



Document 2017 2474

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

Type of Document

COX'S PRAIRIE OAKS SUBDIVISION

PREPARER INFORMATION:

Zoning Office for Bret & Kyla Cox developers
Jerry Oliver, developer's attorney 515-462-3914

TAXPAYER INFORMATION:

Cox, Bret A. & Kyla S.
2908 46th St.
Des Moines, IA 50310

RETURN DOCUMENT TO:

Cox, Bret A. & Kyla S.
2908 46th St.
Des Moines, IA 50310

GRANTOR:

GRANTEE:

LEGAL DESCRIPTION:

The Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of Section Thirteen (13), in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, EXCEPT a part of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section Thirteen (13), more particularly described as follows, to-wit: Commencing at a point that is 240.0 feet West of the North Quarter (1/4) corner of said Section Thirteen (13), thence southwesterly along a 09°33' curve and distance of 497.03 feet; thence South 29°09' West 61.85 feet; thence South 83°48' West 633.0 feet; thence North 00°21'40" West 300.00 feet; thence North 83°48' East 812.00 feet to the point of beginning, containing 5.30 acres, more or less; AND EXCEPT a tract of land located in the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section Thirteen (13), containing 6.4 acres, as shown in Plat of Survey filed in Book 2, Page 677 on May 1, 1996, in the Office of the Recorder of Madison County, Iowa.

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

**PLAT AND CERTIFICATE
FOR COX'S PRAIRIE OAKS SUBDIVISION,
MADISON COUNTY, IOWA**

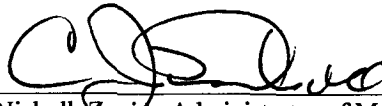
I, C. J. Nicholl, Zoning Administrator of Madison County, Iowa, do hereby certify that the plat to which this certificate is attached is a plat of a subdivision known and designated as Cox's Prairie Oaks Subdivision, and that the real estate comprising said plat is described as follows:

The Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Thirteen (13), in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, EXCEPT a part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), more particularly described as follows, to-wit: Commencing at a point that is 240.0 feet West of the North Quarter (1/4) corner of said Section Thirteen (13), thence southwesterly along a 09°33' curve and distance of 497.03 feet; thence South 29°09' West 61.85 feet; thence South 83°48' West 633.0 feet; thence North 00°21'40" West 300.00 feet; thence North 83°48' East 812.00 feet to the point of beginning, containing 5.30 acres, more or less; AND EXCEPT a tract of land located in the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), containing 6.4 acres, as shown in Plat of Survey filed in Book 2, Page 677 on May 1, 1996, in the Office of the Recorder of Madison County, Iowa.

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

1. Attorney's Opinion;
2. Consent to Plat;
3. Certificate from County Treasurer;
4. Resolution of the Board of Supervisors of Madison County, Iowa, approving said plat;
5. Resolution of the City of St. Charles, Iowa, approving said plat;
6. Agreement with County Engineer;
7. Ground Water Statement;
8. Madison County Soil and Water Conservation District Land Disturbing Activity Affidavit;
9. Consent of County Auditor to subdivision name;
10. Fence Affidavit;
11. Lender's Consent.

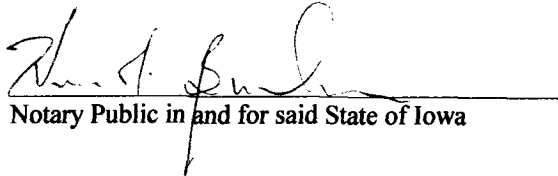
all of which are duly certified in accordance with the Madison County Zoning Ordinance.



C. J. Nicholl, Zoning Administrator of Madison
County, Iowa

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 8th day of August, 2017, by C.J. Nicholl.



Notary Public in and for said State of Iowa



**DEDICATION OF PLAT
OF
COX'S PRAIRIE OAKS SUBDIVISION**

KNOW ALL MEN BY THESE PRESENTS:

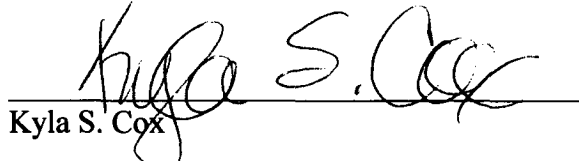
That Bret A. Cox and Kyla S. Cox, Husband and Wife, do hereby certify that they are the sole owners and proprietors of the following-described real state:

The Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Thirteen (13), in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, EXCEPT a part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), more particularly described as follows, to-wit: Commencing at a point that is 240.0 feet West of the North Quarter (1/4) corner of said Section Thirteen (13), thence southwesterly along a 09°33' curve and distance of 497.03 feet; thence South 29°09' West 61.85 feet; thence South 83°48' West 633.0 feet; thence North 00°21'40" West 300.00 feet; thence North 83°48' East 812.00 feet to the point of beginning, containing 5.30 acres, more or less; AND EXCEPT a tract of land located in the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), containing 6.4 acres, as shown in Plat of Survey filed in Book 2, Page 677 on May 1, 1996, in the Office of the Recorder of Madison County, Iowa.

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

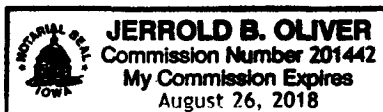
DATED this 6 day of June, 2017.


Bret A. Cox


Kyla S. Cox

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 6 day of June, 2017, by Bret A. Cox and Kyla S. Cox.




Notary Public in and for said State of Iowa

**CONSENT TO PLATTING
BY FARMERS & MERCHANTS STATE BANK**

Farmers & Merchant State Bank does hereby consent to the platting and subdivision of the following-described real estate:

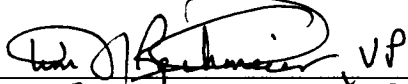
The Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Thirteen (13), in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, EXCEPT a part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), more particularly described as follows, to-wit: Commencing at a point that is 240.0 feet West of the North Quarter (1/4) corner of said Section Thirteen (13), thence southwesterly along a 09°33' curve and distance of 497.03 feet; thence South 29°09' West 61.85 feet; thence South 83°48' West 633.0 feet; thence North 00°21'40" West 300.00 feet; thence North 83°48' East 812.00 feet to the point of beginning, containing 5.30 acres, more or less; AND EXCEPT a tract of land located in the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), containing 6.4 acres, as shown in Plat of Survey filed in Book 2, Page 677 on May 1, 1996, in the Office of the Recorder of Madison County, Iowa,

in accordance with the ordinances of Madison County, Iowa, the City of Bevington, Iowa, and the laws of the State of Iowa, said Subdivision to be known as Cox's Prairie Oaks Subdivision.

The undersigned holds a mortgage against said real estate, dated January 29, 2016, and filed February 3, 2016, in Book 2016, Page 276 of the Recorder's Office of Madison County, Iowa.

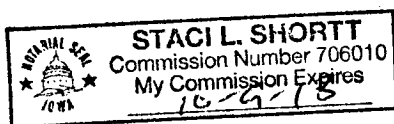
Dated this 7th day of June, 2017.

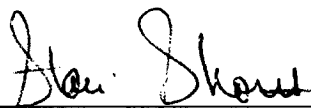
FARMERS & MERCHANTS STATE BANK

By  VP
Tim J. Bethmeier, VP

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 7th day of June, 2017, by Tim J. Bethmeier as Vice President of Farmers & Merchants State Bank.




Notary Public in and for said State

ATTORNEY'S OPINION FOR FINAL PLAT, COX'S PRAIRIE OAKS SUBDIVISION

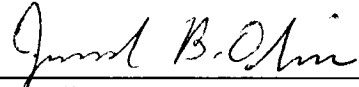
I, Jerrold B. Oliver, an attorney at law licensed to practice under the laws of the State of Iowa, have examined the abstract of title in one (1) part, last certified to May 26, 2017, at 8:00 a.m., by Madison County Abstract Co., purporting to show the chain of title to the following described real estate, which is the real property contained in Final Plat, Cox's Prairie Oaks Subdivision, Madison County, Iowa:

The Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Thirteen (13), in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, EXCEPT a part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), more particularly described as follows, to-wit: Commencing at a point that is 240.0 feet West of the North Quarter (1/4) corner of said Section Thirteen (13), thence southwesterly along a 09°33' curve and distance of 497.03 feet; thence South 29°09' West 61.85 feet; thence South 83°48' West 633.0 feet; thence North 00°21'40" West 300.00 feet; thence North 83°48' East 812.00 feet to the point of beginning, containing 5.30 acres, more or less; AND EXCEPT a tract of land located in the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), containing 6.4 acres, as shown in Plat of Survey filed in Book 2, Page 677 on May 1, 1996, in the Office of the Recorder of Madison County, Iowa.

