

Document 2025 181

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BRANDY MACUMBER, COUNTY RECORDER MADISON COUNTY IOWA

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Type of Document

Hilltop Timber Estate Subdivision

PREPARER INFORMATION:

Zoning Office for Hilltop Timber Estate Subdivision, Robert & Kendall Lange, (515) 712-9105 Contact: Kyle A. Weber, attorney for Hilltop Timber Estate Subdivision, (515) 462-3731

TAXPAYER INFORMATION:

Robert & Kendall Lange 2732 Settlers Trail St. Charles, IA 50240

RETURN DOCUMENT TO:

Robert & Kendall Lange 2732 Settlers Trail St. Charles, IA 50240

Or

Jordan, Oliver, Walters & Smith c/o Kyle A. Weber 101 ½ W. Jefferson PO Box 230 Winterset, IA 50273

GRANTOR:

GRANTEE:

PLAT AND CERTIFICATE FOR HILLTOP TIMBER ESTATE SUBDIVISION

I, Ryan Hobart, Zoning Administrator of the 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 Hilltop Timber Estate Subdivision; and, that the real estate comprising said plat is described as follows:

All that part of the South Half (1/2) of the Northwest Quarter (1/4) of Section Thirty-two (32), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of said South Half (1/2) of the Northwest Quarter (1/4); thence South 00°32'59" West, 425.00 feet along the West line of said South Half (1/2) of the Northwest Ouarter (1/4) to the Northwest corner of said tract of land; thence South 88°23'17" East, 183.26 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 338.49 feet, with a radius of 528.47 feet, with a chord bearing of North 73°15'45" East, with a chord length of 332.73 feet to a corner of said tract; thence North 54°54'47" East, 131.93 feet to a corner of said tract; thence with a curve turning to the right with an arc length of 311.92 feet, with a radius of 317.83 feet, with a chord bearing of North 83°01'41" East, with a chord length of 299.55 feet along the North line of said tract to the Point of Beginning; thence continuing with the previous curve turning to the right with an arc length of 113.36 feet, with a radius of 317.83 feet, with a chord bearing of South 58°38'21" East with a chord length of 112.76 feet to a corner of said tract; thence South 48°25'18" East, 134.02 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 298.78 feet, with a radius of 1316.04 feet, with a chord bearing of South 54°55'32" East, with a chord length of 298.14 feet to a corner of said tract; thence South 61°25'46" East, 320.89 feet to a corner of said tract; thence South 63°19'15" West, 817.43 feet along the South line of said tract; thence North 00°32'59" East, 839.47 feet to the Point of Beginning, having an area of 6.72 acres. including 1.34 Acres of Road Easement.

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 Hilltop Timber Estate Subdivision;

3)	Contigue of The control		
- /	Certificate of Treasurer;		
4)	Auditor's Approval;		
5)	Ground Water Statement;		
6)	Agreement with County Engineer;		
7)	Land Disturbing Activity;		
8)	Resolution of Board of Supervisors;		
9)	Fence Affidavit;		
10)	Consent of Regional Missouri Bank.		
all of which ar	e duly certified in accordance with the Madison County Zoning Ordinance.		
Dated this _2'	day of DECEMBER, 2024.		
	Ryan Hobart, Zoning Administrator		
STATE OF IO	WA, MADISON COUNTY, ss:		
Public in and fidentical person executed the sa	day of <u>December</u> , 2024, before me, the undersigned, a Notary for the said State, personally appeared, Ryan Hobart, to me known to be the n named in and who executed the foregoing instrument, and acknowledged that he ame as his voluntary act and deed. TINA BURK mmission Number 831417 Wy Commission Expires Notary Public in and for the State of Iowa		

DEDICATION OF PLAT OF HILLTOP TIMBER ESTATE SUBDIVISION

KNOW ALL MEN BY THESE PRESENT:

That Robert T. Lange and Kendall L. Lange, do hereby certify that they are the sole owners and proprietors of the following-described real estate:

