence N74°07'39"E along said Right of Way line, a distance of 301.50 feet; thence N70°27'44"E along said Right of Way line, a distance of 342.97 feet; thence S09°35'01"E, a distance of 663.50 feet; thence S31°27'15"E, a distance of 783.35 feet; thence S00°12'24"E, a distance of 927.36 feet; thence S81°55'15"W, a distance of 467.37 feet; thence N81°14'16"W, a distance of 345.22 feet to the east line of said Parcel A; thence N00°51'00"E along the east line of said Parcel A, a distance of 1032.14 feet; thence N38°33'39"W along the east line of said Parcel A, a distance of 1081.82 feet; thence N51°13'56"W along the east line of said Parcel A, a distance of 62.49 feet to the point of beginning.

Said tract of land being subject to and together with any and all easements and restrictions of record.

Said tract of land contains 40.43 Acres.

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:

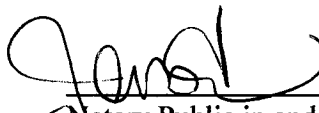
1. Dedication of Plat;
2. Attorney's Opinion;
3. Consents to Platting of Lender;
4. Certificate from County Treasurer;
5. Consent of County Auditor to subdivision name;

6. Agreement with County Engineer;
7. Madison County Soil and Water Conservation District Land Disturbing Activity Affidavit;
8. Ground Water Statement;
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

STATE OF IOWA, COUNTY OF MADISON

This record was acknowledged before me on this 3rd day of August, 2021
by C.J. Nicholl.


Notary Public in and for the State of Iowa



Return to Preparer: Bryan M. Loya, WILSON & EGGE, P.C., 475 Alice's Road, Suite A, Waukee, Iowa 50263 (515) 369-2502

CONSENT TO PLAT

KNOWN BY ALL MEN PRESENT:

The undersigned, Buck Haven Estates, LLC, an Iowa limited liability company, acting with full authority to act for and on behalf of the company, with full knowledge, does hereby consent to the platting of the property to be platted as **Buck Haven Estates Plat 1**, an Official Plat, included in and forming a part of Madison County, Iowa and specifically described as follows:

See Exhibit "A",

to be known as Buck Haven Estates Plat 1.

The undersigned, being the owner of the above property to be platted, declares that this Consent is prepared with the free consent and in accordance with the desire of the undersigned owner.

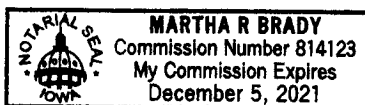
Dated on this 12th day of March, 2021.

BUCK HAVEN ESTATES, LLC

By Dean Quirk
Dean Quirk, Manager

STATE OF IOWA)
COUNTY OF Polk)

This record was acknowledged before me on this 12th day of March, 2021, by Dean Quirk, as Manager of Buck Haven Estates, LLC.



Martha R. Brady
Notary Public in and for the State of Iowa

EXHIBIT "A"

An irregular shaped parcel of land within Government Lot 3 south of the Highway, Government Lot 5 south of the Highway, and part of Government Lot 4, all in Section 30, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the most northerly corner of Parcel A as shown on the Plat of Survey recorded in Book 3 at Page 278, said point being on the southerly Right of Way line of County Road G4R as it is presently established; thence N68°24'59"E along said Right of Way line, a distance of 404.22 feet; thence N74°07'39"E along said Right of Way line, a distance of 301.50 feet; thence N70°27'44"E along said Right of Way line, a distance of 342.97 feet; thence S09°35'01"E, a distance of 663.50 feet; thence S31°27'15"E, a distance of 783.35 feet; thence S00°12'24"E, a distance of 927.36 feet; thence S81°55'15"W, a distance of 467.37 feet; thence N81°14'16"W, a distance of 345.22 feet to the east line of said Parcel A; thence N00°51'00"E along the east line of said Parcel A, a distance of 1032.14 feet; thence N38°33'39"W along the east line of said Parcel A, a distance of 1081.82 feet; thence N51°13'56"W along the east line of said Parcel A, a distance of 62.49 feet to the point of beginning.

Said tract of land being subject to and together with any and all easements and restrictions of record.

Said tract of land contains 40.43 Acres.

Return to Preparer: Bryan M. Loya, WILSON & EGGE, P.C., 475 Alice's Road, Suite A, Waukee, Iowa 50263 (515) 369-2502

LENDER'S CONSENT TO PLAT

KNOWN BY ALL MEN PRESENT:

The undersigned, Pinnacle Bank, acting with full authority to act for and on behalf of the bank, does hereby consent to the platting of the property to be platted as **Buck Haven Estates Plat 1**, an Official Plat, now included in and forming a part of Madison County, Iowa and specifically described as follows:

See Exhibit "A."

This consent is as mortgagee to the property described above with a mortgage being filed against said property on February 17, 2021 in Book 2021, Page 650, and is given with the free consent and in accordance with the desire of the undersigned as mortgagee to said property described above, which is to be included in said plat.

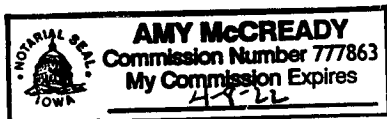
Dated this 12 day of March, 2021.

PINNACLE BANK

By *Damon Morrison*
Its President

STATE OF IOWA)
) SS:
COUNTY OF Marshall)

This record was acknowledged before me on this 12th day of March, 2021, by Damon Morrison, the President of Pinnacle Bank.



Amy McCreedy
Notary Public in and for the State of Iowa

EXHIBIT "A"

An irregular shaped parcel of land within Government Lot 3 south of the Highway, Government Lot 5 south of the Highway, and part of Government Lot 4, all in Section 30, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the most northerly corner of Parcel A as shown on the Plat of Survey recorded in Book 3 at Page 278, said point being on the southerly Right of Way line of County Road G4R as it is presently established; thence N68°24'59"E along said Right of Way line, a distance of 404.22 feet; thence N74°07'39"E along said Right of Way line, a distance of 301.50 feet; thence N70°27'44"E along said Right of Way line, a distance of 342.97 feet; thence S09°35'01"E, a distance of 663.50 feet; thence S31°27'15"E, a distance of 783.35 feet; thence S00°12'24"E, a distance of 927.36 feet; thence S81°55'15"W, a distance of 467.37 feet; thence N81°14'16"W, a distance of 345.22 feet to the east line of said Parcel A; thence N00°51'00"E along the east line of said Parcel A, a distance of 1032.14 feet; thence N38°33'39"W along the east line of said Parcel A, a distance of 1081.82 feet; thence N51°13'56"W along the east line of said Parcel A, a distance of 62.49 feet to the point of beginning.

Said tract of land being subject to and together with any and all easements and restrictions of record.

Said tract of land contains 40.43 Acres.

Consent by Lienholder

The undersigned, being a lienholder to the property to be encumbered by the foregoing easement and covenant pursuant to that certain Mortgage filed February 17, 2021 in Book 2021, Page 650, in the land records of the Madison County, Iowa, Recorder, does hereby consent to the conveyance of the foregoing easement.

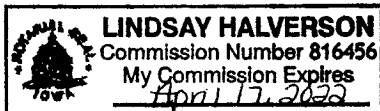
PINNACLE BANK

By: Damon Morrison

Its: President

STATE OF IOWA)
) SS:
COUNTY OF Marshall)

This record was acknowledged before me on this 11 day of May, 2021, by
Damon Morrison, the President of Pinnacle Bank.



Lindsay Halverson
Notary Public in and for Said State

EXHIBIT "A"

An irregular shaped easement over and across Lots 1 through 9 inclusive in Buck Haven, an Official Plat, Madison County, Iowa, is described as follows: Commencing at the northwest corner of said Lot 1; thence N68°24'59"E along the northerly line of said Lot 1, a distance of 67.91 feet to the point of beginning; thence continuing N68°24'59"E along the northerly line of said Lot 1, a distance of 66.17 feet; thence southeasterly along a 333.00 foot radius curve concave westerly, a distance of 64.62 feet, said curve having a chord bearing of S19°42'02"E and a chord length of 64.52 feet; thence S14°08'29"E, a distance of 8.57 feet; thence southeasterly along a 270.23 foot radius curve concave northeasterly, a distance of 115.90 feet, said curve having a chord bearing of S26°25'43"E and a chord length of 115.02 feet; thence S38°42'57"E, a distance of 764.41 feet; thence southeasterly along a 267.00 foot radius curve concave northeasterly, a distance of 96.43 feet, said curve having a chord bearing of S49°03'47"E and a chord length of 95.91 feet; thence S59°24'36"E, a distance of 711.19 feet; thence N38°05'48"E, a distance of 20.17 feet; thence S59°24'36"E, a distance of 115.71 feet; thence S30°35'24"W, a distance of 106.00 feet; thence N59°24'36"W, a distance of 122.33 feet; thence N23°10'22"E, a distance of 20.17 feet; thence N59°24'36"W, a distance of 718.09 feet; thence northwesterly along a 333.00 foot radius curve concave northeasterly, a distance of 77.19 feet, said curve having a chord bearing of N52°46'08"W and a chord length of 77.02 feet; thence N38°33'39"W along the westerly line of Lots 5, 4, 3, 2, and 1, a distance of 848.37 feet; thence northeasterly along a 333.00 foot radius curve concave easterly, a distance of 74.06 feet, said curve having a chord bearing of N20°30'46"W and a chord length of 73.91 feet; thence N14°08'29"W, a distance of 25.82 feet; thence northwesterly along a 267.00 foot radius curve concave westerly, a distance of 56.06 feet to the point of beginning, said curve having a chord bearing of N20°09'21"W and a chord length of 55.95 feet.

AND

An irregular shaped easement over and across Lot 7 in Buck Haven, an Official Plat, Madison County, Iowa, is described as follows: Beginning at the most northerly corner of Outlot X in said Buck Haven; thence N00°51'00" E along the west line of said Lot 7, a distance of 237.49 feet; thence N38°33'39" W along the northwesterly line of said Lot 7, a distance of 127.70 feet; thence southeasterly along a 333.00 foot radius curve concave northeasterly, a distance of 77.19 feet, said curve having a chord bearing of S52°46'08"E and a chord length of 77.02 feet; thence S59°24'36"E, a distance of 56.49 feet; thence S00°48'05"W, a distance of 316.50 feet to the southwesterly line of said Lot 7 and the northeasterly line of said Outlot X; thence N28°22'57"W along the southwesterly line of said Lot 7, a distance of 61.94 feet to the Point of Beginning.