In my opinion, merchantable title to the above described property is in the names of Bret A. Cox and Kyla S. Cox, free and clear of all liens and encumbrances, except a Mortgage held by Farmers & Merchants State Bank in the principal amount of \$92,250 dated January 29, 2016, and filed February 3, 2016, in Book 2016, Page 276 of the Recorder's Office of Madison County, Iowa.

The abstract shows an Easement To Warren Water, Inc., dated June 3, 1994, and filed July 6, 1994, in Book 133, Page 171 of the Recorder's Office of Madison County, Iowa.

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

By 

Jerrold B. Oliver

Farmers & Merchants Bank Bldg.

P.O. Box 230

Winterset, Iowa 50273

Telephone: (515) 462-3731

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

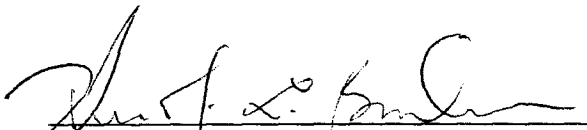
Cox's Prairie Oaks

For property located at: **The Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Thirteen (13), in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, EXCEPT a part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), more particularly described as follows, to-wit: Commencing at a point that is 240.0 feet West of the North Quarter (1/4) corner of said Section Thirteen (13), thence southwesterly along a 09°33' curve and distance of 497.03 feet; thence South 29°09' West 61.85 feet; thence South 83°48' West 633.0 feet; thence North 00°21'40" West 300.00 feet; thence North 83°48' East 812.00 feet to the point of beginning, containing 5.30 acres, more or less; AND EXCEPT a tract of land located in the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), containing 6.4 acres, as shown in Plat of Survey filed in Book 2, Page 677 on May 1, 1996, in the Office of the Recorder of Madison County, Iowa.**

And owned by: Bret A. Cox and Kyla S. Cox

Has been approved on the 7th day of June, 2017.

By the Auditor, Madison County, Iowa.

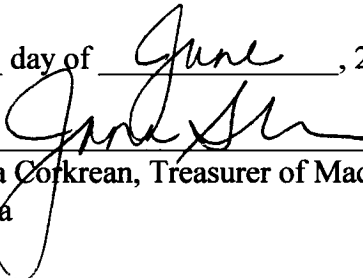

Heidi Burhans, Auditor

CERTIFICATE OF THE COUNTY TREASURER OF MADISON COUNTY, IOWA

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

The Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Thirteen (13), in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, EXCEPT a part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), more particularly described as follows, to-wit: Commencing at a point that is 240.0 feet West of the North Quarter (1/4) corner of said Section Thirteen (13), thence southwesterly along a 09°33' curve and distance of 497.03 feet; thence South 29°09' West 61.85 feet; thence South 83°48' West 633.0 feet; thence North 00°21'40" West 300.00 feet; thence North 83°48' East 812.00 feet to the point of beginning, containing 5.30 acres, more or less; AND EXCEPT a tract of land located in the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), containing 6.4 acres, as shown in Plat of Survey filed in Book 2, Page 677 on May 1, 1996, in the Office of the Recorder of Madison County, Iowa.

DATED at Winterset, Iowa, this 8 day of June, 2017.



Jana Corkrean, Treasurer of Madison County,
Iowa

ZO-RESOLUTION-080817
APPROVING FINAL PLAT OF COX PRAIRIE OAKS 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 Cox's Prairie Oaks; and

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

The Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of Section Thirteen (13), in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, EXCEPT a part of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section Thirteen (13), more particularly described as follows, to-wit: Commencing at a point that is 240.0 feet West of the North Quarter (1/4) corner of said Section Thirteen (13), thence southwesterly along a 09°33' curve and distance of 497.03 feet; thence South 29°09' West 61.85 feet; thence South 83°48' West 633.0 feet; thence North 00°21'40" West 300.00 feet; thence North 83°48' East 812.00 feet to the point of beginning, containing 5.30 acres, more or less; AND EXCEPT a tract of land located in the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section Thirteen (13), containing 6.4 acres, as shown in Plat of Survey filed in Book 2, Page 677 on May 1, 1996, in the Office of the Recorder of Madison County, Iowa.

WHEREAS, there was also filed with said plat a dedication of said plat containing a statement to the effect that the subdivision as it appears on the plat is with the free consent and in accordance with the desire of the proprietors, Bret A. Cox and Kyla S. Cox; and

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 proprietors and that the platted land is free from encumbrance, and Certified statement from the Treasurer of Madison County, Iowa, that said platted land is free from taxes.

