



Document 2023 2438

Book 2023 Page 2438 Type 06 044 Pages 30

Date 10/03/2023 Time 1:38:01PM

Rec Amt \$152.00 Aud Amt \$5.00

INDX

ANNO

SCAN

BRANDY MACUMBER, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

Type of Document

Quinn's Gate Subdivision

PREPARER INFORMATION:

Zoning Office for TBI Enterprises LLC, Isaac Tessmer, 515-290-3023

Contact: Adam Doll, attorney for TBI Enterprises LLC, 515-993-4545

TAXPAYER INFORMATION:

TBI Enterprises LLC

1968 105th St.

Earlham, IA 50072

RETURN DOCUMENT TO:

TBI Enterprises LLC

1968 105th St.

Earlham, IA 50072

Or

Hopkins & Huebner, P.C.

C/O Adam Doll

1009 Main St.

Adel, IA 50003

GRANTOR:

GRANTEE:

**PLAT AND CERTIFICATE
FOR
QUINN'S GATE SUBDIVISION**

I, Ryan Hobart, 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 Quinn's Gate Subdivision; and, that the real estate comprising said plat is described as follows:

Commencing at a point 658.94 feet west of the Northeast corner of the Southwest Quarter (1/4) of section Twenty-three (23), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and on the North line thereof, thence continuing North 89°46' West 656.06 feet to the Northwest corner of the Northeast quarter (1/4) of the Southwest Quarter (1/4) of said Section Twenty-three (23), thence South 1,329.75 feet to the Southwest corner of Said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 89°55' East 656.06 feet along the South line of Said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 1,326.13 feet to the point of beginning, containing 20 acres including 0.717 acres of County Road Right-of-Way; and

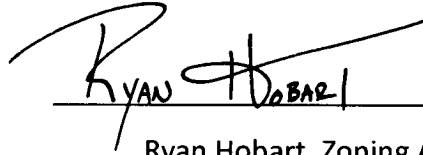
Parcel "D" in the East Half of the Southwest Quarter (E ½ SW ¼) of Section 23, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa (Plat of Survey recorded in Book 2023 Page 1892)

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

- 1) Dedication of Plat of Quinn's Gate Subdivision;
- 2) Attorney's Opinion;
- 3) Certificate of Treasurer;
- 4) Auditor's Approval;
- 5) Ground Water Hazard Statement;
- 6) Agreement with County Engineer;
- 7) Land Disturbing Activity;
- 8) Resolution of Board of Supervisors;
- 9) Fence Affidavit;

All of which are duly certified in accordance with the Madison County Subdivision Ordinances.

Dated this 8TH day of SEPTEMBER, 2023.




Ryan Hobart, Zoning Administrator

STATE OF IOWA, MADISON COUNTY, ss:

On this 8th day of September, 2023, before me, the undersigned, a Notary Public in and for the said State, personally appeared, Ryan Hobart, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.





Notary Public in and for the State of Iowa

Prepared by: Adam Doll, 1009 Main, Adel, IA 50003; (515) 993-4545

CONSENT TO PLAT – OWNER

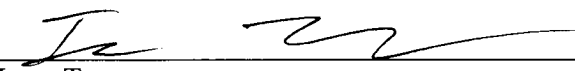
The undersigned, TBI Enterprises, LLC, is the owner and titleholder of the real estate covered by the plat which is attached hereto, which property is described as follows:

A tract of land described as follows, to-wit: Commencing at a point 658.94 feet West of the Northeast corner of the Southwest Quarter (1/4) of section Twenty-three (23), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and on the North line thereof, thence continuing North 89°46' West 656.06 feet to the Northwest corner of the Northeast Quarter (1/4) of the Southwest Quarter (1/4) of said Section Twenty-three (23), thence South 1,329.75 feet to the Southwest corner of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 89°55' East 656.06 feet along the south line of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 1,326.13 feet to the point of beginning, containing 20 acres including 0.717 acres of County Road Right-of-Way; and

Parcel "D" of the Northeast Quarter of the Southwest Quarter (NE ¼ SW ¼) of Section 23, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa (Plat of Survey recorded in Book 2023 Page 1892)

The platting of the real estate as shown on the attached plat, an Official Plat in Madison County, Iowa is made with a free consent and in accordance with the desires of TBI Enterprises, LLC and that the final plat shall be known as Quinn's Gate, an Official Plat in Madison County, Iowa.

DATED this 23 day of August, 2023.

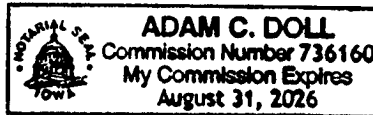
By: 
Isaac Tessmer

STATE OF IOWA, COUNTY OF Dallas, ss,

On this 23rd day of August, 2023, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Isaac Tessmer

AD

Notary Public in and for the State of Iowa



Prepared by: Adam Doll, 1009 Main, Adel, IA 50003; (515) 993-4545

ATTORNEY'S TITLE OPINION

STATE OF IOWA)
) ss:
COUNTY OF DALLAS)

At your request, we have examined the abstract of title prepared by Midwest Community Title Iowa, showing a continuation of entries from root of title to March 9, 2023 at 8:22 a.m., and abstract of title prepared by Madison County Abstract Company showing a continuation of entries from root of title to August 2, 2023 at 8:00 a.m. relating to the following described real property

A tract of land described as follows, to-wit: Commencing at a point 658.94 feet West of the Northeast corner of the Southwest Quarter (1/4) of section Twenty-three (23), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and on the North line thereof, thence continuing North 89°46' West 656.06 feet to the Northwest corner of the Northeast Quarter (1/4) of the Southwest Quarter (1/4) of said Section Twenty-three (23), thence South 1,329.75 feet to the Southwest corner of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 89°55' East 656.06 feet along the south line of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 1,326.13 feet to the point of beginning, containing 20 acres including 0.717 acres of County Road Right-of-Way; and

Parcel "D" in the East Half of the Southwest Quarter (E ½ SW ¼) of Section 23, Township 77 North, Range 28 West of the 5th P.M, Madison County, Iowa (Plat of Survey recorded in Book 2023 Page 1892)

TBI Enterprises, LLC is the owner of the above real estate and there are no mortgages or encumbrances on the real estate.

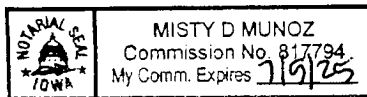
The Final Plat to be known as Quinn's Gate is completely within the parcels legally described above. The legal description of Quinn's Gate is as shown above and will consist of parcels known as Lots 1, 2, 3 and Outlot A.

Dated this 28th day of August, 2023.

ADH
Adam Doll

STATE OF IOWA, DALLAS COUNTY, ss:

On this 28th day of August 2023, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Adam Doll, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.