All that part of the South Half (½) of the Northwest Quarter (¼) of Section Thirty-two (32), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of said South Half (1/2) of the Northwest Quarter (1/4); thence South 00°32'59" West, 425.00 feet along the West line of said South Half (1/2) of the Northwest Quarter (1/4) to the Northwest corner of said tract of land; thence South 88°23'17" East, 183.26 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 338.49 feet, with a radius of 528.47 feet, with a chord bearing of North 73°15'45" East, with a chord length of 332.73 feet to a corner of said tract; thence North 54°54'47" East, 131.93 feet to a corner of said tract; thence with a curve turning to the right with an arc length of 311.92 feet, with a radius of 317.83 feet, with a chord bearing of North 83°01'41" East, with a chord length of 299.55 feet along the North line of said tract to the Point of Beginning; thence continuing with the previous curve turning to the right with an arc length of 113.36 feet, with a radius of 317.83 feet, with a chord bearing of South 58°38'21" East with a chord length of 112.76 feet to a corner of said tract; thence South 48°25'18" East, 134.02 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 298.78 feet, with a radius of 1316.04 feet, with a chord bearing of South 54°55'32" East, with a chord length of 298.14 feet to a corner of said tract; thence South 61°25'46" East, 320.89 feet to a corner of said tract; thence South 63°19'15" West, 817.43 feet along the South line of said tract; thence North 00°32'59" East, 839.47 feet to the Point of Beginning, having an area of 6.72 acres, including 1.34 Acres of Road Easement.

That the subdivision of the above described real estate, as shown by the Final Plat of Hilltop

Timber Estate Subdivision is with the free consent and in accordance with the owners' desire as owners

of said real estate.

Dated this day of Time, 2024.

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 10 day of 2024, by Robert T. Lange and Kendall L. Lange.

KRISTINA BROCKMEYER Commission Number 806238 My Commission Expires September 5, 2026

ATTORNEY'S OPINION FOR PRELIMINARY PLAT HILLTOP TIMBER ESTATE SUBDIVISON MADISON COUNTY, IOWA

I, Kyle A. Weber, an attorney at law licensed to practice under the laws of the State of Iowa, have examined the abstract of title in one (1) part, last certified to May 29, 2024, at 8:00 A.M., by Madison County Abstract Company purporting to show the chain of title to the following described real estate, which is the real property contained in Preliminary Plat, Hilltop Timber Estate Subdivision, Madison County, Iowa.

All that part of the South Half (½) of the Northwest Quarter (¼) of Section Thirty-two (32), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of said South Half (1/2) of the Northwest Quarter (1/4); thence South 00°32'59" West, 425.00 feet along the West line of said South Half (1/2) of the Northwest Quarter (1/4) to the Northwest corner of said tract of land; thence South 88°23'17" East, 183.26 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 338.49 feet, with a radius of 528.47 feet, with a chord bearing of North 73°15'45" East, with a chord length of 332.73 feet to a corner of said tract: thence North 54°54'47" East, 131.93 feet to a corner of said tract: thence with a curve turning to the right with an arc length of 311.92 feet, with a radius of 317.83 feet, with a chord bearing of North 83°01'41" East, with a chord length of 299.55 feet along the North line of said tract to the Point of Beginning; thence continuing with the previous curve turning to the right with an arc length of 113.36 feet, with a radius of 317.83 feet, with a chord bearing of South 58°38'21" East with a chord length of 112.76 feet to a corner of said tract; thence South 48°25'18" East, 134.02 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 298.78 feet, with a radius of 1316.04 feet, with a chord bearing of South 54°55'32" East, with a chord length of 298.14 feet to a corner of said tract; thence South 61°25'46" East, 320.89 feet to a corner of said tract; thence South 63°19'15" West, 817.43 feet along the South line of said tract; thence North 00°32'59" East, 839.47 feet to the Point of Beginning, having an area of 6.72 acres, including 1.34 Acres of Road Easement.

In my opinion, merchantable title to the above-described property is in the name of Robert T. Lange and Kendall L. Lange, a married couple, as Joint Tenants with Full Rights of Survivorship and Not as Tenants in Common, free and clear of all liens and encumbrances, except:

1. Entry No. 138 shows a Mortgage (with Future Advance Clause) from Robert T. Lange, Spouse of Kendall L. Lange, and Kendall L. Lange, Spouse of Robert T. Lange, to Regional Missouri Bank, dated April 12, 2024, filed April 22, 2024, in Book 2024, Page 832, in the Recorder's Office of Madison County, Iowa, which secures credit in the amount of \$650,000.00. This Mortgage is a first lien against the real estate under examination.