WHEREAS, the Board of Supervisors, Madison County, Iowa, finds that said plat conforms to the provisions of the Zoning Ordinance of Madison County, Iowa, and that the plat, papers and documents presented therewith should be approved by the Board of Supervisors, and that said plat, known as Cox's Prairie Oaks 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 Cox's Prairie Oaks Subdivision prepared in connection with said plat and subdivision is hereby approved.

2. The Zoning Administrator of Madison County, Iowa, is hereby directed to certify this resolution which shall be affixed to said plat to the County Recorder of Madison County, Iowa, and attend to the filing and recording of the plat, papers and documents which should be filed and recorded in connection therewith.

DATED at Winterset, Iowa, this 8th day of August, 2017.

Aaron Price

Aaron Price, Chairman

Robert C Duff

Robert Duff, Supervisor

Phillip Clifton

Phillip Clifton, Supervisor

ATTEST:

Attest: Heidi Burhans
Heidi Burhans
Madison County Auditor

AGREEMENT

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

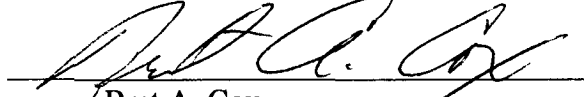
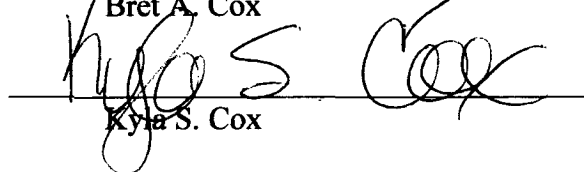
NOW THEREFORE IT IS AGREED AS FOLLOWS:

1. The proprietors of Cox's Prairie Oaks Subdivision, a Plat of the following described real estate:

The Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Thirteen (13), in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, EXCEPT a part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), more particularly described as follows, to-wit: Commencing at a point that is 240.0 feet West of the North Quarter (1/4) corner of said Section Thirteen (13), thence southwesterly along a 09°33' curve and distance of 497.03 feet; thence South 29°09' West 61.85 feet; thence South 83°48' West 633.0 feet; thence North 00°21'40" West 300.00 feet; thence North 83°48' East 812.00 feet to the point of beginning, containing 5.30 acres, more or less; AND EXCEPT a tract of land located in the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), containing 6.4 acres, as shown in Plat of Survey filed in Book 2, Page 677 on May 1, 1996, in the Office of the Recorder of Madison County, Iowa.

hereby agree that all private roads located within Cox's Prairie Oaks 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.

PROPRIETORS OF COX'S PRAIRIE OAKS SUBDIVISION


Bret A. Cox

Kyla S. Cox


Todd Hagan, Madison County Engineer
6-09-2017

**RESOLUTION APPROVING
FINAL PLAT OF
COX'S PRAIRIE OAKS SUBDIVISION
MADISON COUNTY, IOWA**

WHEREAS, there was filed in the Office of the City Administrator of the City of St. Charles, Madison County, Iowa, a registered land surveyor's plat of a proposed subdivision known as Cox's Prairie Oaks Subdivision; and

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

The Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Thirteen (13), in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, EXCEPT a part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), more particularly described as follows, to-wit: Commencing at a point that is 240.0 feet West of the North Quarter (1/4) corner of said Section Thirteen (13), thence southwesterly along a 09°33' curve and distance of 497.03 feet; thence South 29°09' West 61.85 feet; thence South 83°48' West 633.0 feet; thence North 00°21'40" West 300.00 feet; thence North 83°48' East 812.00 feet to the point of beginning, containing 5.30 acres, more or less; AND EXCEPT a tract of land located in the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), containing 6.4 acres, as shown in Plat of Survey filed in Book 2, Page 677 on May 1, 1996, in the Office of the Recorder of Madison County, Iowa.

Subject to easements of record.

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, Bret A. Cox and Kyla S. Cox; and

WHEREAS, said plat was accompanied by an opinion from an attorney at law showing that title in fee simple is in said proprietors and that the platted land is free from encumbrance, except as noted therein and certified statement from the Treasurer of Madison County, Iowa, that said platted land is free from taxes; and

WHEREAS, the City Council of the City of St. Charles, Madison County, Iowa, finds that said plat conforms to the provisions of the Ordinances of the City of St. Charles, Madison

County, Iowa, and that the plat, papers and documents presented therewith should be approved by the City of Council of the City of St. Charles, Madison County, Iowa.