[Signature]
Notary Public in and for said County and State

LAW OFFICES OF
**HOPKINS
& HUEBNER, P.C.**

Des Moines Office
2700 Grand Avenue, Suite 111
Des Moines, Iowa 50312-5215
Phone: 515-244-0111
Fax: 515-244-8935

E. J. Giovannetti
Jeff H. Jeffries
R. Ronald Pogge ◦
Lorraine J. May
E. J. Kelly +
Jeff M. Margolin *
Matthew A. Grotnes
Jane V. Lorentzen
Barbara A. Hering
Aryl M. DeLange
Brent L. Hinders
Jeffrey D. Ewoldt
Robin G. Maxon #
Chandler M. Surrency #
Eric M. Updegraff
Alex E. Grasso
Jessica A. Eglseder
Alex S. Dornacker
Adam L. Kiel
James J. Theobald

Quad Cities Office
Northwest Bank Tower
100 E. Kimberly Road, Suite 400
Davenport, Iowa 52806-5943
Phone: 563-445-2264
Fax: 563-445-2267

M. Anne McAtee *
Michael C. Walker *
Glenn F. Ruud*
Paul L. Macek
Amanda R. Motto*
Kylie K. Franklin*

Adel Office
1009 Main Street
Adel, Iowa 50003-1454
Phone: 515-993-4545
Fax: 515-993-5214

James E. Van Werden
Adam Doll
Edward S. Fishman

Terrence A. Hopkins (Retired)
Fred D. Huebner (1919-1996)

* Also admitted in Illinois
+ Also admitted in Nebraska
◦ Also admitted in Arizona
Also admitted in Kansas

www.hhlawpc.com

August 28, 2023

TBI Enterprises, LLC
Attn: Isaac Tessmer
1968 105th Street
Earlham, IA 50072

Ryan Hobart
Madison County Planning & Zoning
201 West Court
Winterset, IA 50273

RE: Preliminary Title Opinion
Buyer: TBI Enterprises, LLC
Property Address: 1362 Hogback Bridge Road, Earlham, IA 50072
Our file: 17253-2

Dear Mr. Tessmer and Mr. Hobart:

At your request, we have examined the abstract of title prepared by Midwest Community Title Iowa, showing a continuation of entries from root of title to August 23, 2023 at 5:00 p.m., relating to the following described real property:

A tract of land described as follows, to-wit: Commencing at a point 658.94 feet West of the Northeast corner of the Southwest Quarter (1/4) of section Twenty-three (23), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and on the North line thereof, thence continuing North 89°46' West 656.06 feet to the Northwest corner of the Northeast Quarter (1/4) of the Southwest Quarter (1/4) of said Section Twenty-three (23), thence South 1,329.75 feet to the Southwest corner of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 89°55' East 656.06 feet along the south line of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 1,326.13 feet to the point of beginning, containing 20 acres including 0.717 acres of County Road Right-of-Way; and

Abstract of title prepared by Madison County Abstract Company showing a continuation of entries from root of title to August 2, 2023 at 8:00 a.m. relating to the following described real property:

Parcel "D" in the East Half (E ½) of the Southwest Quarter (SW ¼) of Section Twenty-three (23), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.

As of the last date and time, we find from our examination that record title to the property described above is in the name of:

TBI Enterprises, LLC, an Iowa limited liability company,

subject to the following specific objections and the general objections as set forth on Exhibit "A" attached hereto and incorporated herein:

1. **ZONING:** Entry No. 214 of the Madison County Abstract shows the property under examination is subject to the zoning ordinances of Madison County. **Said zoning regulations should be consulted to determine their effect upon any intended use of the subject property.**

2. **TAXES:** Entry No. 215 of the Madison County Abstract shows taxes for fiscal year 2021-2022 (payable in 2022-2023) as follows:

Parcel No. 200032362010000 (E1/2 NE SW) first installment of \$220.00 paid and second installment of \$220.00 paid.

Entry No. 3 of the Midwest Community Title Iowa Abstract shows taxes for fiscal year 2021-2022 (payable in 2022-2023) Parcel No. 200032362020000 as first installment of \$945.00 paid and second installment of \$945.00 paid.

3. **SEARCHES:** The abstract reflects searches as to William Ely and LeAnn Ely, Kenneith R. Young and Florence E. Young, Trustees of the Young Family Revocable Living trust dated March 27, 2006, Carl and Sara Tessmer and reports nothing as to same.

You are hereby advised that this opinion is prepared pursuant to Sections 614.26 to 614.28 of the 2007 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.

The purchaser of real estate is required to take notice of and to protect against certain matters affecting property that can be observed from an ordinary, careful examination of the property itself and which may not be determined from the abstract. **Therefore, any questions that may exist as to the property should be raised prior to closing.**

This preliminary title opinion is directed only to the addressees herein and solely for the addressees' use and purposes. **No other parties are entitled to rely thereon.**

This is a preliminary opinion based on an abstract continued to the date shown above. Between that date and the date of closing, the transaction for which this opinion is prepared, matters may appear of record which adversely affect the title to the real estate. **Before closing, you must verify through an abstractor the current status of the title.**

We request that any objections and requirements in this title opinion to be corrected and furnished to this examiner with the abstract for further examination before you close your transaction.

When the objections have been met, the abstract should be continued in final certified, typewritten form, and returned to our office for re-examination and approval.

TBI Enterprises, LLC

Page 3

August 28, 2023

Respectfully submitted,

HOPKINS & HUEBNER, P.C.

A handwritten signature in black ink, appearing to read 'AD' or 'ADM'.

Adam Doll

Adel Office

Direct dial: 515-697-4282

Direct fax: 515-993-5214

Email: adoll@hhlawpc.com

Iowa Title Guaranty Member

No. 10079

EXHIBIT "A" TO PRELIMINARY TITLE OPINION

The following provisions supplement and are fully incorporated in the title opinion to which this exhibit is attached:

1. **COVENANTS AND RESTRICTIONS:** When property is platted, as is the case herein, there may be placed of record covenants dealing with the use of the land and on some occasions to the rights and obligations of owners to belong to and support a property owners' association. **You should obtain from the seller a copy of any such restrictions and/or covenants which affect the subject property. These should be reviewed carefully to determine their effect on any intended use of the property.**

2. **MECHANIC'S LIENS:** You should ascertain whether or not unpaid claims for material and/or labor devoted to the improvement of this property have been performed within the last 90 days. Liens for such claims may be filed within 90 days after completion of the work or supply of the material, may exist without being placed of record so as to show in the Abstract, and may take priority as of the date the work was first undertaken or the materials first provided, rather than the date said lien was filed. **Accordingly, you should require that the seller provide you with an Affidavit stating that no improvements have been made to the subject property which could result in the filing of a Mechanic's Lien or the assertion of any claim thereon subsequent to the date of closing.**

3. **PLATS AND BOUNDARIES:** No survey has been furnished. An accurate survey may show encroachments, overlappings, or shortages not shown in the abstract. Accordingly, the correctness of lot area and boundary lines is not assured by this opinion. The existence of buildings, fences, driveways or other uses may encroach upon the boundaries of the property, and you should satisfy yourself that the boundaries are well-marked and not in dispute and that the description contained in this abstract corresponds with the description of the property in which you intend to acquire an interest. **In order to ascertain the correctness of lot area, boundary lines and access, it is necessary to have the property surveyed by a qualified engineer.**

4. **SPECIAL ASSESSMENTS:** The abstractor makes searches for liens for special improvements only in the county auditor's office and there is a possibility that a lien for special improvement by a governmental entity could exist but not have been spread upon the auditor's books at the time of the preliminary update of this abstract. **You should satisfy yourself that there are no such recent improvements of this nature.**

5. **LIENS FOR CHARGES FOR MUNICIPAL SERVICES:** The abstract does not report liens for services provided by a City or County, such as sewage disposal or other charges for services, until they are certified to the county treasurer. However, charges for the above services which are not paid when due constitute a lien against the property. **You should satisfy yourself that such charges have been paid in full through the date of closing.**

6. **ENVIRONMENTAL MATTERS:** The abstract of title does not disclose the existence of environmental deficiencies such as hazardous wastes, underground storage tanks, wells, solid waste, asbestos, or radon gas. You are cautioned that federal, state and local legislation may, in the event there are environmental and/or public health violations, permit injunctive relief and require "clean-up," such as removal and remedial actions. The cost of such "clean-up" may be a lien against the property and a personal liability. You may have liability by virtue of your ownership of the property even though you may not have been

responsible for the deficiency. **You should obtain an environmental audit of the subject property prior to closing.**