2. Entry No. 53 shows an Easement in favor of Warren Water, Inc., its successors and assigns, dated March 14, 1998, filed May 21, 1998, in Deed Record 140, Page 140, in the Recorder's Office of Madison County, Iowa, for the purposes of constructing, operating, and maintaining waterlines and appurtenances thereto. You should familiarize yourself with this Easement as it may to some extent affect the use of the real estate under examination.

Respectfully submitted,

JORDAN, OLIVER & WALTERS, P.C.

Kyle A. Weber, Title Guaranty No. 10987

OF MADISON COUNTY, IOWA

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

HILLTOP TIMBER ESTATE SUBDIVISION

All that part of the South Half (1/2) of the Northwest Quarter (1/4) of Section Thirtytwo (32), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of said South Half (1/2) of the Northwest Quarter (1/4); thence South 00°32'59" West, 425.00 feet along the West line of said South Half (1/2) of the Northwest Quarter (1/4) to the Northwest corner of said tract of land; thence South 88°23'17" East, 183.26 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 338.49 feet, with a radius of 528.47 feet, with a chord bearing of North 73°15'45" East, with a chord length of 332.73 feet to a corner of said tract; thence North 54°54'47" East, 131.93 feet to a corner of said tract; thence with a curve turning to the right with an arc length of 311.92 feet, with a radius of 317.83 feet, with a chord bearing of North 83°01'41" East, with a chord length of 299.55 feet along the North line of said tract to the Point of Beginning; thence continuing with the previous curve turning to the right with an arc length of 113.36 feet, with a radius of 317.83 feet, with a chord bearing of South 58°38'21" East with a chord length of 112.76 feet to a corner of said tract; thence South 48°25'18" East, 134.02 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 298.78 feet, with a radius of 1316.04 feet, with a chord bearing of South 54°55'32" East, with a chord length of 298.14 feet to a corner of said tract; thence South 61°25'46" East, 320.89 feet to a corner of said tract; thence South 63°19'15" West, 817.43 feet along the South line of said tract; thence North 00°32'59" East, 839.47 feet to the Point of Beginning, having an area of 6.72 acres, including 1.34 Acres of Road Easement.

Owned by: Robert T. Lange and Kendall L. Lange

DATED at Winterset, Iowa, this day of (

of (UC) . 202

Amanda DeVos. Treasurer of Madison County,

Iowa

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

HILLTOP TIMBER ESTATE SUBDIVISION

For property located at:

All that part of the South Half (1/2) of the Northwest Quarter (1/4) of Section Thirtytwo (32), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of said South Half (1/2) of the Northwest Quarter (1/4); thence South 00°32'59" West, 425.00 feet along the West line of said South Half (1/2) of the Northwest Quarter (1/4) to the Northwest corner of said tract of land; thence South 88°23'17" East, 183.26 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 338.49 feet, with a radius of 528.47 feet, with a chord bearing of North 73°15'45" East, with a chord length of 332.73 feet to a corner of said tract; thence North 54°54'47" East, 131.93 feet to a corner of said tract; thence with a curve turning to the right with an arc length of 311.92 feet, with a radius of 317.83 feet, with a chord bearing of North 83°01'41" East, with a chord length of 299.55 feet along the North line of said tract to the Point of Beginning; thence continuing with the previous curve turning to the right with an arc length of 113.36 feet, with a radius of 317.83 feet, with a chord bearing of South 58°38'21" East with a chord length of 112.76 feet to a corner of said tract: thence South 48°25'18" East, 134.02 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 298.78 feet, with a radius of 1316.04 feet, with a chord bearing of South 54°55'32" East, with a chord length of 298.14 feet to a corner of said tract; thence South 61°25'46" East, 320.89 feet to a corner of said tract; thence South 63°19'15" West, 817.43 feet along the South line of said tract; thence North 00°32'59" East, 839.47 feet to the Point of Beginning, having an area of 6.72 acres, including 1.34 Acres of Road Easement.

And owned by: Robert T. Lange and Kendall L. Lange

Has been approved on the $12^{\frac{1}{12}}$ day of $\frac{1}{1}$, 2024.

Auditor, Madison County, Iowa.

By Milly Charles D. Kaster, Auditor

AGREEMENT

This Agreement made and entered into, by and between, the proprietors of Hilltop

Timber Estate Subdivision and Mike Hackett, Madison County Engineer.