NOW, THEREFORE, BE IT RESOLVED by the City of Council of the City of St. Charles, Madison County, Iowa:

1. Said plat, known as Cox's Prairie Oaks prepared in connection with said plat and subdivision is hereby approved.
2. The City of St. Charles, Madison County, Iowa, is hereby directed to certify this resolution which shall be affixed to said plat to the County documents which should be filed and recorded in connection therewith.

DATED at Winterset, Iowa, this 10th day of July, 2017.
CITY OF ST. CHARLES, IOWA

By Dennis E. Smith
DENNIS E. Smith, Mayor

ATTEST:

Ann Marie Ahl Zook
ANN MARIE AHL-ZOOK, City Administrator

**LAND DISTURBING ACTIVITIES
AFFIDAVIT**

STATE OF IOWA :
: SS
MADISON COUNTY :

Pursuant to section 161 A.64, Code of Iowa in consideration for permission to engage in a land disturbing activity as defined in that statute, and recognizing that the agency authorized by that statute to receive and file this affidavit will rely on the statements we make herein, we, Bret A. Cox and Kyla S. Cox, Husband and Wife, being first duly sworn on oath, do solemnly swear to affirm that:

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

The Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Thirteen (13), in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, EXCEPT a part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), more particularly described as follows, to-wit: Commencing at a point that is 240.0 feet West of the North Quarter (1/4) corner of said Section Thirteen (13), thence southwesterly along a 09°33' curve and distance of 497.03 feet; thence South 29°09' West 61.85 feet; thence South 83°48' West 633.0 feet; thence North 00°21'40" West 300.00 feet; thence North 83°48' East 812.00 feet to the point of beginning, containing 5.30 acres, more or less; AND EXCEPT a tract of land located in the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), containing 6.4 acres, as shown in Plat of Survey filed in Book 2, Page 677 on May 1, 1996, in the Office of the Recorder of Madison County, Iowa.

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.

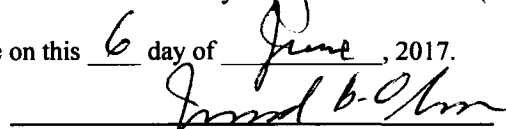
We assume responsibility for all land disturbing activities conducted on this property by us or other people entities we represent. This authority covers only the land and land disturbing activity described above.

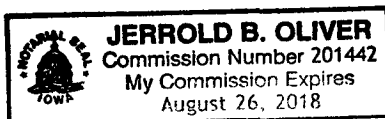
We are the owners of the land, and have full authority to enter into this agreement.


Bret A. Cox


Kyla S. Cox

Subscribed and sworn to before me on this 6 day of June, 2017.


Notary Public in and for the State of Iowa



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

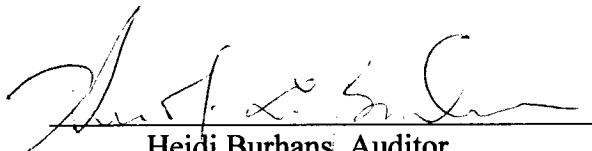
Cox's Prairie Oaks

For property located at: **The Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Thirteen (13), in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, EXCEPT a part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), more particularly described as follows, to-wit: Commencing at a point that is 240.0 feet West of the North Quarter (1/4) corner of said Section Thirteen (13), thence southwesterly along a 09°33' curve and distance of 497.03 feet; thence South 29°09' West 61.85 feet; thence South 83°48' West 633.0 feet; thence North 00°21'40" West 300.00 feet; thence North 83°48' East 812.00 feet to the point of beginning, containing 5.30 acres, more or less; AND EXCEPT a tract of land located in the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), containing 6.4 acres, as shown in Plat of Survey filed in Book 2, Page 677 on May 1, 1996, in the Office of the Recorder of Madison County, Iowa.**

And owned by: Bret A. Cox and Kyla S. Cox

Has been approved on the 7th day of June, 2017.

By the Auditor, Madison County, Iowa.