7. **BANKRUPTCIES:** Bankruptcy proceedings, in many cases, do not appear of record as to real property. **If you have any reason to believe that there may have been or is currently a bankruptcy proceeding, you must require documentation as to said bankruptcy to insure the absence of claims arising therefrom which may affect the persons or property involved in this transaction.**

8. **PARTIES IN POSSESSION:** Parties in possession, if other than the titleholder(s), may have rights of which you must take notice, and said rights are not shown in the abstract. **You should assure yourself that there are no persons in possession other than the titleholder(s) that will, may, have or are asserting rights against the subject property.**

Prepared by: Adam Doll, 1009 Main, Adel, IA 50003; (515) 993-4545

TREASURER'S CERTIFICATE

STATE OF IOWA)
) ss:
COUNTY OF MADISON)

I, Amanda DeVos, being first duly sworn on oath, do hereby certify that I am the duly elected, qualified and acting County Treasurer of the County of Madison, State of Iowa, and that as such I have in my possession, or have access to, the complete property tax records and special assessment records of Madison County, including all property tax and special assessment records relating to the property described as:

A tract of land described as follows, to-wit: Commencing at a point 658.94 feet West of the Northeast corner of the Southwest Quarter (1/4) of section Twenty-three (23), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and on the North line thereof, thence continuing North 89°46' West 656.06 feet to the Northwest corner of the Northeast Quarter (1/4) of the Southwest Quarter (1/4) of said Section Twenty-three (23), thence South 1,329.75 feet to the Southwest corner of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 89°55' East 656.06 feet along the south line of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 1,326.13 feet to the point of beginning, containing 20 acres including 0.717 acres of County Road Right-of-Way; and

Parcel "D" of the Northeast Quarter of the Southwest Quarter (NE ¼ SW ¼) of Section 23, Township 77 North, Range 28 West of the 5th P.M, Madison County, Iowa (Plat of Survey recorded in Book 2023 Page 1892)

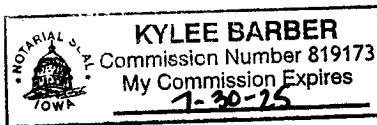
I further certify that the above-described property is free from certified taxes and is free from certified special assessments.

Dated this 30 day of August, 2023.


Amanda DeVos

STATE OF IOWA, MADISON COUNTY, ss:

On this 30th day of August, 2023, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Amanda DeVos, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.



Kylee Barber
Notary Public in and for said County and State

Prepared by: Adam Doll, 1009 Main, Adel, IA 50003; (515) 993-4545

AUDITOR'S CERTIFICATE

STATE OF IOWA)
) ss:
COUNTY OF MADISON)

I, Shelley D. Kaster, being first duly sworn on oath, do hereby certify that I am the duly elected, qualified and acting County Auditor of the County of Madison, State of Iowa.

The following parcels are owned by TBI Enterprises, LLC

A tract of land described as follows, to-wit: Commencing at a point 658.94 feet West of the Northeast corner of the Southwest Quarter (1/4) of section Twenty-three (23), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and on the North line thereof, thence continuing North 89°46' West 656.06 feet to the Northwest corner of the Northeast Quarter (1/4) of the Southwest Quarter (1/4) of said Section Twenty-three (23), thence South 1,329.75 feet to the Southwest corner of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 89°55' East 656.06 feet along the south line of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 1,326.13 feet to the point of beginning, containing 20 acres including 0.717 acres of County Road Right-of-Way; and

Parcel "D" of the Northeast Quarter of the Southwest Quarter (NE ¼ SW ¼) of Section 23, Township 77 North, Range 28 West of the 5th P.M, Madison County, Iowa (Plat of Survey recorded in Book 2023 Page 1892)

TBI Enterprises, LLC filed in the Office of the Recorder of Madison County, Iowa a plat of real estate owned by them and of the real estate described above.

Now, therefore, I Shelley D. Kaster, Auditor of Madison County, Iowa do hereby certify that the said plat shall be known as Quinn's Gate, an Official Plat in Madison County, Iowa, and

said plat, including the certificate shall thereby be filed with the Recorder of Madison County, Iowa.


Shelley D. Kaster

STATE OF IOWA, MADISON COUNTY, ss:

On this 25 day of August, 2023, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Shelley D. Kaster, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.



 
Notary Public in and for said County and State

AGREEMENT

This Agreement made and entered into by and between the proprietor of Quinn's Gate, TBI Enterprises, LLC, and Mike Hackett, Madison County Engineer.

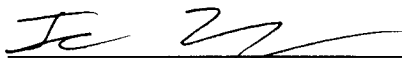
NOW THEREFORE IT IS AGREED AS FOLLOWS:

1. The Proprietor of Quinn's Gate, a Plat of the following described real estate:

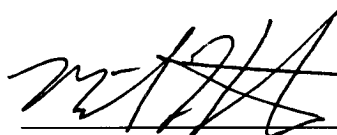
A tract of land described as follows, to-wit: Commencing at a point 658.94 feet West of the Northeast corner of the Southwest Quarter (1/4) of section Twenty-three (23), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and on the North line thereof, thence continuing North 89°46' West 656.06 feet to the Northwest corner of the Northeast Quarter (1/4) of the Southwest Quarter (1/4) of said Section Twenty-three (23), thence South 1,329.75 feet to the Southwest corner of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 89°55' East 656.06 feet along the south line of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 1,326.13 feet to the point of beginning, containing 20 acres including 0.717 acres of County Road Right-of-Way; and

Parcel "D" of the Northeast Quarter of the Southwest Quarter (NE ¼ SW ¼) of Section 23, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa (Plat of Survey recorded in Book 2023 Page 1892)

hereby agree that all private roads located within Quinn's Gate are private roads and are not being dedicated to Madison County, Iowa. Said Proprietor consents and agrees that such roads shall not be maintained in any manner by Madison County, Iowa, or the Madison County Engineer's Department.



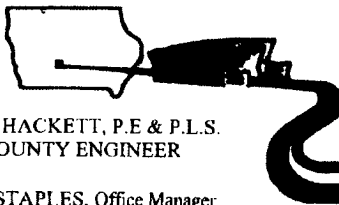
TBI Enterprises, LLC, by Isaac
Tessmer as its Manager



Mike Hackett, Madison County Engineer

Date: Aug. 23, 2023

Date: 8/24/2023



MADISON COUNTY SECONDARY ROAD DEPARTMENT

1105 E. COURT AVE.

WINTERSET, IOWA 50273

Phone: (515)-462-1136 / Fax: (515)-462-2506 / Email: secondaryroads@madisoncounty.iowa.gov

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

KERRY STAPLES, Office Manager
JOSH JOHNSTON, Maintenance Superintendent

September 7, 2023

Permit No. 23-052 - 055
W.O. 15407 - 15410
County: Madison
Township: Madison
Section: 23

TBI Enterprises, LLC
c/o Isaac Tessmer
P.O. Box 486
Earlham, IA 50072

Subject: Approval of Access Permit

Attached is the reviewed Application for Field Entrance or Driveway for Quinn's Gate Subdivision on Hogback Bridge Rd. Please see the attached Construction Provisions, the Site Plan and Centerline Profile for more information on the permits listed above.

The entrances are designated for the specified lot or lots in your Subdivision. The entrances have been reviewed and meet the Field Entrance and Residential Driveway Policy for Madison County. The entrances/driveways will become the entrances of record for Quinn's Gate Subdivision, and any additional entrances/driveways for lots in this subdivision will not be allowed.

Please include and reference the above Entrance Permit Numbers 23-052 to 055 - W.O. 15407 to 15410, with the submittals for approval through the Zoning Office.

The existing entrance south of the other proposed entrances has an existing permit (23-011 - WO 14496). The exiting entrance can be used for the field entrance. I have attached a copy of the permit of the existing entrance for your information.