EXHIBIT "B"

An irregular shaped easement over and across Lots 1 through 9 inclusive in Buck Haven, an Official Plat, Madison County, Iowa, is described as follows: Commencing at the northwest corner of said Lot 1; thence N68°24'59"E along the northerly line of said Lot 1, a distance of 133.78 feet to the point of beginning; thence continuing N68°24'59"E along the northerly line of said Lot 1, a distance of 20.04 feet; thence southeasterly along a 353.00 foot radius curve concave westerly, a distance of 67.22 feet, said curve having a chord bearing of S19°35'47"E and a chord length of 67.12 feet; thence S14°08'29"E, a distance of 8.57 feet; thence southeasterly along a 250.23 foot radius curve concave northeasterly, a distance of 107.32 feet, said curve having a chord bearing of S26°25'43"E and a chord length of 106.50 feet; thence S38°42'57"E, a distance of 764.41 feet; thence southeasterly along a 247.00 foot radius curve concave northeasterly, a distance of 89.21 feet, said curve having a chord bearing of S49°03'47"E and a chord length of 88.73 feet; thence S59°24'36"E, a distance of 693.31 feet; thence N38°05'48"E, a distance of 20.17 feet; thence S59°24'36"E, a distance of 133.25 feet; thence S30°35'24"W, a distance of 20.00 feet; thence N59°24'36"W, a distance of 115.71 feet; thence S38°05'48"W, a distance of 20.17 feet; thence N59°24'36"W, a distance of 425.35 feet; thence S44°31'47"W, a distance of 68.00 feet; thence S59°24'36"E, a distance of 434.80 feet; thence S23°10'22"W, a distance of 20.17 feet; thence S59°24'36"E, a distance of 108.91 feet; thence S26°14'00"W, a distance of 10.03 feet; thence N59°24'36"W, a distance of 118.45 feet; thence N23°10'22"E, a distance of 20.17 feet; thence N59°24'36"W, a distance of 438.81 feet; thence N44°31'47"E, a distance of 78.31 feet; thence N59°24'36"W, a distance of 275.54 feet; thence northwesterly along a 267.00 foot radius curve concave northeasterly, a distance of 96.43 feet, said curve having a chord bearing of N49°03'47"W and a chord length of 95.91 feet; thence N38°42'57"W, a distance of 764.41 feet; thence northeasterly along a 270.23 foot radius curve concave easterly, a distance of 115.90 feet, said curve having a chord bearing of N26°25'43"W and a chord length of 115.02 feet; thence N14°08'29"W, a distance of 8.57 feet; thence northwesterly along a 333.00 foot radius curve concave westerly, a distance of 64.62 feet to the point of beginning, said curve having a chord bearing of N19°42'02"W and a chord length of 64.52 feet.

WILSON & EGGE, P.C.
ATTORNEYS AT LAW

LISA R. WILSON
JEFFREY A. EGGE
BRYAN M. LOYA

475 S.E. ALICE'S ROAD • SUITE A
WAUKEE, IOWA 50263

TELEPHONE • (515) 369-2502
FACSIMILE • (515) 369-2503

March 12, 2021

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

Re: Plat Title Opinion/Buck Haven Estates Plat 1

Dear Board:

Pursuant to the requirements of Iowa Code Section 354.11(1)(c) (2019), I hereby certify that I have examined the Abstract of Title, Pencil Notes No. 30772612, prepared by Madison County Abstract Co. and certified that it reflects all matters up to March 2, 2021 at 8:00 a.m. and relating to the following property:

An irregular shaped parcel of land within Government Lot 3 south of the Highway, Government Lot 5 south of the Highway, and part of Government Lot 4, all in Section 30, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the most northerly corner of Parcel A as shown on the Plat of Survey recorded in Book 3 at Page 278, said point being on the southerly Right of Way line of County Road G4R as it is presently established; thence N68°24'59"E along said Right of Way line, a distance of 404.22 feet; thence N74°07'39"E along said Right of Way line, a distance of 301.50 feet; thence N70°27'44"E along said Right of Way line, a distance of 342.97 feet; thence S09°35'01"E, a distance of 663.50 feet; thence S31°27'15"E, a distance of 783.35 feet; thence S00°12'24"E, a distance of 927.36 feet; thence S81°55'15"W, a distance of 467.37 feet; thence N81°14'16"W, a distance of 345.22 feet to the east line of said Parcel A; thence N00°51'00"E along the east line of said Parcel A, a distance of 1032.14 feet; thence N38°33'39"W along the east line of said Parcel A, a distance of 1081.82 feet; thence N51°13'56"W along the east line of said Parcel A, a distance of 62.49 feet to the point of beginning.

Said tract of land being subject to and together with any and all easements and restrictions of record.

Said tract of land contains 40.43 Acres.,

to be known as Buck Haven Estates Plat 1.

As of that date and time, we find from our examination that good and marketable title to the property described above is held by:

Buck Haven Estates, LLC

subject to the following:

1. **MORTGAGE:** The Abstract shows a Mortgage dated February 16, 2021 and filed February 17, 2021 in Book 2021, Page 650 from Buck Haven Estates, LLC to Pinnacle Bank.
2. **REAL ESTATE TAXES:** The Abstract shows fiscal year 2019/2020 real estate taxes as follows:

Parcel No. 030013000041000: First installment of \$122.00 as paid and second installment of \$122.00 as paid.

Parcel No. 030013000070000: First installment of \$121.00 as paid and second installment of \$121.00 as paid.

Parcel No. 030013000081000: First installment of \$337.00 as paid and second installment of \$337.00 as paid.

Parcel No. 030013000091000: First installment of \$19.00 as paid and second installment of \$19.00 as paid.
3. **EASEMENTS:** The Abstract shows an access Easement for ingress and egress purposes referenced in Warranty Deed filed October 3, 1991 in Book 129, Page 252.

The Abstract shows an access Easement for ingress and egress purposes referenced in Warranty Deed filed May 15, 1992 in Book 130, Page 3.

The Abstract shows a Warranty Easement Deed to the United States of America for wetlands and conservation purposes filed July 29, 1998 in Book 139, Page 372.
4. **PLAT:** The Abstract shows the Final Plat of Secs.30 and 31-75-26 filed in the Office of the County Auditor for Madison County, Iowa.
5. **PLAT OF SURVEY:** The Abstract shows the Plat of Survey filed June 17, 1998 in Book 3, Page 278.
6. **CERTIFICATE:** The Abstract shows the United States Public Land Survey Corner Certificate filed October 3, 1991 in Book 1, Page 55.
7. **CERTIFICATE:** The Abstract shows the United States Public Land Survey Corner Certificate filed May 12, 1993 in Book 1, Page 167.

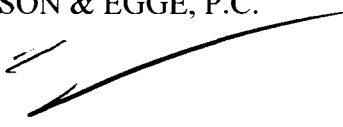
8. **ZONING:** The property under examination is subject to the zoning ordinances of Madison County.

9. **SEARCHES:** The abstract reflects searches as to the above titleholder, Mallard Flats, L.C., and Mallard Flats 2, LLC.

You are hereby advised that this opinion is prepared pursuant to Iowa Code Sections 614.26 and 614.28 of the 2019 Code of Iowa, Chapter 11 of the Iowa Title Examination Standards, the abstracting standards of the Iowa Land Title Association and the 40 Year Marketable Title Act.

Respectfully submitted,

WILSON & EGGE, P.C.

By: 

Bryan M. Loya

Title Guaranty No. 10901

Return to Preparer: Bryan M. Loya, WILSON & EGGE, P.C., 222 N.W. Sunrise Drive, Waukee, Iowa 50263 (515) 369-2502

MADISON COUNTY TREASURER'S CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF MADISON)

The undersigned, on behalf of the Madison County Treasurer's Office, hereby certifies that I have examined the records of this office in accordance with the provisions of Section 354.11 of The Code of Iowa, and have determined that Buck Haven Estates, LLC is the present fee titleholder to the following described real estate:

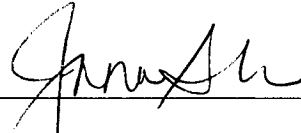
See Exhibit "A",

to be known as Buck Haven Estates Plat 1.

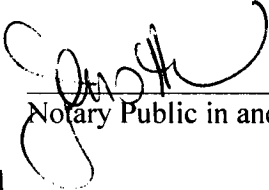
I further certify that taxes for the above-described real estate for fiscal year 2019/2020, due and payable 2020/2021, have been paid. I further certify that said property is free from all special assessments, special rates, and charges, nor are there any taxes due for Monies and Credits, Bushels of Grain, Industrial Machinery, Data Processing Equipment, Utilities or Buildings on leased land against Buck Haven Estates, LLC, which is the record titleholder of the above-described real estate.

Dated this 26 day of May, 2021.

MADISON COUNTY TREASURER

By: 

26th day of May, 2021. SUBSCRIBED AND SWORN to before me, a Notary Public in and for the State of Iowa, on this

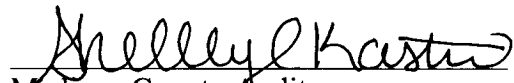

Notary Public in and for the State of Iowa



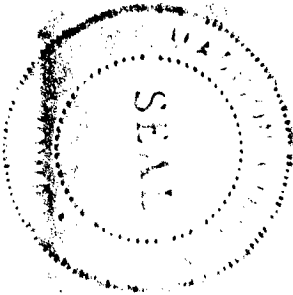
**APPROVAL OF SUBDIVISION PLAT NAME
BY MADISON COUNTY**

Date: 5/19/2021

The Madison County Auditor's Office has reviewed the final plat of Buck Haven Estates Plat 1 and pursuant to Iowa Code §354.6(2) and §354.11(6), we approve of the subdivision name or title and have no objections to this subdivision plat being recorded.