NOW THEREFORE IT IS AGREED AS FOLLOWS:

The proprietors of Hilltop Timber Estate Subdivision, a Plat of the following described real estate:

All that part of the South Half (½) of the Northwest Quarter (¼) of Section Thirty-two (32), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of said South Half (1/2) of the Northwest Ouarter (1/4); thence South 00°32'59" West, 425.00 feet along the West line of said South Half (1/2) of the Northwest Quarter (1/4) to the Northwest corner of said tract of land; thence South 88°23'17" East, 183.26 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 338.49 feet, with a radius of 528.47 feet, with a chord bearing of North 73°15'45" East, with a chord length of 332.73 feet to a corner of said tract; thence North 54°54'47" East, 131.93 feet to a corner of said tract; thence with a curve turning to the right with an arc length of 311.92 feet, with a radius of 317.83 feet, with a chord bearing of North 83°01'41" East, with a chord length of 299.55 feet along the North line of said tract to the Point of Beginning; thence continuing with the previous curve turning to the right with an arc length of 113.36 feet, with a radius of 317.83 feet, with a chord bearing of South 58°38'21" East with a chord length of 112.76 feet to a corner of said tract; thence South 48°25'18" East, 134.02 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 298.78 feet, with a radius of 1316.04 feet, with a chord bearing of South 54°55'32" East, with a chord length of 298.14 feet to a corner of said tract; thence South 61°25'46" East, 320.89 feet to a corner of said tract; thence South 63°19'15" West, 817.43 feet along the South line of said tract; thence North 00°32'59" East, 839.47 feet to the Point of Beginning, having an area of 6.72 acres, including 1.34 Acres of Road Easement,

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

Date:	JUNE	12	, 2024
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PROPRIETORS OF HILLTOP TIMBER ESTATE

By

Robert T. Lange

Mike Hackett, Madison County Engineer

LAND DISTURBING ACTIVITIES AFFIDAVIT

STATE OF IOWA

: : ss

MADISON COUNTY

affirm that:

Pursuant to section 161 A.64, Code of Iowa in consideration for permission to engage in a land disturbing activity as defined in that statute, and recognizing that the agency authorized by that statute to receive and file this affidavit will rely on the statements we make herein, We, Robert T. Lange and Kendall L. Lange, being first duly sworn on oath, do solemnly swear to

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

All that part of the South Half (1/2) of the Northwest Quarter (1/4) of Section Thirtytwo (32), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of said South Half (1/2) of the Northwest Quarter (1/4); thence South 00°32'59" West, 425.00 feet along the West line of said South Half (1/2) of the Northwest Quarter (1/4) to the Northwest corner of said tract of land; thence South 88°23'17" East, 183.26 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 338.49 feet, with a radius of 528.47 feet, with a chord bearing of North 73°15'45" East, with a chord length of 332.73 feet to a corner of said tract; thence North 54°54'47" East, 131.93 feet to a corner of said tract; thence with a curve turning to the right with an arc length of 311.92 feet, with a radius of 317.83 feet, with a chord bearing of North 83°01'41" East, with a chord length of 299.55 feet along the North line of said tract to the Point of Beginning; thence continuing with the previous curve turning to the right with an arc length of 113.36 feet, with a radius of 317.83 feet, with a chord bearing of South 58°38'21" East with a chord length of 112.76 feet to a corner of said tract; thence South 48°25'18" East, 134.02 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 298.78 feet, with a radius of 1316.04 feet, with a chord bearing of South 54°55'32" East, with a chord length of 298.14 feet to a corner of said tract; thence South 61°25'46" East, 320.89 feet to a corner of said tract; thence South 63°19'15" West, 817.43 feet along the South line of said tract; thence North 00°32'59" East, 839.47 feet to the Point of Beginning, having an area of 6.72 acres, including 1.34 Acres of Road Easement.

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

We are aware that loss limit regulations prohibit sediment from leaving the site in excess of 5 tons per acre per year. The land disturbing activities described above will be conducted in a manner that will insure compliance with the soil loss limit regulations.

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

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

Robert T. Lange

Kendall L. Lange

Subscribed and sworn to before me by Robert T. Lange and Kendall L. Lange, on this day of _______, 2024.