We will be measuring and inspecting the entrances on one (1) day only each week. I would recommend that you call before any rock is put on the driveways and before your contractor leaves the job site.

Please contact Cory Scott in this office at 515-462-1136, ext. 1008, to discuss any questions you have regarding this application or the above comments. Thank you.

Sincerely,

MIKE HACKETT, P.E. & P.L.S.
Madison County Engineer

MH: keh
Enclosures

RECEIVEDMADISON COUNTY
SECONDARY ROAD DEPARTMENT**FIELD ENTRANCE OR DRIVEWAY
PERMIT APPLICATION**

AUG 24 2023

1105 East Court Ave.
Winterset, IA 50273

Permit No.

W.O. No.

FOR DEPARTMENT USE ONLY

**COUNTY ENGINEER
MADISON COUNTY, IOWA**

Office: (515) 462-1136 / Fax: (515) 462-2506 / Email: secondaryroads@madisoncounty.iowa.gov

1. Applicant Information

7/1/2023

Property Owner Name: <i>TBI Enterprises LLC</i>			Property Parcel ID Number:		
Mailing Address: <i>PO Box 486</i>			Email Address: <i>isaac@tbienterprises.com</i>		
City: <i>Eurham</i>	State: <i>IA</i>	Zip Code: <i>50172</i>	Telephone: <i>515-290-3023</i>		
Ownership Status: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Renter <input type="checkbox"/> Plan to Purchase <input type="checkbox"/> Other:					

2. Entrance Location

Name of Township: <i>Madison</i>	Section: <i>23</i>	Township: <i>77</i> -N	Range: <i>28</i> -W
Road/Street Name Location: <i>1362 Haybuck Rd.</i>		Y/Lat.: -N	X/Long.: -W
Entrance Location Description: <i>North property corner (Lot 1)</i>			
Proposed New Entrance: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Existing Entrance Widening: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Does this property have an existing entrance? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Is this property within a subdivision or will this property become part of a subdivision? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			

3. Entrance Details

Purpose of Entrance: <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Agricultural <input type="checkbox"/> Commercial <input type="checkbox"/> Subdivision			
New Entrance Top Width: _____ ft.	Existing Width: _____ ft.	Existing Widening Top Width: _____ ft.	
Contractor Information / Name: <i>TBD</i>		Surfacing of Entrance: <input type="checkbox"/> Pavement <input checked="" type="checkbox"/> Rock	
Mailing Address:		Email Address:	
City:	State:	Zip Code:	Telephone:

FOR DEPARTMENT USE ONLY

4. Entrance Review

Reviewed By:

Date:

Approved Location:

☐ YES☐ NO

Site Distance: <input type="checkbox"/> N <input type="checkbox"/> E _____ ft.	<input type="checkbox"/> S <input type="checkbox"/> W _____ ft.	Paved Route: _____	V.P.D.: _____
Drainage Area: _____ Acres	Stream Slope: _____ ft./mi.	Ditch Depth: _____ ft.	Surfacing: _____ tons _____ in.
Cover Over Culvert: _____ ft.	Culvert Thickness: _____ ga.	Top Width: _____ ft.	Side Slopes _____ :1
Non-Spiral Corrugated Metal Culvert Size: _____ in.		Culvert Length: _____ ft.	Safety Aprons: _____
Survey Notes:			
Construction Provisions/Requirements:			

5. Signature

Acceptance of Conditions: I have read and understand the provisions of the Madison County Field Entrance and Driveway Policy.

Entrance Widths

Residential	24' min. / 30' max.
Agricultural	18' min. / 30' max.
Commercial	24' min. / 30' max.

IC 22
Property Owner (applicant)*8-24-2023*
Date

FOR DEPARTMENT USE ONLY

Application Approved

Date

Construction Inspection Approved

Date

FIELD ENTRANCE OR DRIVEWAY
PERMIT APPLICATION

1105 East Court Ave.

Winterset, IA 50273

Office: (515) 462-1136 / Fax: (515) 462-2506 / Email: secondaryroads@madisoncounty.iowa.gov

Permit No.

W.O. No.

FOR DEPARTMENT USE ONLY

1. Applicant Information

7/1/2023

Property Owner Name: <u>181 Enterprises LLC</u>		Property Parcel ID Number:	
Mailing Address: <u>PO Box 486</u>		Email Address: <u>isaac@181enterprises.com</u>	
City: <u>Eurham</u>	State: <u>IA</u>	Zip Code: <u>50172</u>	Telephone: <u>515-290-3023</u>
Ownership Status: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Renter <input type="checkbox"/> Plan to Purchase <input type="checkbox"/> Other:			

2. Entrance Location

Name of Township: <u>Madison</u>	Section: <u>23</u>	Township: <u>77</u> -N	Range: <u>28</u> -W
Road/Street Name Location: <u>1362 Haystack Rd.</u>		Y/Lat.: -N	X/Long.: -W
Entrance Location Description: <u>North Middle (L + 2)</u>			
Proposed New Entrance: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Existing Entrance Widening: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Does this property have an existing entrance? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<u>field entrance</u>	
Is this property within a subdivision or will this property become part of a subdivision?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

3. Entrance Details

Purpose of Entrance: <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Agricultural <input type="checkbox"/> Commercial <input type="checkbox"/> Subdivision			
New Entrance Top Width: _____ ft.	Existing Width: _____ ft.	Existing Widening Top Width: _____ ft.	
Contractor Information / Name: <u>TBD</u>		Surfacing of Entrance: <input type="checkbox"/> Pavement <input checked="" type="checkbox"/> Rock	
Mailing Address:		Email Address:	
City:	State:	Zip Code:	Telephone:

FOR DEPARTMENT USE ONLY

4. Entrance Review

Reviewed By:

Date:

Approved Location:

☐ YES☐ NO

Site Distance: <input type="checkbox"/> N <input type="checkbox"/> E _____ ft.	<input type="checkbox"/> S <input type="checkbox"/> W _____ ft.	Paved Route: _____	V.P.D.: _____
Drainage Area: _____ Acres	Stream Slope: _____ ft./mi.	Ditch Depth: _____ ft.	Surfacing: _____ tons _____ in.
Cover Over Culvert: _____ ft.	Culvert Thickness: _____ ga.	Top Width: _____ ft.	Side Slopes _____ :1
Non-Spiral Corrugated Metal Culvert Size: _____ in.		Culvert Length: _____ ft.	Safety Aprons: _____
Survey Notes:			
Construction Provisions/Requirements:			

5. Signature

Acceptance of Conditions: I have read and understand the provisions of the Madison County Field Entrance and Driveway Policy.

Entrance Widths

Residential	24' min. / 30' max.
Agricultural	18' min. / 30' max.
Commercial	24' min. / 30' max.

Property Owner (applicant)

8-24-2023

Date

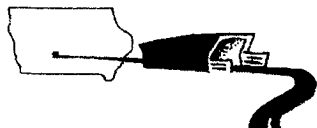
FOR DEPARTMENT USE ONLY

Application Approved

Date

Construction Inspection Approved

Date

FIELD ENTRANCE OR DRIVEWAY
PERMIT APPLICATION

1105 East Court Ave.

Winterset, IA 50273

Permit No.

W.O. No.