Madison County Auditor



DECLARATION OF PRIVATE EASEMENTS

Preparer Information:

Bryan M. Loya
Wilson & Egge, P.C.
222 N.W. Sunrise Drive
Waukee, Iowa 50263
(515) 369-2502

Return Document To:

Bryan M. Loya
Wilson & Egge, P.C.
222 N.W. Sunrise Drive
Waukee, Iowa 50263

Declarant:

Buck Haven Estates, LLC

Legal Description:

See Exhibit 'A' & 'B'.

DECLARATION OF PRIVATE EASEMENTS

This Declaration of Private Easements (this "Declaration") is made as of the 11th day of May, 2021, by Buck Haven Estates, LLC, an Iowa limited liability company ("Declarant").

RECITALS

A. Declarant is the owner of real property in Madison County, Iowa, legally described as follows:

Lots 1 through 9, inclusive, and Outlot Z, in Buck Haven Estates Plat 1, an Official Plat, Madison County, Iowa.

B. To comply with County requirements in connection with the subdivision of Buck Haven Estates Plat 1, the Declarant desires to establish private easements over the Property for the benefit of future owners in Buck Haven Estates Plat 1.

DECLARATION

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant hereby declares as follows:

1. Definitions. All capitalized terms used in this Declaration shall, unless otherwise defined elsewhere in this Declaration, have the following meanings:

"County" means the Madison County, Iowa.

"Lot" means Lot 1 through 9 existing after the filing of record of the final plat of Buck Haven Estates Plat 1.

"Outlot" means Outlot "Z" existing after the filing of record of the final plat of Buck Haven Estates Plat 1.

"Owner" means the record titleholder of the Property, or any portion thereof.

2. Grant of Access Easement. Declarant hereby establishes a perpetual, non-exclusive easement on, over and across the property set forth in Exhibit "A" attached hereto, for the purpose of constructing, reconstructing, repairing, replacing, enlarging and maintaining private ingress, egress and access to and from public rights-of-way, together with the necessary appurtenances thereto.

3. Grant of Utility Easement. Declarant hereby establishes a perpetual, non-exclusive easement on, over and across the property set forth in Exhibit "B" attached hereto, for the purpose

of installing, maintaining, operating, repairing and replacing utilities, together with the necessary appurtenances thereto.

4. Maintenance. The owner or occupant of the Lot or Outlot shall keep and preserve that portion of any easement area within his/her/its property in good repair and condition at all times, and shall remove all dead trees, shrubs, brush and trash which might obstruct or impede the flow of surface water.

5. Erection of Structures Prohibited. No structures shall be constructed on or in any easement area which would prevent the full access or use of said easement area consistent herewith.

6. No Merger. It is expressly understood and agreed that the easements, rights and privileges granted and conveyed herein shall never be extinguished by reason of the fact that the legal or beneficial title to the entirety of the Property (or any interest therein or part thereof), as the case may be, is or may be vested in the same person or entity.

7. Binding Effect; No Public Grant. This Declaration shall run with the land, and shall inure to the benefit of, and be binding upon, the parties hereto and their successors and assigns. The easement rights and dedications created hereby are not for the benefit of the public generally and nothing herein shall be construed as a dedication to the public.

8. Amendment. Any change or amendment to this Declaration shall be effective only if it is in writing and signed by all of the owners of record of the Property and the County. Declarant shall have the sole right to amend this Declaration for any reason so long as it owns a Lot in Buck Haven Estates Plat 1.

9. Waiver. Any failure, forbearance, delay or omission to exercise any rights under this Declaration in the event of a breach of any term of this Declaration shall not be deemed to be a waiver by any party of such term or any subsequent breach of the same or any other term, or of any rights of any party under the terms of this Declaration.

10. Severability. If any provision of this Declaration, or the application of it to any circumstance, is found to be invalid, the remainder of the provisions of this Declaration, or the application of such provision to other circumstances than those to which it is found to be invalid, as the case may be, shall not be affected.

IN WITNESS WHEREOF, this Declaration has been made effective as of the date first above written.

-SIGNATURE PAGE TO FOLLOW-

-SIGNATURE PAGE-

BUCK HAVEN ESTATES, LLC,
an Iowa limited liability company

By: Dean Quirk
Dean Quirk, Manager

STATE OF Iowa)
) SS:
COUNTY OF POIK)

This record was acknowledged before me on this 11th day of May,
2021, by Dean Quirk, Manager of Buck Haven Estates, LLC.



Martha R. Brady
Notary Public in and for the State of Iowa

ZO-RESOLUTION 072721A
APPROVING FINAL PLAT
BUCK HAVEN 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 Buck Haven Estates Subdivision; and

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

An irregular shaped parcel of land within Government Lot 3 south of the Highway, Government Lot 5 south of the Highway, and part of Government Lot 4, all in Section 30, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the most northerly corner of Parcel A as shown on the Plat of Survey recorded in Book 3 at Page 278, said point being on the southerly Right of Way line of County Road G4R as it is presently established; thence N68°24'59"E along said Right of Way line, a distance of 404.22 feet; thence N74°07'39"E along said Right of Way line, a distance of 301.50 feet; thence N70°27'44"E along said Right of Way line, a distance of 342.97 feet; thence S09°35'01"E, a distance of 663.50 feet; thence S31°27'15"E, a distance of 783.35 feet; thence S00°12'24"E, a distance of 927.36 feet; thence S81°55'15"W, a distance of 467.37 feet; thence N81°14'16"W, a distance of 345.22 feet to the east line of said Parcel A; thence N00°51'00"E along the east line of said Parcel A, a distance of 1032.14 feet; thence N38°33'39"W along the east line of said Parcel A, a distance of 1081.82 feet; thence N51°13'56"W along the east line of said Parcel A, a distance of 62.49 feet to the point of beginning. Said tract of land being subject to and together with any and all easements and restrictions of record. Said tract of land contains 40.43 Acres.

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, Buck Haven Estates LLC.

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 as Buck Haven Estates should be approved by the Board of Supervisors, Madison County, Iowa.

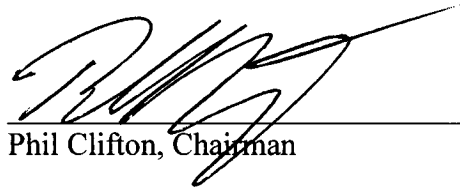
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors, Madison County, Iowa:

1. That said plat, known as Buck Haven Estates 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 27th day of July 2021.

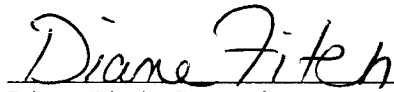
Madison County Board of Supervisors



Phil Clifton, Chairman

☒ Aye

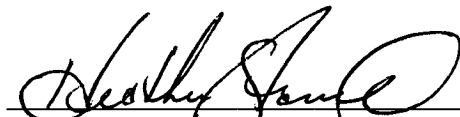
☐ Nay



Diane Fitch, Supervisor

☒ Aye

☐ Nay



Heather Stancil, Supervisor

☒ Aye

☐ Nay

Attest:



Shelley Kaster

Madison County Auditor



**MADISON COUNTY
SECONDARY ROAD DEPARTMENT**

1105 E. COURT AVE.
WINTERSET, IOWA 50273
PHONE - (515) 462-1136 / FAX - (515) 462-2506



TODD R. HAGAN, P.E.
COUNTY ENGINEER

MIKE HACKETT, P.E. & P.L.S.
ASSISTANT ENGINEER

KERRY STAPLES
OFFICE ASSISTANT

RAY PARKER JR.
MAINTENANCE SUPERINTENDENT

March 26, 2021

Madison County Zoning Commission
Office of Zoning & Environmental Health
P.O. Box 152
Winterset, IA 50273

RE: Buck Haven Estates LLC
Sections 30 & 31, Township 77N, Range 26W
Lee Township
Madison County, Iowa

Commission Members:

Upon preliminary review of the above-referenced subdivision, it was noted that there will be a need for a new intersection along Cumming Rd. The owner needs to obtain, from the Madison County Secondary Road Department, an approved application for the intersection before starting construction. Lots one (1) and three (3) have access to the private subdivision road and therefore will not be allowed any additional driveways or field entrances within the Madison County road right-of-way abutting Cumming Rd.

The owner has submitted plan and profile sheets for the proposed private subdivision road. The road has been designed to meet AASHTO guidelines for a 30 mph design speed. The proposed profile of the private subdivision road at the intersection with Cumming Rd. (within the existing right-of-way) meets Madison County's guidelines.

The nine (9) lots, once developed, will generate an additional 90 (maximum) vehicles per day to the secondary road system.

The most current traffic count, performed by the Iowa Department of Transportation in 2016, shows a total of 930 vehicles per day on that section of Cumming Rd. Based on a worst case scenario of an additional 90 vehicles per day, the total goes up to 1020 ADT. Since Cumming Rd. is classified as a Major Collector under the Rural Federal Functional Classification system and maintained to that level, the additional 90 vehicles per day will not have a significant impact on the roadway.

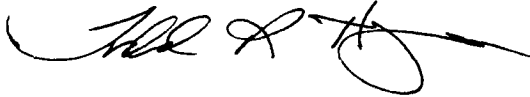
The owner did not provide cross section information, however, your ordinance specifies a minimum of 7 inches of granular subbase topped with 4 inches of $\frac{3}{4}$ " crushed limestone on granular surfaced roadways.

The developer shall provide the subdivision with adequate ditches, culverts, complete bridges, storm sewers, intakes, and manholes to provide for the collection and removal of all surface waters, and these improvements shall extend to the boundaries of the subdivision so as to provide for extension by adjoining properties.

The private road located within the above-referenced subdivision is a private road and will not be dedicated to Madison County, Iowa. That same road will not be maintained in any manner by neither Madison County, Iowa, nor the Madison County Secondary Road Department.

If you have any questions, please don't hesitate to contact me.