KRISTINA BROCKMEYER
Commission Number 806238
My Commission Expires
September 5, 2026

ZO – Resolution 12-23-24A RESOLUTION APPROVING FINAL PLAT OF HILLTOP TIMBER ESTATE SUBDIVISION MADISON COUNTY, IOWA

WHEREAS, there was filed in the Office of the Zoning Administrator of Madison County, Iowa, a registered land surveyor's plat of a proposed subdivision known as Hilltop Timber Estate Subdivision; and

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

All that part of the South Half (1/2) of the Northwest Quarter (1/4) of Section Thirtytwo (32), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of said South Half (1/2) of the Northwest Quarter (1/4); thence South 00°32'59" West, 425.00 feet along the West line of said South Half (1/2) of the Northwest Quarter (1/4) to the Northwest corner of said tract of land; thence South 88°23'17" East, 183.26 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 338.49 feet, with a radius of 528.47 feet, with a chord bearing of North 73°15'45" East, with a chord length of 332.73 feet to a corner of said tract; thence North 54°54'47" East, 131.93 feet to a corner of said tract; thence with a curve turning to the right with an arc length of 311.92 feet, with a radius of 317.83 feet, with a chord bearing of North 83°01'41" East, with a chord length of 299.55 feet along the North line of said tract to the Point of Beginning; thence continuing with the previous curve turning to the right with an arc length of 113.36 feet, with a radius of 317.83 feet, with a chord bearing of South 58°38'21" East with a chord length of 112.76 feet to a corner of said tract; thence South 48°25'18" East, 134.02 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 298.78 feet, with a radius of 1316.04 feet, with a chord bearing of South 54°55'32" East, with a chord length of 298.14 feet to a corner of said tract; thence South 61°25'46" East, 320.89 feet to a corner of said tract; thence South 63°19'15" West, 817.43 feet along the South line of said tract; thence North 00°32'59" East, 839.47 feet to the Point of Beginning, having an area of 6.72 acres, including 1.34 Acres of Road Easement.

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, Robert T. Lange and Kendall L. Lange.

WHEREAS, said plat was accompanied by a complete abstract of title and an opinion from an attorney at law showing that title in fee simple is in said proprietor and that the platted land is free from encumbrance, except a Mortgage to Regional Missouri Bank, who has

approved and consented to said Subdivision, 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 Hilltop Timber Estate Subdivision should be approved by the Board of Supervisors, Madison County, Iowa.

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

- 1. That said plat, known as Hilltop Timber Estate 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.

ATTEST:

Shelley D. Kaster, Madison County Auditor

Prepared by: Mark L. Smith, PO Box 230, Winterset, IA 50273 515/462-3731 Return to: Mark L. Smith, PO Box 230, Winterset, IA 50273 515/462-3731

Metalli to. Walk E. Silitti, i O box 250, Willterset, IA 30273 313/402 3731

AFFIDAVIT

STATE OF IOWA

: ss :

MADISON COUNTY

We, Robert T. Lange and Kendall L. Lange, first being duly sworn on oath state that this Affidavit concerns the chain of title to the following described real estate:

All that part of the South Half (½) of the Northwest Quarter (¼) of Section Thirty-two (32), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, described as follows: Commencing at the Northwest corner of said South Half (1/2) of the Northwest Quarter (1/4); thence South 00°32'59" West, 425.00 feet along the West line of said South Half (1/2) of the Northwest Quarter (1/4) to the Northwest corner of said tract of land; thence South 88°23'17" East, 183.26 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 338.49 feet, with a radius of 528.47 feet, with a chord bearing of North 73°15'45" East, with a chord length of 332.73 feet to a corner of said tract; thence North 54°54'47" East, 131.93 feet to a corner of said tract; thence with a curve turning to the right with an arc length of 311.92 feet, with a radius of 317.83 feet, with a chord bearing of North 83°01'41" East, with a chord length of 299.55 feet along the North line of said tract to the Point of Beginning; thence continuing with the previous curve turning to the right with an arc length of 113.36 feet, with a radius of 317.83 feet, with a chord bearing of South 58°38'21" East with a chord length of 112.76 feet to a corner of said tract; thence South 48°25'18" East, 134.02 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 298.78 feet, with a radius of 1316.04 feet, with a chord bearing of South 54°55'32" East, with a chord length of 298.14 feet to a corner of said tract; thence South 61°25'46" East, 320.89 feet to a corner of said tract; thence South 63°19'15" West, 817.43 feet along the South line of said tract; thence North 00°32'59" East, 839.47 feet to the Point of Beginning, having an area of 6.72 acres, including 1.34 Acres of Road Easement.