FOR DEPARTMENT USE ONLY

Office: (515) 462-1136 / Fax: (515) 462-2506 / Email: secondaryroads@madisoncounty.iowa.gov

1. Applicant Information

7/1/2023

Property Owner Name: <u>IBI Enterprises LLC</u>		Property Parcel ID Number:	
Mailing Address: <u>PO Box 486</u>		Email Address: <u>isaac@ibienterprises.com</u>	
City: <u>Eurham</u>	State: <u>IA</u>	Zip Code: <u>50172</u>	Telephone: <u>515-290-3023</u>
Ownership Status: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Renter <input type="checkbox"/> Plan to Purchase <input type="checkbox"/> Other:			

2. Entrance Location

Name of Township: <u>Madison</u>	Section: <u>23</u>	Township: <u>77</u> -N	Range: <u>28</u> -W
Road/Street Name Location: <u>1362 Hogback Rd.</u>		Y/Lat.: -N	X/Long.: -W
Entrance Location Description: <u>Existing house Drive (Lot 3)</u>			
Proposed New Entrance: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Existing Entrance Widening: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Does this property have an existing entrance? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Is this property within a subdivision or will this property become part of a subdivision? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			

3. Entrance Details

Purpose of Entrance: <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Agricultural <input type="checkbox"/> Commercial <input type="checkbox"/> Subdivision			
New Entrance Top Width: _____ ft.	Existing Width: _____ ft.	Existing Widening Top Width: _____ ft.	
Contractor Information / Name: <u>TBD</u>		Surfacing of Entrance: <input type="checkbox"/> Pavement <input checked="" type="checkbox"/> Rock	
Mailing Address:		Email Address:	
City:	State:	Zip Code:	Telephone:

FOR DEPARTMENT USE ONLY

4. Entrance Review

Reviewed By:

Date:

Approved Location:

☐ YES☐ NO

Site Distance: <input type="checkbox"/> N <input type="checkbox"/> E _____ ft.	<input type="checkbox"/> S <input type="checkbox"/> W _____ ft.	Paved Route: _____	V.P.D.: _____
Drainage Area: _____ Acres	Stream Slope: _____ ft./mi.	Ditch Depth: _____ ft.	Surfacing: _____ tons _____ in.
Cover Over Culvert: _____ ft.	Culvert Thickness: _____ ga.	Top Width: _____ ft.	Side Slopes _____ :1
Non-Spiral Corrugated Metal Culvert Size: _____ in.	Culvert Length: _____ ft.	Safety Aprons: _____	
Survey Notes:			
Construction Provisions/Requirements:			

5. Signature

Acceptance of Conditions: I have read and understand the provisions of the Madison County Field Entrance and Driveway Policy.

Entrance Widths

Residential	24' min. / 30' max.
Agricultural	18' min. / 30' max.
Commercial	24' min. / 30' max.


Property Owner (applicant)8-24-2023
Date

FOR DEPARTMENT USE ONLY

Application Approved

Date

Construction Inspection Approved

Date

FIELD ENTRANCE OR DRIVEWAY PERMIT APPLICATION

1105 East Court Ave.
Winterset, IA 50273

Permit No.
W.O. No.
FOR DEPARTMENT USE ONLY

Office: (515) 462-1136 / Fax: (515) 462-2506 / Email: secondaryroads@madisoncounty.iowa.gov

1. Applicant Information

7/1/2023

Property Owner Name: <u>IBI Enterprises LLC</u>		Property Parcel ID Number:	
Mailing Address: <u>PO Box 486</u>		Email Address: <u>isaac@ibienterprises.com</u>	
City: <u>Eurham</u>	State: <u>IA</u>	Zip Code: <u>50172</u>	Telephone: <u>515-290-3023</u>
Ownership Status: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Renter <input type="checkbox"/> Plan to Purchase <input type="checkbox"/> Other:			

2. Entrance Location

Name of Township: <u>Madison</u>	Section: <u>23</u>	Township: <u>77</u> -N	Range: <u>28</u> -W
Road/Street Name Location: <u>1362 Haybuck Rd.</u>	Y/Lat.: -N	X/Long.: -W	
Entrance Location Description: <u>South existing Drive (outlot A) Easement</u>			
Proposed New Entrance: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Existing Entrance Widening: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Does this property have an existing entrance? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Is this property within a subdivision or will this property become part of a subdivision? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			

3. Entrance Details

Purpose of Entrance: <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Agricultural <input type="checkbox"/> Commercial <input type="checkbox"/> Subdivision			
New Entrance Top Width: _____ ft.	Existing Width: _____ ft.	Existing Widening Top Width: _____ ft.	
Contractor Information / Name: <u>TBD</u>		Surfacing of Entrance: <input type="checkbox"/> Pavement <input checked="" type="checkbox"/> Rock	
Mailing Address:		Email Address:	
City:	State:	Zip Code:	Telephone:

FOR DEPARTMENT USE ONLY

4. Entrance Review

Reviewed By: _____ Date: _____ Approved Location: ☐ YES ☐ NO

Site Distance: <input type="checkbox"/> N <input type="checkbox"/> E _____ ft.	<input type="checkbox"/> S <input type="checkbox"/> W _____ ft.	Paved Route: _____	V.P.D.: _____
Drainage Area: _____ Acres	Stream Slope: _____ ft./mi.	Ditch Depth: _____ ft.	Surfacing: _____ tons _____ in.
Cover Over Culvert: _____ ft.	Culvert Thickness: _____ ga.	Top Width: _____ ft.	Side Slopes _____ :1
Non-Spiral Corrugated Metal Culvert Size: _____ in.		Culvert Length: _____ ft.	Safety Aprons: _____
Survey Notes:			
Construction Provisions/Requirements:			

5. Signature

Acceptance of Conditions: I have read and understand the provisions of the Madison County Field Entrance and Driveway Policy.

Entrance Widths

Residential	24' min. / 30' max.
Agricultural	18' min. / 30' max.
Commercial	24' min. / 30' max.

[Signature] 6-24-2023
Property Owner (applicant) Date

FOR DEPARTMENT USE ONLY

Application Approved	Date	Construction Inspection Approved	Date
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LAND DISTURBING ACTIVITIES AFFIDAVIT

Pursuant to Iowa Code section 161A.64, 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 I make herein, I, Isaac Tessmer, Manager of TBI Enterprises, LLC, being first duly sworn under oath, do solemnly swear to affirm that:

TBI Enterprises, LLC plans to engage in land disturbing activities upon the following described real estate:

The land disturbing activity will occur on lands under my control, which lands are legally described as: A tract of land described as follows, to-wit: Commencing at a point 658.94 feet West of the Northeast corner of the Southwest Quarter (1/4) of section Twenty-three (23), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and on the North line thereof, thence continuing North 89°46' West 656.06 feet to the Northwest corner of the Northeast Quarter (1/4) of the Southwest Quarter (1/4) of said Section Twenty-three (23), thence South 1,329.75 feet to the Southwest corner of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 89°55' East 656.06 feet along the south line of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 1,326.13 feet to the point of beginning, containing 20 acres including 0.717 acres of County Road Right-of-Way; and

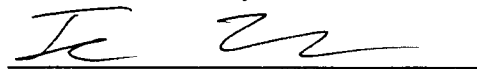
Parcel "D" of the Northeast Quarter of the Southwest Quarter (NE ¼ SW ¼) of Section 23, Township 77 North, Range 28 West of the 5th P.M, Madison County, Iowa (Plat of Survey recorded in Book 2023 Page 1892)

As owner or occupant of land described above, I am aware that I 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 Iowa Code section 161A.44.

I am aware that the soil loss limit regulations prohibit sediment from leaving the site in excess of five (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.


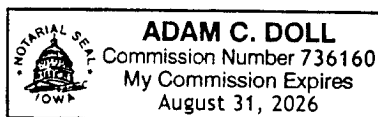
I assume responsibility for all land disturbing activities conducted on this property by us or other people or entitles I represent. This authority covers only the land and land disturbing activity described above.

I am the owner of the land and have full authority to enter into this agreement.