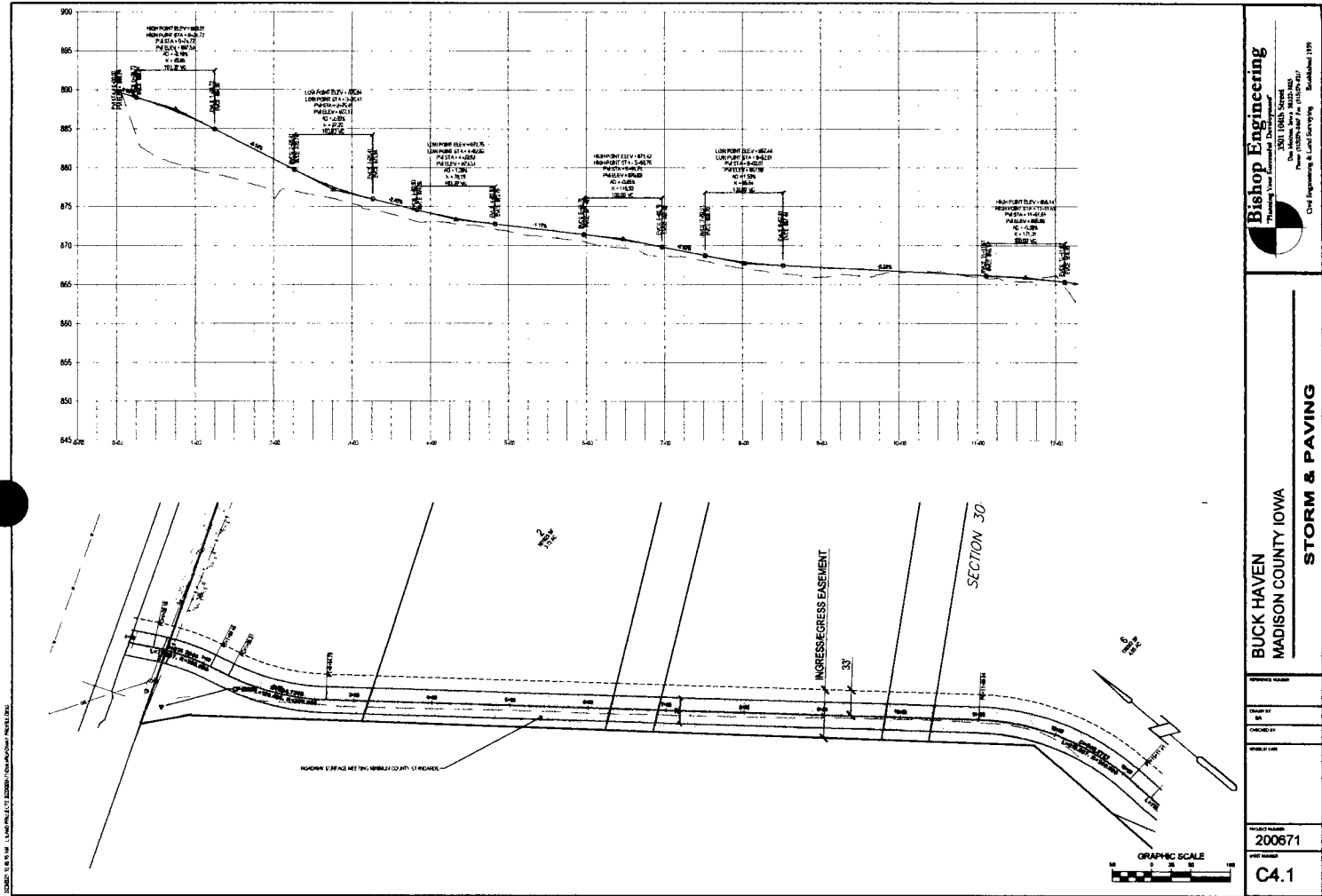
Sincerely,

A handwritten signature in black ink, appearing to read 'Todd R. Hagan', with a long horizontal flourish extending to the right.

TODD R. HAGAN, P.E.
Madison County Engineer

TRH:kbs

PRELIMINARY - NOT FOR CONSTRUCTION



Buck Haven
MADISON COUNTY IOWA

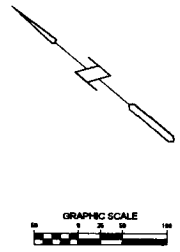
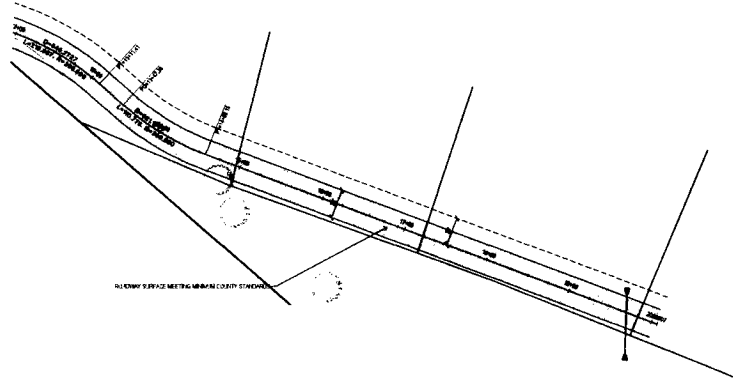
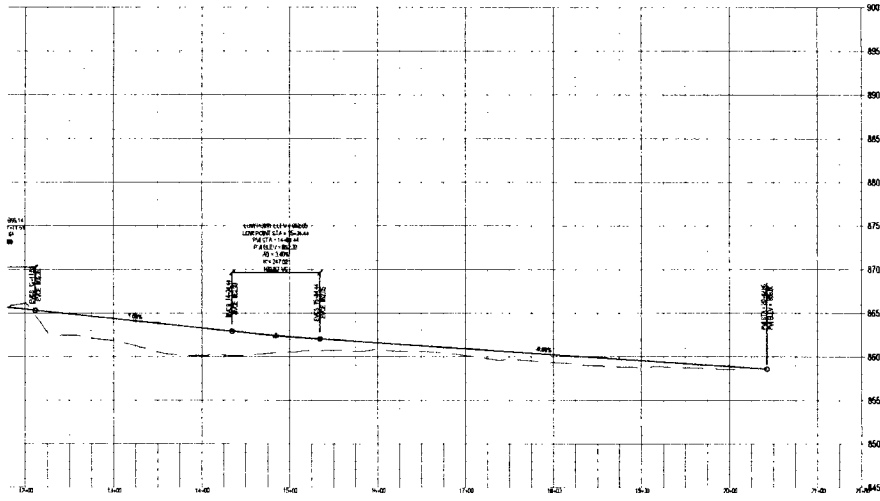
STORM & PAVING

Bishop Engineering
Professional Engineer
David Bishop, P.E.
1000 North 1st Street
Des Moines, Iowa 50319-1000
Phone: (515) 281-1111 Fax: (515) 281-1112
Email: dbishop@bishopeng.com Website: www.bishopeng.com

PROJECT NUMBER: 200671

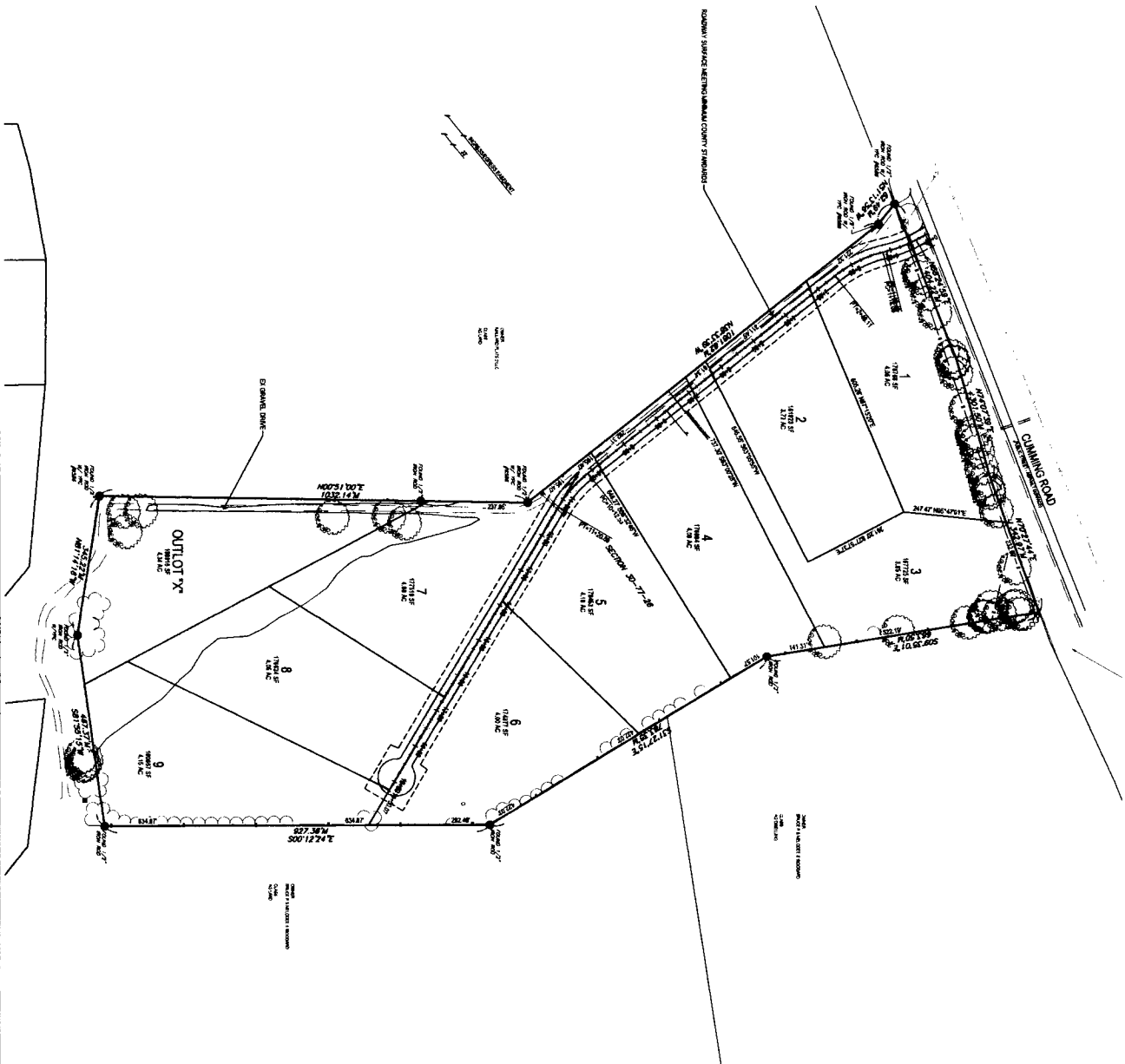
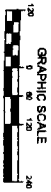
DATE: 04/11/2006