We further state that there is a no fence surrounding the boundary lines of the

above described real estate, but none is needed as it is bounded by roadway on three sides and we own the only abutting property and approve of no fence.

Robert T. Lange

Kendall L. Lange

Subscribed and sworn to before me on this 10 day of 1100 day of 2024, by Robert T. Lange and Kendall L. Lange

Notary Public in and for the State of loward





Madison County Office of Planning and Zoning

Ryan Hobart, Zoning Administrator

MADISON COUNTY ZONING COMMISSION RECOMMENDATION

Pursuant to The Madison County Subdivision Regulations Chapter 51.13, which states:

Whenever the tract proposed to be subdivided is of such unusual Topography, size or shape, or is surrounded by such development or unusual conditions that the strict application of the requirements contained in these regulations would result in substantial hardships or injustices, the Board of Supervisors upon recommendation from the Commission, may vary or modify such requirements so that the subdivider is allowed to develop his property in a reasonable manner; but so, at the same time, the public welfare and interest of the County and surrounding area are protected and the general intent and spirit of these regulations are preserved.

The Zoning Commission discussed this at the November 21, 2024, meeting as they were asked to consider an exception of the Fencing Requirements (51.09) for a proposed subdivision to be known as Hilltop Timber Estate. The property owners, Robert & Kendall Lange, are who requested the Zoning Commission to consider an exception. The following described real estate is that of which the exception was sought for;

All that part of the South 1/2 of the Northwest 1/4 of Section 32, Township 75 North, Range 26 West of the 5th P.M., Madison County Iowa, described as follows: Commencing at the Northwest corner of said South ½ of the Northwest ¼; thence South 00°32'59" West, 425.00 feet along the West line of said South ½ of the Northwest ¼ to the Northwest corner of said tract of land; thence South 88°23'17" East, 183.26 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 338.49 feet, with a radius of 528.47 feet, with a chord bearing of North 73°15'45" East, with a chord length of 332.73 feet to a corner of said tract; thence North 54°54'47" East, 131.93 feet to a corner of said tract; thence with a curve turning to the right with an arc length of 311.92 feet, with radius of 317.83 feet, with a chord bearing of North 83°01'41" East, with a chord length of 299.55 feet along the North line of said tract to the Point of Beginning; thence continuing with the previous curve turning to the right with an arc length of 311.92 feet, with radius of 317.83 feet, with a chord bearing of South 58°38'21" East, with a chord length of 112.76 feet to a corner of said tract; thence South 48°25'18" East, 134.02 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 298.78 feet, with radius of 1316.04 feet, with a chord bearing of South 54°55'32" East, with a chord length of 298.14 feet to a corner of said tract; thence South 61°25'46" East, 320.89 feet to a corner of said tract; thence South 63°19'15" West, 817.43 feet along the South line of said tract; thence North 00°32'59" East, 839.47 feet to the Point of Beginning, having an area of 6.72 acres, including 1.34 acres of Road Easement.

After careful consideration of all facts presented, the Commission finds an exception of the Fencing Requirements (51.09) should be approved / denied.
(IF RECOMMENDATION IS TO APPROVE, LIST CONDITIONS, IF ANY)
Therefore, the Madison County Zoning Commission hereby recommends the Madison County Board of Supervisors (approve) deny the request for an exception of the Fencing Requirements (51.09) of the Madison County Subdivision Regulations for the proposed plat to be known as Hilltop Timber Estate
Members Voting To Recommend Approval: HOLLINGSWORTH, PORTZ, MARQUAROT, & VAN GINKEL
Members Voting To Recommend Denial: STEWARD, KOCH
Anlandur
Joe Van Ginkel- Chair
Madison County Zoning Commission



May 24, 2024,

RE: Robert & Kendall Lange Tract

To whom it may concern,

On behalf of Regional Missouri Bank I approve the proposed plat division of the Lange's property located at 2732 Settler Trail Saint Charles, IA 50240.

If you have any questions, please feel free to contact our bank.

Thank you.