Heidi Burhans, Auditor

Prepared by: Jerrold B. Oliver, PO BOX 230, Winterset, IA 50273 515/462-3731
Return to: Jerrold B. Oliver, PO BOX 230, Winterset, IA 50273 515/462-3731

AFFIDAVIT

STATE OF IOWA :
: ss
MADISON COUNTY :

We, Bret A. Cox and Kyla S. Cox, first being duly sworn on oath state that this Affidavit concerns the chain of title to the following described real estate:

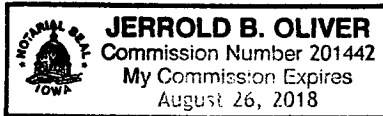
The Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Thirteen (13), in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, EXCEPT a part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), more particularly described as follows, to-wit: Commencing at a point that is 240.0 feet West of the North Quarter (1/4) corner of said Section Thirteen (13), thence southwesterly along a 09°33' curve and distance of 497.03 feet; thence South 29°09' West 61.85 feet; thence South 83°48' West 633.0 feet; thence North 00°21'40" West 300.00 feet; thence North 83°48' East 812.00 feet to the point of beginning, containing 5.30 acres, more or less; AND EXCEPT a tract of land located in the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), containing 6.4 acres, as shown in Plat of Survey filed in Book 2, Page 677 on May 1, 1996, in the Office of the Recorder of Madison County, Iowa.

We further state that there is a lawful fence on East and South boundary lines of the above described real estate.

Bret A. Cox
Bret A. Cox
Kyla S. Cox
Kyla S. Cox

Subscribed and sworn to before me on this 6 day of June, 2017.

Jerrold B. Oliver
Notary Public in and for the State of Iowa



INDEX

LEGEND

COUNTY: Madison
SITE ADDRESS: 2430 Walnut Trail
CITY: St. Charles
SECTION: 13 TOWNSHIP: 75 RANGE: 26
ALIQUOT PART: NE NW
SUBDIVISION NAME: Cox's Prairie Oaks
PROPRIETOR: Brett & Kyla Cox
2430 Walnut Trail, St. Charles, Iowa
515-689-7255
REQUESTED BY: Bret & Kyla Cox
SURVEYOR'S NAME: Vincent E. Piagentini

FINAL PLAT
COX'S PRAIRIE OAKS

Document 2017 2474

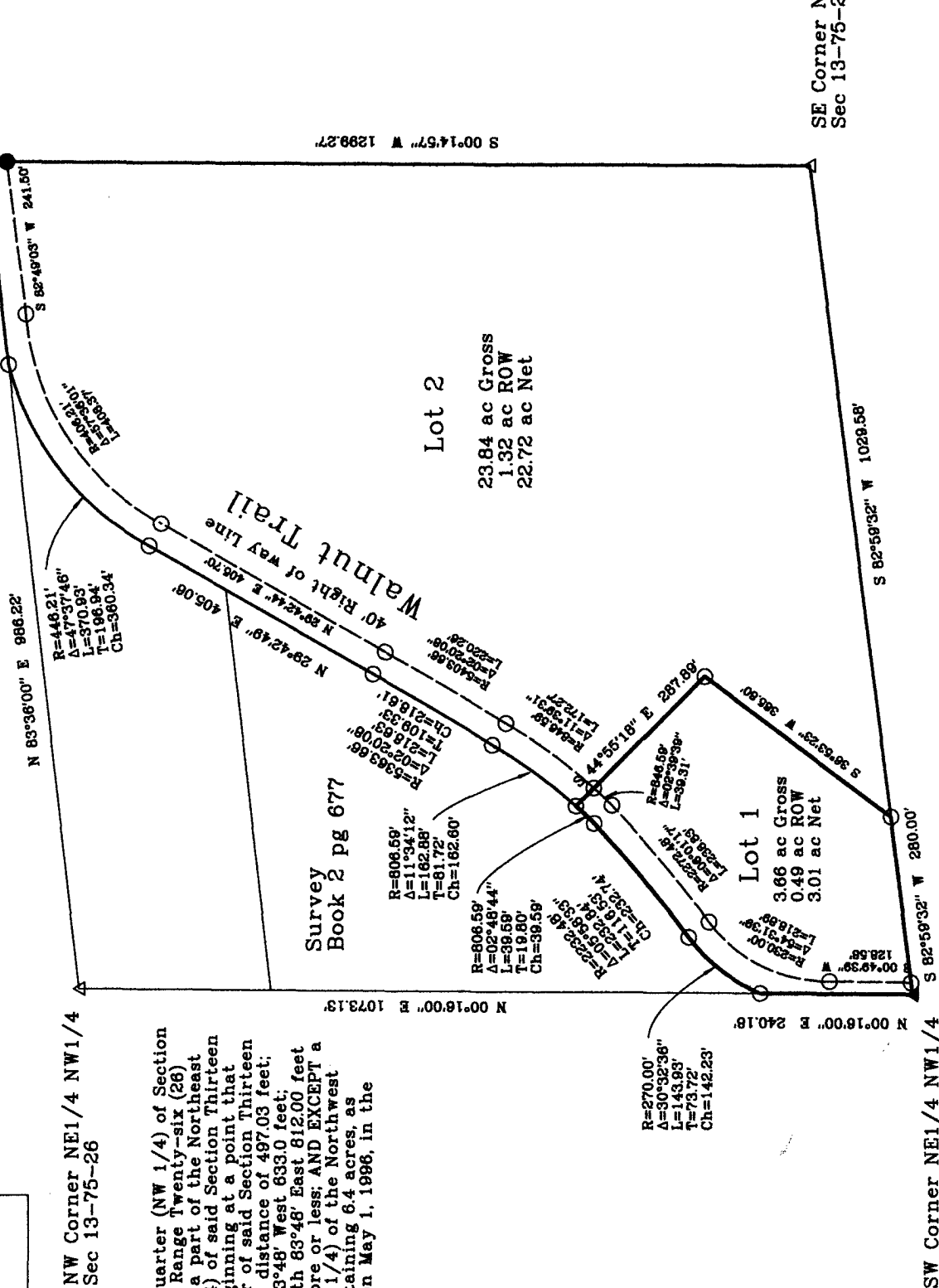
Book 2017 Page 2474 Type 06 044 Pages 19
Date 8/10/2017 Time 8:05:27AM
Rec Amt \$97.00 Aud Amt \$5.00