2006.12.15 - 11:00 AM - 11:00 AM - 11:00 AM - 11:00 AM



BUCK HAVEN MADISON COUNTY IOWA STORM & PAVING	
PROJECT NUMBER	200671
DATE	11/15/06
BY	JK
CHECKED BY	
DATE	
PROJECT NUMBER	200671
DATE	11/15/06
BY	JK
CHECKED BY	
DATE	

3/16/2021 12:41:58 PM L:\LAND PROJECTS\200671\BUCK HAVEN\BINARY PLAT.DWG



2 OF 3

PROJECT NUMBER
200671

DATE
3/16/2021

BY
J. BISHOP

CHECKED BY
J. BISHOP

DATE
3/16/2021

BY
J. BISHOP

CHECKED BY
J. BISHOP

DATE
3/16/2021

BY
J. BISHOP

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J. BISHOP

DATE
3/16/2021

BY
J. BISHOP

BUCK HAVEN
MADISON COUNTY IOWA

LAYOUT PLAN

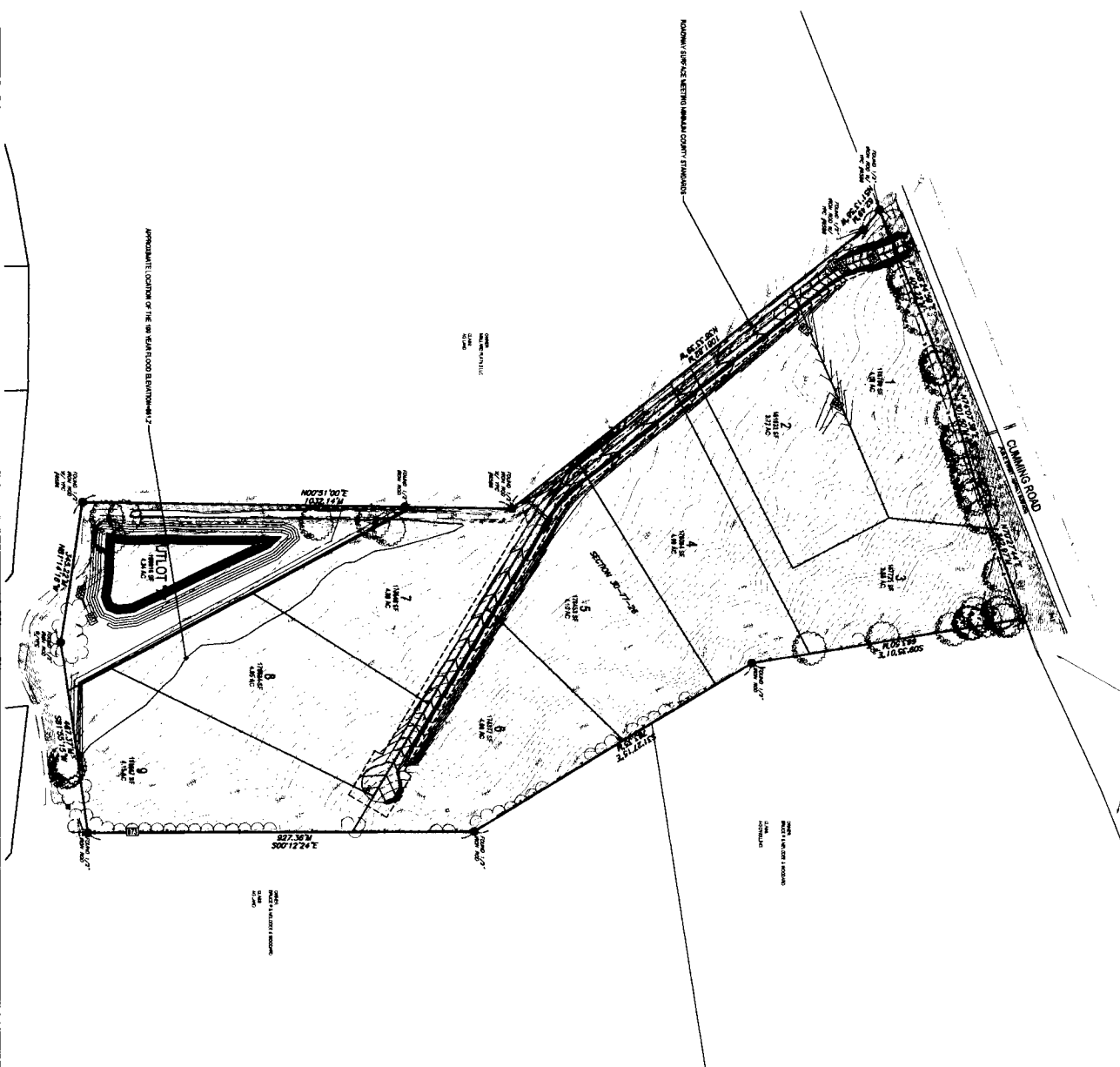
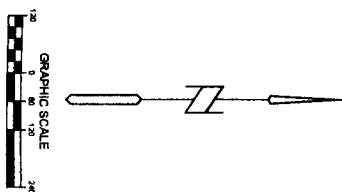


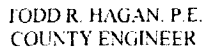
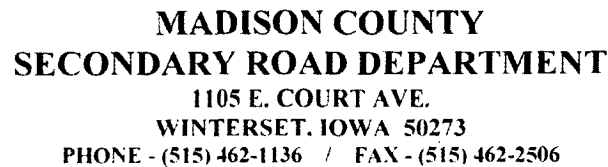
Bishop Engineering
"Planning Your Successful Development"

3501 104th Street
Des Moines, Iowa 50322-3825

Phone: (515) 276-0467 Fax: (515) 276-0217

Civil Engineering & Land Surveying Established 1959





MIKE HACKETT, P.E. & P.L.S.
ASSISTANT ENGINEER

KERRY STAPLES
OFFICE ASSISTANT

JOSH JOHNSTON
MAINTENANCE SUPERINTENDENT

Dean Quirk
4123 NW 95TH Place
Polk City, Iowa 50226

RE: Application for Field Entrance or Driveway
Section 30, Lee Township
Permit No. 21 – 024, W.O. 11453

Attached is the reviewed Application for Field Entrance or Driveway that we received from you April 28, 2021. Please see the Construction Provisions section at the bottom of the application, and the attached Site Plan and Centerline Profile for more information.

Construct the entrance with -2.5% slopes for 20-ft from the road shoulder. Tie the entrance into the pond dam. Finish with 6-inches of rock in the right-of-way and call for an inspection before rocking. Install the 24-in. x 86-ft cmp (corrugated metal pipe) with Iowa D.O.T. Spec RF-44 safety aprons, see the attached Standard Road Plan for Metal Safety Slope Aprons. Madison County does not stock the safety aprons; therefore they must be purchased elsewhere. We are currently out of stock of 24-inch pipe and bands. You will need a corrugated metal pipe; no plastic or spiral pipe will be approved. Please see the attached sheet with contact information for other companies that sell metal pipes, bands and safety aprons.

We will be measuring and inspecting the entrances on one (1) day only each week. Please contact this office for scheduling of your inspection after the entrance has been put in. If you have any questions prior to construction, please contact our office so that we may review how the entrance is to be constructed by you and/or your contractor.

If you have any questions regarding this application or the above comments, please contact our office so that we may discuss them with you. Thank you.

Sincerely,

[Signature]

TODD R. HAGAN, P.E.
Madison County Engineer

TRH: kbs
Enclosures

Pernit Number 21 - 024

APPLICATION FOR FIELD ENTRANCE OR DRIVEWAY

W.O. 11453

Madison County Engineer's Office
1105 E. Court Ave.
Winterset, Iowa 50273
Telephone - (515) 462-1136 / Fax - (515) 462-2506

INSTRUCTIONS TO APPLICANT:

1. Complete the top portion of the application form. Please print or type.
2. Return the application to Madison County Engineer's Office for review and survey.
3. Mark the center of the proposed entrance at the property line with the orange flagging provided.
4. The applicant may begin construction of the entrance only upon receipt of the approved application, and according to the design provided and the guidelines listed in the "Field Entrance and Driveway Policy" on the back side of this application.
5. If the application site does not meet the safety, hydraulic, or construction criteria specified in this policy, the applicant will be notified in writing that the application for an entrance at that site is denied.
6. After construction is completed and before rock surfacing is applied, notify the Madison County Engineer's Office for inspection of the entrance.
7. Upon inspection approval of the entrance the applicant is released from future maintenance responsibilities for the entrance (excluding surfacing).
8. This permit expires if the entrance is not completed within six (6) months of the application approval.

NAME DEAN QUIRK DATE 4-16-21

MAILING ADDRESS: 4123 NW 95TH PLACE POLK CITY IOWA Spring Lake Construction

TELEPHONE DAY: 712 830 4515 515-965-6093 TELEPHONE NIGHT: 712 830 4515

LOCATION: NAME OF TOWNSHIP LEE SECTION: 30 TOWNSHIP 77 RANGE 26

ENTRANCE LOCATION DESCRIPTION: 100' EAST OF EXISTING FIELD ENTRANCE

PURPOSE OF DRIVEWAY (farm, residential, commercial): RESIDENTIAL (WIDTH: 10' EXISTING OR NEW: NEW

DOES THIS PROPERTY HAVE AN EXISTING ENTRANCE? YES IS THIS ENTRANCE TO BE PAVED? GRAVEL

IS THIS PROPERTY IN A SUBDIVISION? YES IF YES, WHAT SUBDIVISION? FUTURE BUCK HAVEN

CONTRACTOR (name, address, telephone number): DEAN QUIRK

(I have read and understand the provisions of the Madison County Field Entrance and Driveway Policy dated 04-18-05 on the back of this application).