Isaac Tessmer, Manager of TBI Enterprises, LLC

Subscribed and sworn to before me by Isaac Tessmer, Manager of TBI Enterprises, LLC on this 23rd day of August, 2023.



Notary Public in and for State of Iowa

ZO-RESOLUTION- 09-26-23A

APPROVING FINAL PLAT

WHEREAS, there was filed in the Office of the Zoning Administrator of Madison County, Iowa, a registered and surveyor's plat of a proposed subdivision known as Quinn's Gate; and

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

A tract of land described as follows, to-wit: Commencing at a point 658.94 feet West of the Northeast corner of the Southwest Quarter (1/4) of section Twenty-three (23), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and on the North line thereof, thence continuing North 89°46' West 656.06 feet to the Northwest corner of the Northeast Quarter (1/4) of the Southwest Quarter (1/4) of said Section Twenty-three (23), thence South 1,329.75 feet to the Southwest corner of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 89°55' East 656.06 feet along the south line of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 1,326.13 feet to the point of beginning, containing 20 acres including 0.717 acres of County Road Right-of-Way; and

Parcel "D" of the Northeast Quarter of the Southwest Quarter (NE ¼ SW ¼) of Section 23, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa (Plat of Survey recorded in Book 2023 Page 1892)

WHEREAS, there was also filed with said plat a dedication of said plat containing a statement to the effect that the subdivision as it appears on the plat is with the free consent and in accordance with the desire of the proprietor, TBI Enterprises, LLC.

WHEREAS, said plat was accompanied by an opinion from an attorney at law showing that title is 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 Supervisors, Madison County, Iowa.


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

1. That said plat, known as Quinn's Gate, 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 26 day of September, 2023.

Madison County Board of Supervisors



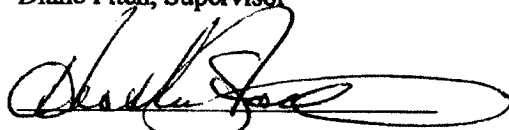
Phil Clifton, Supervisor, Chairman

☒ Aye ☐ Nay



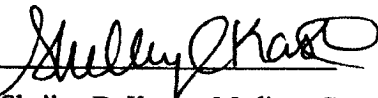
Diane Fitch, Supervisor

☒ Aye ☐ Nay



Heather Stancil, Supervisor

☒ Aye ☐ Nay

Attest: 

Shelley D. Kaster, Madison County Auditor

Prepared by: Adam Doll, 1009 Main Street, Adel, IA 50003 (515) 697-4282

Return to: Adam Doll, 1009 Main Street, Adel, IA 50003 (515) 697-4282

MADISON COUNTY FENCING REQUIREMENTS ACKNOWLEDGEMENT

Madison County Zoning Ordinance 51.09 "Fencing Requirements" requires that at the time of approval of the preliminary plat, the subdivider shall agree to be responsible for the construction and maintenance of a fence (to certain standards listed in 51.09(A)(a-f) on all land between the subdivision and any land adjoining the subdivision now owned by, or part of the subdivision.

I, Isaac Tessmer, Manager of TBI Enterprises, LLC, first being duly sworn on oath state that this Affidavit concerns the following described real estate:

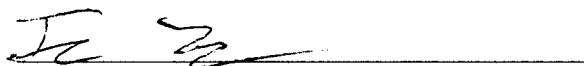
A tract of land described as follows, to-wit: Commencing at a point 658.94 feet West of the Northeast corner of the Southwest Quarter (1/4) of section Twenty-three (23), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and on the North line thereof, thence continuing North 89°46' West 656.06 feet to the Northwest corner of the Northeast Quarter (1/4) of the Southwest Quarter (1/4) of said Section Twenty-three (23), thence South 1,329.75 feet to the Southwest corner of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 89°55' East 656.06 feet along the south line of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 1,326.13 feet to the point of beginning, containing 20 acres including 0.717 acres of County Road Right-of-Way; and

Parcel "D" of the Northeast Quarter of the Southwest Quarter (NE ¼ SW ¼) of Section 23, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa (Plat of Survey recorded in Book 2023 Page 1892)

The undersigned agrees to be responsible for the construction and maintenance of such a fence on the real estate described above.

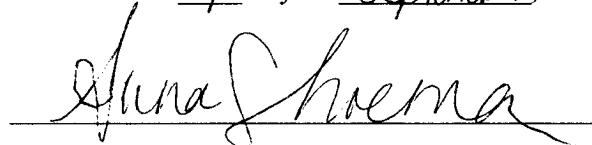
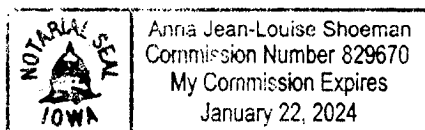
OR

The real estate described above already has compliant fencing already in place.



Isaac Tessmer, Manager of TBI Enterprises, LLC

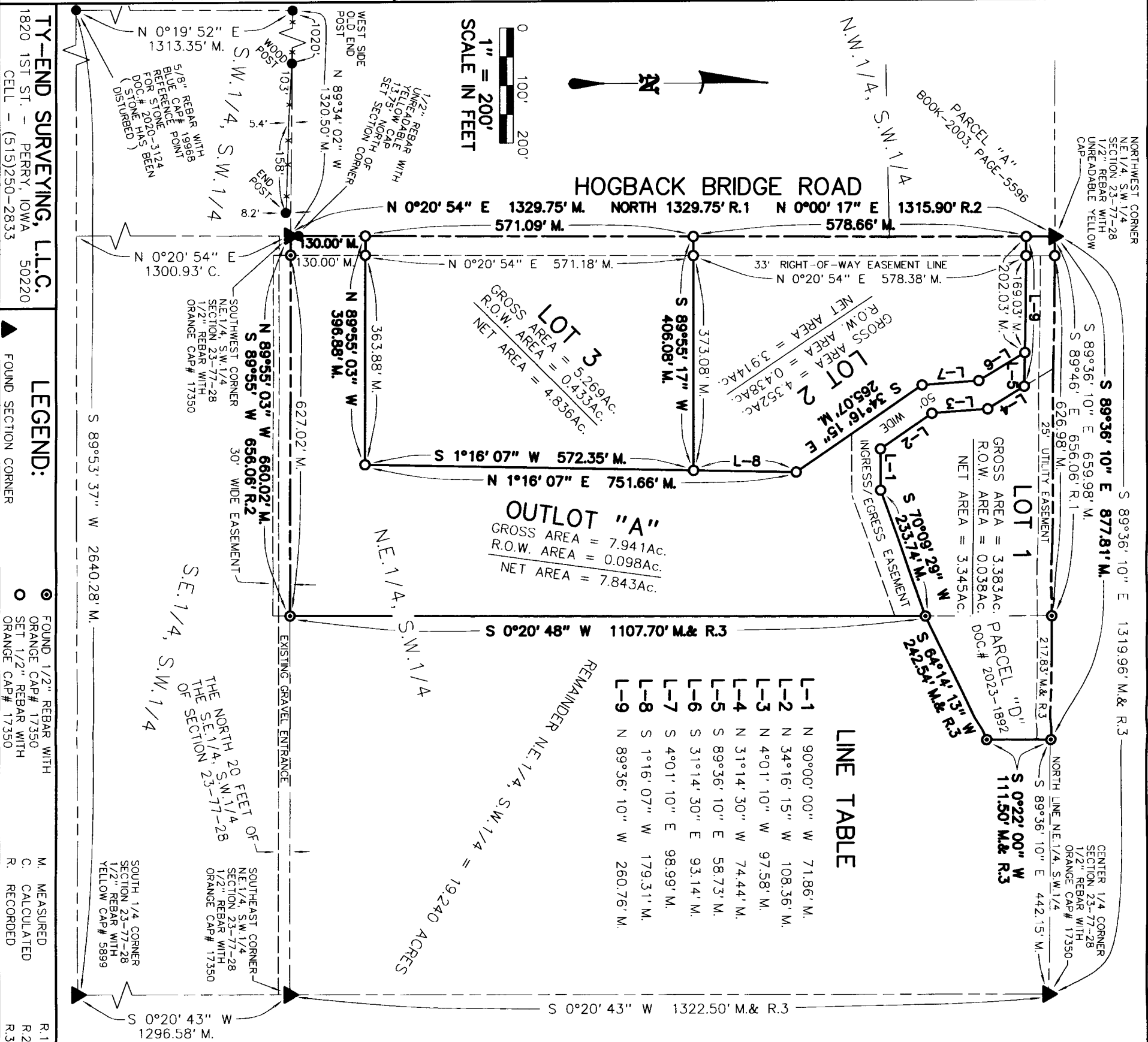
Subscribed and sworn to before me on this 4 day of September, 2023.