INDEX
ANNO
SCAN
CHECK
LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

NW Corner NE1/4 NW1/4
Sec 13-75-26

Legal Description
The Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Thirteen (13) in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, EXCEPT a part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), Madison County, Iowa, described as follows: beginning at a point that is 240.0 feet West of the North Quarter (1/4) corner of said Section Thirteen (13), thence southwesterly along a 09°33' curve and distance of 497.03 feet; thence South 28°09' West 61.85 feet; thence South 83°48' West 833.0 feet; thence North 00°21'40" West 300.00 feet; thence North 83°48' East 812.00 feet to the point of beginning, containing 5.30 acres more or less; AND EXCEPT a tract of land located in the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirteen (13), containing 6.4 acres, as shown in Plat of Survey filed in Book 2, Page 677 on May 1, 1996, in the Office of the Recorder of Madison County, Iowa.

N1/4 Corner
Sec 13-75-26



- Notes**
1. Building setback to be 50 feet front and rear yard and 25 feet side yard.
 2. Sewer to be individual septic tank and laterals.
 3. Water to be rural water.
 4. Power to be MidAmerican Energy.
 5. Property is zoned Agricultural.
 6. Any new driveway entrance shall have a 24 foot minimum width.

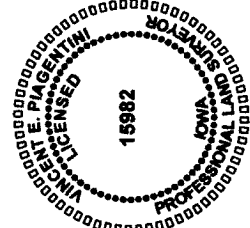
DATE OF SURVEY FIELDWORK: 3/31/17 DRAWING DATE: 3/28/17 REVISION DATE: DRAFTER: VP PROJECT NO: 17106

I HEREBY CERTIFY THAT THIS SURVEYING DOCUMENT WAS PREPARED AND THE RELATED 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.

Vincent E. Piagentini
VINCENT E. PIAGENTINI, IOWA LIC. NO 15982 DATE 7/20/17
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2018.
ADDITIONAL PAGES CERTIFIED (NONE UNLESS INDICATED HERE)

SYMBOLS LEGEND:

- R RECORDED DISTANCE
M MEASURED DISTANCE
C CALCULATED DISTANCE
CORNER MONUMENT FOUND
SET 1/2" IR YC 15982
UNLESS NOTED
SECTION CORNER FOUND
SECTION CORNER SET
1/2" IR YC 15982
UNLESS NOTED
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
YC YELLOW CAP



ABACI CONSULTING, INC.
CIVIL ENGINEERING - LAND SURVEYING
101 NE CIRCLE DR., GRIMES, IOWA 50111, PH. (515)986-5048