SIGNATURE Dean Quirk

Office use only below this line.

ENGINEERING REVIEW BY: Don Smith DATE: 5-11-21

SIGHT DISTANCE: N-E (ft.): 40 S-W (ft.): 40 PAVED ROUTE: YES V.P.D.: 40'

DRAINAGE AREA (ac.): 0.1 DITCH DEPTH (ft.): 2' STREAM SLOPE (ft./mi.): 0.001

BEDDING CLASS: 1 COVER OVER PIPE (ft.): 6' METAL THICKNESS (ga.): 14

TOP WIDTH (ft.): 30' LENGTH (ft.): 50' SIDE SLOPES: 1:1 SURFACING ROCK (tons): 10

NON-SPIRAL CORRUGATED METAL PIPE SIZE (in. ft.): 30" x 10' COUNTY PRICE (paid for when picked up): \$

* [30" diameter & below pipe size - can purchase from County, (if available), if pipe above 30" diameter - must be purchased elsewhere]

SURVEY NOTES: 20' 10' 10' 20' 20' 20'

SITE PLAN:

CENTERLINE PROFILE:

N

SCALE: 1" = 40' VERTICAL, 1" = 40' HORIZONTAL, 1" = 40'

CONSTRUCTION PROVISIONS: See attached drawings for details

APPLICATION APPROVED BY: [Signature] DATE: 6/1/2021

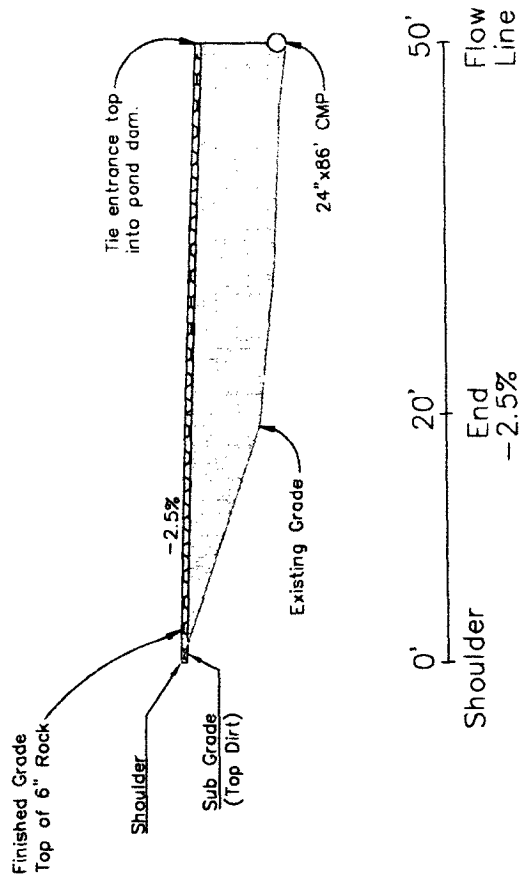
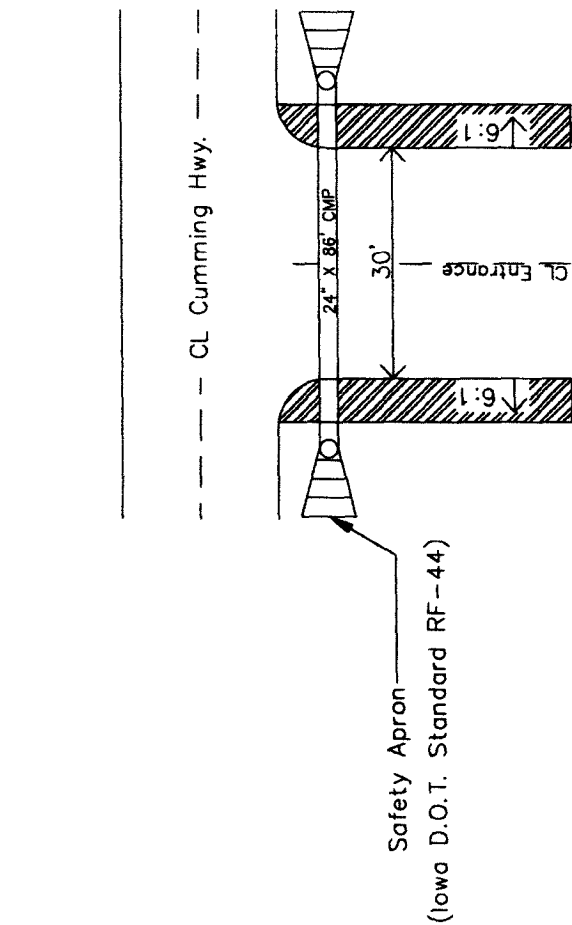
CONSTRUCTION INSPECTION BY: [Signature] DATE: 6/1/2021



PERMIT NO. 21 - 024
W.O. NO. 11453

Site Plan

Centerline Profile



FIELD ENTRANCE AND RESIDENTIAL DRIVEWAY POLICY

Madison County Engineer's Office/Madison County Secondary Roads Department

Adopted 07-26-85

Revised - 04-16-90, 03-23-99, 04-16-02, 04-18-05, 03-01-06, 11-2-09

SECTION I. NEW ENTRANCES OR DRIVEWAYS

A. APPLICATION:

1. Any property owner desiring a new field entrance or driveway access to any county road shall make written application on the prescribed forms at the Madison County Engineer's Office.
2. If the applicant currently has reasonable access to the property, Madison County reserves the right to limit the number of accesses to a parcel of land and deny an application. Circular driveways utilizing two (2) entrances will not be permitted.
3. All entrances and driveways being installed or modified are subject to Madison County Zoning Ordinances, in addition to this Field Entrance and Driveway Policy.

B. REVIEW:

1. Field entrance and residential driveway requests shall be reviewed by the county engineer, or his representative, for location, safety, and drainage.
2. Minimum sight and stopping distance requirements for rock roads are (from centerline of the entrance) 350 feet each direction.
3. Minimum sight and stopping distance requirements for paved roads are (from centerline of the entrance) 550 feet each direction.
4. Entrance applications which do not meet minimum sight and stopping distance requirements will be denied.

C. CONSTRUCTION:

1. The minimum top width for field entrances is 18 feet, and for residence driveways it is 24 feet. The maximum top width is 30 feet.
2. Side slopes for entrances on rock roads shall be 2:1, and side slopes on paved roads shall be 6:1.
3. Entrances shall slope away from the road shoulders at a rate of -2.5% (0.25" per foot) for a distance of 20 feet or at least to the center of the road drainage ditch, depending on existing features and right of way. Entrance slope past 20 feet from the shoulder shall not exceed $\pm 12.5\%$ (1.5" per foot).
4. The applicant is responsible for supplying the contractor with the approved design and specifications, and for ensuring that the entrance is constructed as designed. It is recommended that the owner give the contractor a copy of the approved application.
5. Approved entrances shall be reconstructed and inspected within 6 months of the engineering review date. Extensions may be granted in some cases, by contacting the Madison County Engineer's Office.
6. Entrances that have not received inspection approval will be removed at the owner's expense.

D. CULVERT PIPE:

1. The property owner shall furnish a new riveted non-spiral corrugated metal pipe.
2. Culvert pipe may be purchased from Madison County Secondary Roads Department at cost. Culvert pipe purchased from Madison County must be paid for in full at the time it is obtained.
3. If the new entrance is located on a paved surface or sealcoat, safety aprons must be attached to both ends of the culvert. The specifications for the safety aprons are listed on the IDOT Standard Road Plan (RF-44), and will be provided by the Madison County Engineer. The Madison County Secondary Roads Department does not keep the safety aprons in stock, and they must be purchased elsewhere.

E. SURFACING:

1. Crushed rock surfacing shall be required on all field entrances and residence driveways. A six (6) inch deep minimum initial application is required for all field entrances and residence driveways.
2. Paved entrances may be allowed, but require special approval and are subject to additional specifications.

F. COSTS:

1. All costs associated with the construction or surfacing of field entrances and residence driveways shall be assumed by the property owner.
2. Madison County shall remove any field entrance or residence driveway, at the owner's expense, if proper application, approval, and inspection acceptance have not been given.

G. OWNERSHIP:

1. All field entrances and residence driveways and any associated culvert pipe located in Madison County right-of-way shall become the property of Madison County after inspection acceptance and written acceptance by the Madison County Engineer, with the exception of granular or paved surfacing.

H. MAINTENANCE:

1. After ownership has been assumed by Madison County, following the application, construction, and inspection process, Madison County shall assume all required maintenance of the entrance or driveway, except for surfacing.

I. INTERPRETATION:

1. This policy shall be interpreted to cover all construction not considered normal maintenance on field entrances or residential driveways.

SECTION II. EXISTING ENTRANCE OR DRIVEWAY: WIDENING OR PAVING

A. GENERAL:

1. Property owners desiring to change existing field entrances or residence driveways shall make application for the alteration through the same process as a new entrance or driveway applicant.
2. Second entrances for circular driveways will not be permitted.

B. WIDENING:

1. All entrances and driveways to be widened are subject to the design restrictions and requirements stated above for new entrances and driveways, including grading and sight distance standards.
2. If it is necessary to replace the culvert pipe at the time of widening, Madison County will assume the cost of the new culvert pipe equal to the length of the old culvert pipe, with the property owner assuming the cost of the additional length for widening.
3. Determination for the replacement of culvert pipe for widening an entrance will be solely at the discretion of Madison County.

C. PAVING:

1. Existing entrances and driveways to be paved are subject to the design restrictions and requirements stated above for new entrances, as well as additional specifications which may be obtained from the Madison County Engineer's Office.
2. Paved entrances shall slope away from the road shoulder at a rate of -4.0% (0.5" per foot) to a distance of at least to the center of the drainage ditch.
3. Madison County will not maintain or fund maintenance for paved entrances and driveways.
4. Madison County will not repair or fund repairs to paved entrances and driveways, which result from work taking place in the right-of-way that requires the removal or excavation of a paved entrance or driveway.

SECTION III. OVERHEAD AND UNDERGROUND UTILITIES

A. GENERAL:

1. The applicant is responsible for locating all utilities in the highway right-of-way prior to construction.
2. All costs of relocating utilities or repairing damaged utilities for the construction of a new entrance or the modification of an existing entrance are the responsibility of the applicant.