Notary Public in and for the State of Iowa

FINAL PLAT
LOCATION: A PART OF THE NORTHEAST 1/4 OF THE
SOUTHWEST 1/4 OF SECTION 23-77-28
MADISON COUNTY, IOWA.
OWNER: TBI ENTERPRISES, LLC
SURVEY FOR: TBI ENTERPRISES, LLC
SURVEYOR: TYRONE L. ENDERSON, P.L.S.# 17350
PREPARED BY: TY-END SURVEYING, L.L.C.
& RETURN TO: 1820 1ST ST., PERRY, IA. 50220
PHONE (515) 250-2833

Document 2023 2438
Book 2023 Page 2438 Type 06 044 Pages 30
Date 10/03/2023 Time 1:38:01PM
Rec Amt \$152.00 Aud Amt \$5.00
INDX
ANNO
SCAN
BRANDY MACUMBER, COUNTY RECORDER
MADISON COUNTY IOWA
CHEK

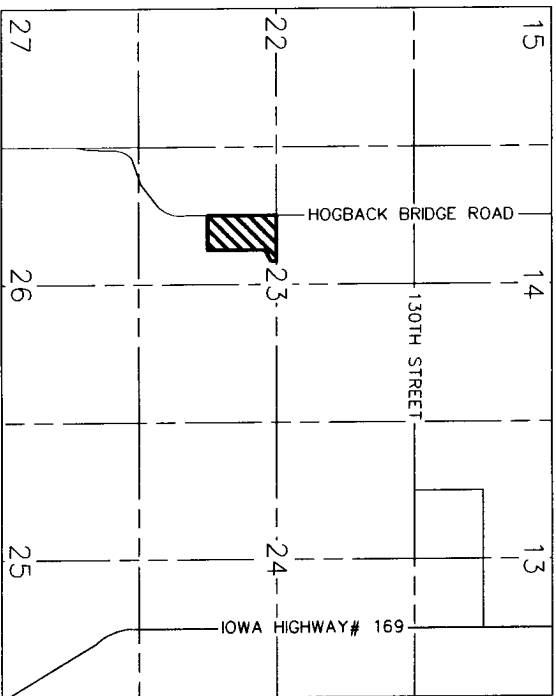


FINAL PLAT QUINN'S GATE

SURVEYED FOR OWNER/DEVELOPER:
TBI ENTERPRISES, LLC
1968 105TH STREET EARLHAM, IOWA 50072
CURRENT SITE ADDRESS:
1362 HOGBACK BRIDGE ROAD
EARLHAM, IOWA 50072
ZONED - AGRICULTURAL
SURVEYED: 5-20-23 - 8-23-23

SURVEYOR'S NOTE:

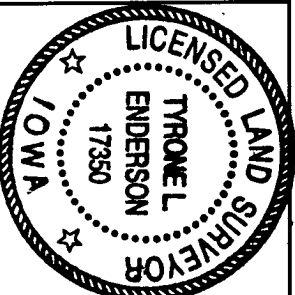
- 1) LEGAL DESCRIPTION AND ADDITIONAL SURVEYOR'S NOTES ARE ON PAGE 3/3.
- 2) ADDITIONAL SITE INFORMATION IS SHOWN ON PAGE 2/3.



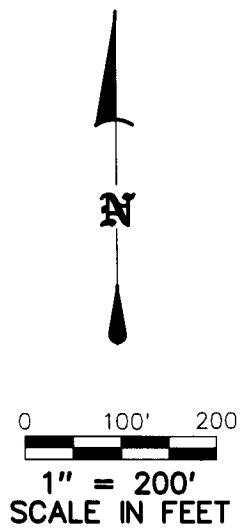
I HEREBY CERTIFY THAT THIS SURVEYING DOCUMENT
WAS PREPARED AND THE RELATED SURVEY WORK
WAS PERFORMED BY ME AND THAT I AM A DULY
LICENSED LAND SURVEYOR UNDER THE LAWS OF
THE STATE OF IOWA.

TYRONE L. ENDERSON IOWA LIC. NO. 17350 DATE 8-23-23

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2024.
PAGES CERTIFIED PAGES 1/3, 4/3, AND 5/3