Sincerely,

Joe Cater

ful the VP

Vice President/Commercial Lender

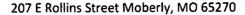
NMLS# 1816803

josephc@regionalmo.bank

Regional Missouri Bank

207 E. Rollins St., Moberly, MO 65270

660-263-2280









Document 2025

Book 2025 Page 181 Type 06 044 Pages 22 Date 1/21/2025 Time 8:02:53AM

Rec Amt \$112.00 Aud Amt \$5.00

INDX ANNO **SCAN**

BRANDY MACUMBER, COUNTY RECORDER MADISON COUNTY IOWA

CHEK

HILLTOP TIMBER ESTATE - FINAL PLAT

INDEX LEGEND

LOCATION: Part of the S ½ of the NW ¼ of Section 32

T 75N, R 26W, Madison County, Iowa

OWNER: Robert T & Kendall L Lange

2732 Settlers Trail, St Charles IA 50240

SUBDIVIDER: Robert T & Kendall L Lange

2732 Settlers Trail, St Charles IA 50240

ASSOCIATED

Warranty Deed: Book 2018 Page 2199 DOCUMENTS:

CHAD A. DANIELS PREPARED BY

DANIELS LAND SURVEYING, 22470 18TH LN, NEW VIRGINIA IA 50210

RETURN TO: 515-577-2583

SURVEY LEGEND

() - Recorded Distance/Bearing

Road Easement

Section line

Approved Entrance

Monuments

- Found section corner
- Set 1/2" red plastic capped rebar, #17532
- Set 12" spike
 - w/ brass washer, #17532
- Found 5/8" blue #19968

BASIS OF BEARINGS IS IA RCS ZONE 8

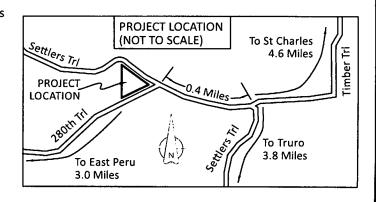
DESCRIPTION - HILLTOP TIMBER ESTATE:

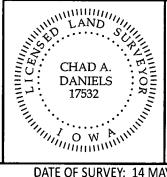
That part of a tract of land described in a Warranty Deed, recorded in Book 2018 Page 2199, of the South Half of the Northwest Quarter of Section 32, Township 75 North, Range 26 West of the 5th P.M., Madison County, Iowa, described as follows:

Commencing at the Northwest corner of said South Half of the Northwest Quarter; thence South 00 degrees 32 minutes 59 seconds West, 425.00 feet along the West line of said South Half of the Northwest Quarter to the Northwest corner of said tract of land; thence South 88 degrees 23 minutes 17 seconds East, 183.26 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 338.49 feet, with a radius of 528.47 feet, with a chord bearing of North 73 degrees 15 minutes 45 seconds East, with a chord length of 332.73 feet to a corner of said tract; thence North 54 degrees 54 minutes 47 seconds East, 131.93 feet to a corner of said tract; thence with a curve turning to the right with an arc length of 311.92 feet, with a radius of 317.83 feet, with a chord bearing of North 83 degrees 01 minutes 41 seconds East, with a chord length of 299.55 feet along the North line of said tract to the Point of Beginning; thence continuing with the previous curve turning to the right with an arc length of 113.36 feet, with a radius of 317.83 feet, with a chord bearing of South 58 degrees 38 minutes 21 seconds East, with a chord length of 112.76 feet to a corner of said tract; thence South 48 degrees 25 minutes 18 seconds East, 134.02 feet to a corner of said tract; thence with a curve turning to the left with an arc length of 298.78 feet, with a radius of 1316.04 feet, with a chord bearing of South 54 degrees 55 minutes 32 seconds East, with a chord length of 298.14 feet to a corner of said tract; thence South 61

degrees 25 minutes 46 seconds East, 320.89 feet to a corner of said tract; thence South 63 degrees 19 minutes 15 seconds West, 817.43 feet along the South line of said tract; thence North 00 degrees 32 minutes 59 seconds East, 839.47 feet to the Point of Beginning, having an area of 6.72 Acres including 1.34 Acres of Road Easement.

CURRENT ZONING - A-1 (Agricultural) PROPOSED WATER - Rural Water PROPOSED SEWEER - Individual Systems





I hereby certify that this surveying document was prepared by me and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

CACH Signed Chad A. Daniels Date

Iowa License No. 17532

My license renewal date is 12-31-2024 Page No.'s covered by this seal: 1 and 2

PROJ. NO. 2254

DATE OF SURVEY: 14 MAY 2024

PAGE 1 of 2