CULVERTS/PIPES LIST

5/25/2021

FirstName	LastName	Company	Address1	City	State	Zip	Phone
Ron	Fine	ABC Enterprises	3233 Hwy. 65-69	Carlisle	IA	50047	(515) 287-1747 cell – (515) 975-4361
Brett	Baskerville	Contech Engineered Solutions	1112 SE Lorenz Dr.	Ankeny	IA	50021	(515) 964-0497

GENERAL NOTES:

Details on this sheet indicate the typical requirements for Metal Safety Slope Aprons. Refer to the Standard Road Plans as well as project plans for additional details of individual culvert installations. Alternate design details may be submitted to the Engineer for approval.

Materials and methods of construction shall be in accordance with current Standard and Supplemental Specifications.

Furnishing and installing the metal safety slope aprons shall conform to the requirements of current specifications for "Corrugated Culverts."

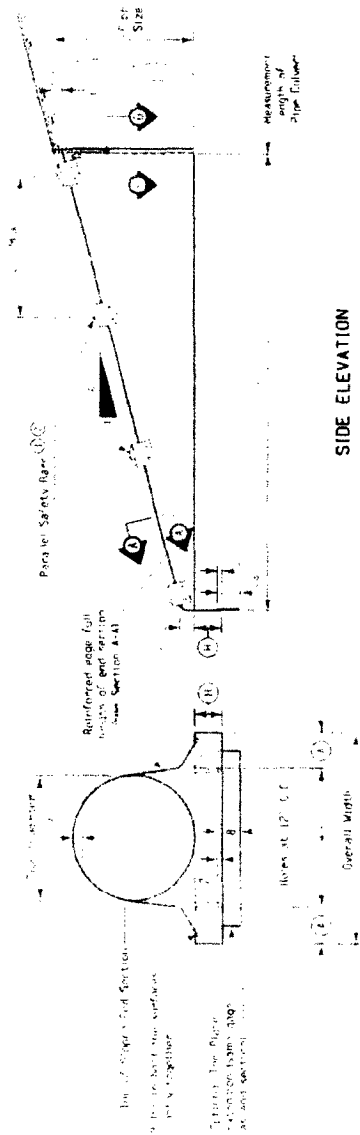
Apron may be attached to culvert pipe as follows:

- A. If normal culvert is of differential corrugation type:
 1. Use an approved bolt or clamp to fasten apron directly to culvert.
 2. If normal culvert is of helical corrugation type:
 1. Use an approved staking ring securely fastened to inside diameter of apron to connect to the culvert pipe using special dimple band connector.
 2. "Dimple" bands are not allowed when a positive joint is specified.

See Materials LM 441 for Approved Coupling Devices and specifications.

Any damage to galvanizing coat resulting from installation of culvert shall be repaired as directed by the Engineer.

Price bid for "Safety Slope Aprons" of the size specified shall be considered full compensation for fabrication and installation of metal aprons as indicated herein.



SIDE ELEVATION

METAL PIVOT SETTINGS FOR CIRCULAR BIRDS

Page	No. of	Truck	Dimensions - (feet)	Area	Length
O.A.			Length	Width	
15	18	18	8	6	27
18	18	18	8	6	27
21	18	18	8	6	27
24	18	18	8	6	27
30	18	18	8	6	27
36	18	18	8	6	27
42	18	18	8	6	27
48	18	18	8	6	27
54	18	18	8	6	27
60	18	18	8	6	27
66	18	18	8	6	27
72	18	18	8	6	27
78	18	18	8	6	27
84	18	18	8	6	27
90	18	18	8	6	27
96	18	18	8	6	27
102	18	18	8	6	27
108	18	18	8	6	27
114	18	18	8	6	27
120	18	18	8	6	27
126	18	18	8	6	27
132	18	18	8	6	27
138	18	18	8	6	27
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FRONT VIEW



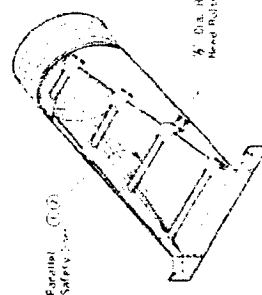
SECTION A-A

CONNECTOR DETAIL (15'-24" O.A.)

SECTION B-B



CONNECTOR DETAIL (30'-60" O.A.)



PERSPECTIVE VIEW OF APRON

PARALLEL BARS

DETAIL OF SAFETY BARS

1. Number of bars required will vary depending on the length of the apron.

2. Parallel safety bars are required for pipes 30" diameter and larger. For pipes 24" diameter and smaller, parallel safety bars will be required only when specified in project plans.

OLD REPUBLIC SURETY COMPANY

Site Improvement Bond

Bond No. 05944243

KNOW ALL PERSONS BY THESE PRESENTS, that we Spring Lake Construction, LLC

as Principal, and OLD REPUBLIC SURETY COMPANY

authorized to do business in the State of Iowa as Surety are held and firmly bound unto
Madison County, Secondary Road Department

as Obligee, in the penal sum of Twenty Four Thousand Five Hundred Dollars and no/100 (\$ 24,500.00)
DOLLARS, lawful money of the United States of America, for the payment of which well and
truly to be made, we bind ourselves, our heirs, executors, administrators, successors and
assigns, jointly and severally, firmly by the presents.

WHEREAS, Spring Lake Construction, LLC

has agreed to construct in Buck Haven Estates – VanMeter, IA

the following improvements: Install Rock and Grad Rock to Level Roadway

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said
principal shall construct, or have constructed, the improvements herein described and shall
save the Obligee harmless from any loss, cost or damage by reason of its failure to complete
said work, then this obligation shall be null and void, otherwise to remain in full force and
effect.

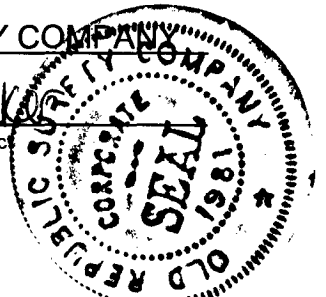
Signed, sealed and dated this 14th day of June, 2021

Spring Lake Construction, LLC

By: Dean Lind

OLD REPUBLIC SURETY COMPANY

By: Samantha Boddicker
Samantha Boddicker, Attorney-in-Fact





OLD REPUBLIC SURETY COMPANY

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That OLD REPUBLIC SURETY COMPANY, a Wisconsin stock insurance corporation, does make, constitute and appoint:

ROBERT L. KOLLSMITH, JACQUELINE K. PETERS, M LYNN KIMBLE, TIMOTHY J. FOLEY, JASON D. SMITH, SAMANTHA BODDICKER, DAVID M. OWEN, JENNIFER LUSE, JAMES M. SMITH, LUKAS SCHRODER, AARON COLLINS, LAURI A. MENEUGH, DORA STEVENS, KURT E. FELLER, MONICA S. DANNER, OF CEDAR RAPIDS, IA

its true and lawful Attorney(s)-in-Fact, with full power and authority, for and on behalf of the company as surety, to execute and deliver and affix the seal of the company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof, (other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds, self-insurance workers compensation bonds guaranteeing payment of benefits or black lung bonds), as follows:

ALL WRITTEN INSTRUMENTS

and to bind OLD REPUBLIC SURETY COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This appointment is made under and by authority of the board of directors at a special meeting held on February 18, 1982. This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC SURETY COMPANY on February 18, 1982.

RESOLVED that, the president, any vice-president, or assistant vice president, in conjunction with the secretary or any assistant secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the company to execute and deliver and affix the seal of the company to bonds, undertakings, recognizances, and suretyship obligations of all kinds; and said officers may remove any such attorney-in-fact or agent and revoke any Power of Attorney previously granted to such person.

RESOLVED FURTHER, that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company

- (i) when signed by the president, any vice president or assistant vice president, and attested and sealed (if a seal be required) by any secretary or assistant secretary; or
- (ii) when signed by the president, any vice president or assistant vice president, secretary or assistant secretary, and countersigned and sealed (if a seal be required) by a duly authorized attorney-in-fact or agent; or
- (iii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the Power of Attorney issued by the company to such person or persons.

RESOLVED FURTHER, that the signature of any authorized officer and the seal of the company may be affixed by facsimile to any Power of Attorney or certification there of authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the company; and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, OLD REPUBLIC SURETY COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 7TH day of APRIL, 2021.

Karen J. Haffner

Assistant Secretary



OLD REPUBLIC SURETY COMPANY

Alan Pavlic

President

STATE OF WISCONSIN, COUNTY OF WAUKESHA-SS

On this 7TH day of APRIL, 2021, personally came before me, Alan Pavlic and Karen J Haffner, to me known to be the individuals and officers of the OLD REPUBLIC SURETY COMPANY who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally depose and say; that they are the said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said corporation.



Kathryn R. Pearson
Notary Public

My commission expires: 9/28/2022

(Expiration of notary commission does not invalidate this instrument)

CERTIFICATE

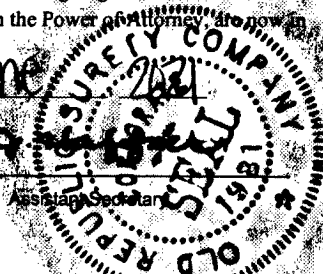
I, the undersigned, assistant secretary of the OLD REPUBLIC SURETY COMPANY, a Wisconsin corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.

40-5006



Signed and sealed at the City of Brookfield, WI this 14TH day of JUNE, 2021

Karen J. Haffner
Assistant Secretary



TRUENORTH COMPANIES, L.C.



DEPARTMENT OF NATURAL RESOURCES
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
NOTICE OF GENERAL PERMIT COVERAGE UNDER
GENERAL PERMIT NO. 2

STORM WATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITY

This notice of general permit coverage for a storm water discharge associated with construction activity is issued pursuant to the authority of section 402 (b) of the Clean Water Act (U.S.C. 1342(b)), Iowa Code 455B.174, and subrule 567--64.4(2), Iowa Administrative Code. A Notice of Intent has been filed with the Iowa Department of Natural Resources that this storm water discharge complies with the terms and conditions of NPDES General Permit No. 2. Authorization is hereby issued to discharge storm water associated with industrial activity as defined in Part VIII of the Iowa Department of Natural Resources NPDES General Permit No. 2 in accordance with the terms and conditions set forth in the permit.