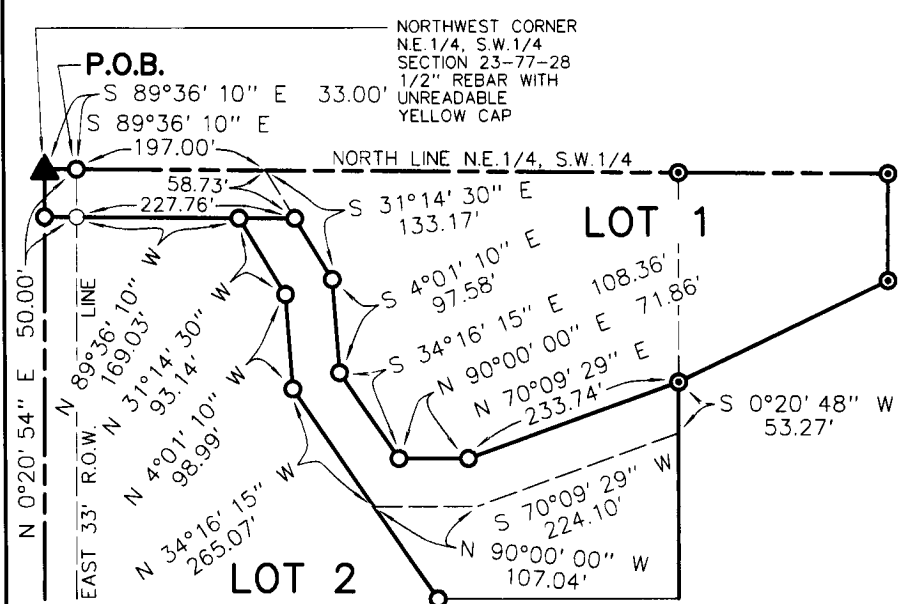
FINAL PLAT
QUINN'S GATE



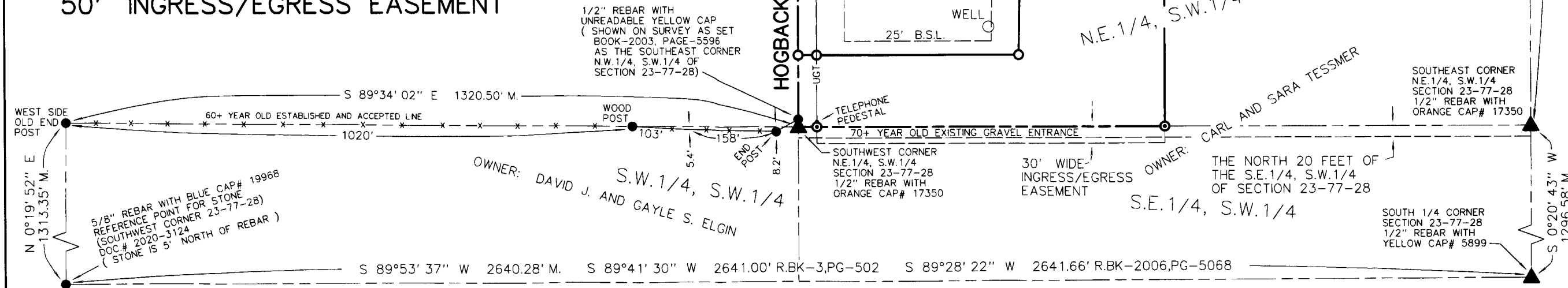
UTILITY LEGEND

- OHE OVERHEAD ELECTRIC
- UGW UNDERGROUND WATER
- UGT UNDERGROUND TELEPHONE
- ⊕ POWER POLE

NOTE: UNDERGROUND WATER LINE HAS A 32' WIDE EASEMENT 16' ON EACH SIDE OF EXISTING LINE
SEWER - PRIVATE SEPTIC SYSTEMS



50' INGRESS/EGRESS EASEMENT



TY-END SURVEYING, L.L.C.
1820 1ST ST. - PERRY, IOWA 50220
CELL - (515)250-2833

LEGEND:

▲ FOUND SECTION CORNER

- FOUND 1/2" REBAR WITH ORANGE CAP# 17350
- SET 1/2" REBAR WITH ORANGE CAP# 17350
- M. MEASURED
- C. CALCULATED
- R. RECORDED
- B.S.L. BUILDING SETBACK LINE

FINAL PLAT
QUINN' S GATE

LEGAL DESCRIPTIONS:

(AS RECORDED IN BOOK-2023, PAGE-401)

A TRACT OF LAND DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 658.94 FEET WEST OF THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (S.W.1/4) OF SECTION TWENTY-THREE (23), IN TOWNSHIP SEVENTY-SEVEN (77) NORTH, RANGE TWENTY-EIGHT (28) WEST OF THE 5TH P.M., MADISON COUNTY, IOWA, AND ON THE NORTH LINE THEREOF; THENCE CONTINUING NORTH 89°46' WEST 656.06 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION TWENTY-THREE (23); THENCE SOUTH 1329.75 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4); THENCE NORTH 89°55' EAST 656.06 FEET ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4); THENCE NORTH 1326.13 FEET TO THE POINT OF BEGINNING, CONTAINING 20 ACRES INCLUDING 0.717 ACRES OF COUNTY ROAD RIGHT-OF-WAY.

(AS RECORDED ON PLAT OF SURVEY RECORDED IN BOOK-2023, PAGE-1892)

PARCEL "D"

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 77 NORTH, RANGE 28 WEST OF THE 5TH PRINCIPAL MERIDIAN, MADISON COUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 23; THENCE S 89°36' 10" E 659.98 FEET ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 23 TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE S 89°36' 10" E 217.83 FEET; THENCE S 0°22' 00" W 111.50 FEET; THENCE S 64°14' 13" W 242.54 FEET; THENCE N 0°20' 48" E 218.43 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.825 ACRES MORE OR LESS.

LEGAL DESCRIPTION FOR 50 FOOT WIDE INGRESS/EGRESS EASEMENT:

A 50 FOOT WIDE INGRESS/EGRESS EASEMENT FOR ACCESS TO THE PROPERTY TO THE EAST OF THE ABOVE DESCRIBED SUBDIVISION IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 77 NORTH, RANGE 28 WEST OF THE 5TH PRINCIPAL MERIDIAN, MADISON COUNTY, IOWA; THENCE S 89°36' 10" E 33.00 FEET ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 23 TO THE EAST RIGHT-OF-WAY LINE OF HOGBACK BRIDGE ROAD AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE S 89°36' 10" E 197.00 FEET; THENCE S 31°14' 30" E 133.17 FEET; THENCE S 4°01' 10" E 97.58 FEET; THENCE S 34°16' 15" E 108.36 FEET; THENCE N 90°00' 00" E 71.86 FEET; THENCE N 70°09' 29" E 233.74 FEET; THENCE S 0°20' 48" W 53.27 FEET; THENCE S 70°09' 29" W 224.10 FEET; THENCE N 90°00' 00" W 107.04 FEET; THENCE N 34°16' 15" W 265.07 FEET; THENCE N 4°01' 10" W 98.99 FEET; THENCE N 31°14' 30" W 93.14 FEET; THENCE N 89°36' 10" W 169.03 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF HOGBACK BRIDGE ROAD; THENCE ALONG SAID EAST LINE N 0°20' 54" E 50.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.966 ACRES (42,058 Sq.Ft.) MORE OR LESS.

LEGAL DESCRIPTION FOR 50 FOOT WIDE INGRESS/EGRESS EASEMENT TO OUTLOT "A":

A 50 FOOT WIDE INGRESS/EGRESS EASEMENT FOR ACCESS TO OUTLOT "A" IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 77 NORTH, RANGE 28 WEST OF THE 5TH PRINCIPAL MERIDIAN, MADISON COUNTY, IOWA; THENCE S 89°36' 10" E 33.00 FEET ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 23 TO THE EAST RIGHT-OF-WAY LINE OF HOGBACK BRIDGE ROAD AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE S 89°36' 10" E 197.00 FEET; THENCE S 31°14' 30" E 58.73 FEET; THENCE N 89°36' 10" W 227.76 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF HOGBACK BRIDGE ROAD; THENCE ALONG SAID EAST LINE N 0°20' 54" E 50.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.245 ACRES (10,684 Sq.Ft.) MORE OR LESS.

SURVEYOR' S NOTE:

- 3) THE WEST PART OF THE ABOVE NOTED LEGAL DESCRIPTION FOR THIS SUBDIVISION WAS RECORDED IN A WARRANTY DEED BOOK-109, PAGE-611 DATED JANUARY 22, 1980 AT THE MADISON COUNTY RECORDER' S OFFICE. IT IS THE "AND EXCEPTING THE FOLLOWING-DESCRIBED TRACT:" PART OF THE DEED; WHICH THEN GOES ON WITH A METES AND BOUNDS DESCRIPTION. DURING RESEARCH THE SURVEYOR COULD FIND NO RECORDED OR UNRECORDED SURVEY FOR THIS LEGAL DESCRIPTION; ALSO IN THE FIELD THE SURVEYOR FOUND NO MONUMENTATION FOUND OR SET FOR IT. IN 2003 A SURVEY WAS RECORDED IN BOOK-2003, PAGE-5596 AT THE MADISON COUNTY RECORDER' S OFFICE; ON THIS SURVEY A SURVEYOR SET THE NORTHWEST AND SOUTHWEST CORNERS OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23-77-28. THE NORTHWEST CORNER OF THIS SURVEY WAS HELD, BUT THE SOUTHWEST CORNER THAT WAS SET DOES NOT FIT ANY OF THE RECORDED AND FIELD EVIDENCE THAT WAS FOUND WHILE PERFORMING THE SURVEY FOR THIS SUBDIVISION. THE NORTH-SOUTH PART OF THE LEGAL DESCRIPTION FOR THIS SUBDIVISION MATCHES THE EXISTING EVIDENCE FOUND IN THE FIELD AND WAS HELD.
- 4) ACQUIRED LOCATIONS AND BEARINGS USING A 2012 SOKKIA GRX 1 G.P.S. NAD83 SOUTH IOWA DATUM
- 5) PROPERTY SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS APPARENT OR OF RECORD.