Owner:

BUCK HAVEN ESTATES
4123 NW 95TH PLACE
POLK CITY IA 50226
(515)965-6093

Contact:

DEAN QUIRK
SPRING LAKE CONSTRUCTION
4123 NW 95TH PLACE
POLK CITY IA 50226
(515)965-6093

Permit Coverage Issued To:

**BUCK HAVEN - CONSTRUCTION
ON SOUTH SIDE OF CUMMING RD. ~ 1/2 MILE WEST OF 143RD ST.
in VAN METER, MADISON COUNTY
located at**

1/4 Section	Section	Township	Range
SE	30	77	26W

Coverage Provided Through:

5/1/2022

NPDES Permit Discharge Authorization Number:

39081 - 38708

Discharge Authorization Date:

5/1/2021

Project Description: CONSTRUCTION OF RESIDENTIAL SUBDIVISION 40 ACRES

FENCE AFFIDAVIT

STATE OF IOWA)
) ss:
COUNTY OF Polk)

The proprietor of Buck Haven Estates, a plat of the following described real estate, to-wit:

An irregular shaped parcel of land within Government Lot 3 south of the Highway, Government Lot 5 south of the Highway, and part of Government Lot 4, all in Section 30, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the most northerly corner of Parcel A as shown on the Plat of Survey recorded in Book 3 at Page 278, said point being on the southerly Right of Way line of County Road G4R as it is presently established; thence N68°24'59"E along said Right of Way line, a distance of 404.22 feet; thence N74°07'39"E along said Right of Way line, a distance of 301.50 feet; thence N70°27'44"E along said Right of Way line, a distance of 342.97 feet; thence S09°35'01"E, a distance of 663.50 feet; thence S31°27'15"E, a distance of 783.35 feet; thence S00°12'24"E, a distance of 927.36 feet; thence S81°55'15"W, a distance of 467.37 feet; thence N81°14'16"W, a distance of 345.22 feet to the east line of said Parcel A; thence N00°51'00"E along the east line of said Parcel A, a distance of 1032.14 feet; thence N38°33'39"W along the east line of said Parcel A, a distance of 1081.82 feet; thence N51°13'56"W along the east line of said Parcel A, a distance of 62.49 feet to the point of beginning.

Said tract of land being subject to and together with any and all easements and restrictions of record.

Said tract of land contains 40.43 Acres.

does hereby state that currently there is an existing "lawful fence" around the Buck Haven Estates development; and that the developer and the owners of the land within the plat shall be responsible for the cost of ongoing maintenance of such fence. In the event the need arises for installation of additional "lawful fence" on any of the boundaries of the development, the developers and the owners of the land within the plat shall be responsible for the cost of installation and ongoing maintenance of such additional fencing.

I, as Manager and authorized representative of the developer, have full authority to execute this Affidavit.

Further Affiant sayeth naught.

DATED this 9th day of June, 2021.

BUCK HAVEN ESTATES, LLC
An Iowa limited liability company

Dean Quirk
By: Dean Quirk, Manager

This record was acknowledged before me on this 9th day of June, 2021
by Dean Quirk, as Manager of Buck Haven Estates, LLC.

Martha R Brady
Notary Public in and for the State of Iowa



**LAND DISTURBING ACTIVITIES
AFFIDAVIT**

STATE OF IOWA)
) ss:
COUNTY OF POLK)

Pursuant to Section 161A.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, I, Dean Quirk, as Manager of Buck Haven Estates, LLC (the "Company"), an Iowa limited liability company, being first duly sworn on oath, do solemnly swear to affirm that:

The Company does not plan to engage in land disturbing activities upon the following described real estate:

An irregular shaped parcel of land within Government Lot 3 south of the Highway, Government Lot 5 south of the Highway, and part of Government Lot 4, all in Section 30, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the most northerly corner of Parcel A as shown on the Plat of Survey recorded in Book 3 at Page 278, said point being on the southerly Right of Way line of County Road G4R as it is presently established; thence N68°24'59"E along said Right of Way line, a distance of 404.22 feet; thence N74°07'39"E along said Right of Way line, a distance of 301.50 feet; thence N70°27'44"E along said Right of Way line, a distance of 342.97 feet; thence S09°35'01"E, a distance of 663.50 feet; thence S31°27'15"E, a distance of 783.35 feet; thence S00°12'24"E, a distance of 927.36 feet; thence S81°55'15"W, a distance of 467.37 feet; thence N81°14'16"W, a distance of 345.22 feet to the east line of said Parcel A; thence N00°51'00"E along the east line of said Parcel A, a distance of 1032.14 feet; thence N38°33'39"W along the east line of said Parcel A, a distance of 1081.82 feet; thence N51°13'56"W along the east line of said Parcel A, a distance of 62.49 feet to the point of beginning.

Said tract of land being subject to and together with any and all easements and restrictions of record.

Said tract of land contains 40.43 Acres.

As owner or occupant of the land described above, the Company is aware that it 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.

The Company is 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 ensure compliance with the soil loss limit regulations.

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

I, as Manager and authorized representative of the Company, have full authority to enter into this agreement.

Further Affiant sayeth naught.

DATED this 19th day of May, 2021.

BUCK HAVEN ESTATES, LLC
An Iowa limited liability company

Dean Quirk
By: Dean Quirk, Manager

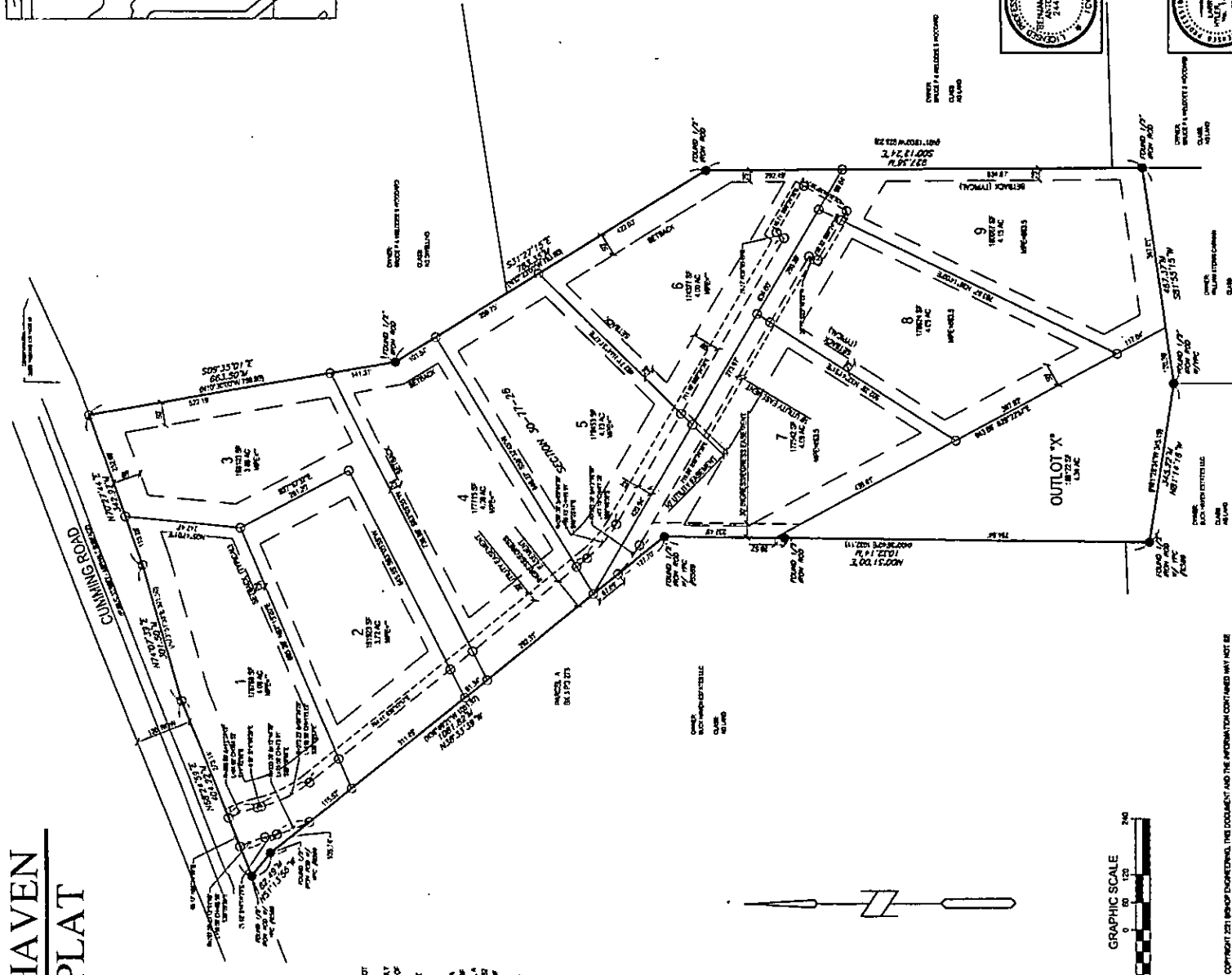
This record was acknowledged before me on this 19th day of May, 2021
by Dean Quirk, as Manager of Buck Haven Estates, LLC.



Martha R. Brady
Notary Public in and for the State of Iowa

BUCK HAVEN FINAL PLAT

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[illegible]

PIADISON COUNTY IOWA

BUCK HAVEN
MADISON COUNTY, IOWA

[illegible]

I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME
OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DAILY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA

SIGNED: Brian Clark DATE: 7-6-2021 MPFE ONLY

BRIAN M. CLARK, P.E. 71442
LICENSE EXPIRATION DATE: DEC. 31, 2021
PAGES OR SHEETS COVERED BY THIS SEAL:



HERBERT COUNTRY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY 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.

SIGNED: Walter D. Meyer DATED: 7-7-2011
WALTER D. MEYER P.L.S. 1473

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