



Document 2018 3863

Book 2018 Page 3863 Type 06 044 Pages 31
Date 11/28/2018 Time 11:01:00AM
Rec Amt \$157.00 Aud Amt \$10.00

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

Type of Document

PREPARER INFORMATION: (name, address, phone number)

Zoning Office for Justin & Ann Doyle.
Contact person is Mark Smith 515-462-3731

TAXPAYER INFORMATION: (name and mailing address)

Doyle, Justin C. & Ann T.
4026 Amick Ave
Des Moines, IA 50310

RETURN DOCUMENT TO: (name and mailing address)

Doyle, Justin C. & Ann T.
4026 Amick Ave
Des Moines, IA 50310

GRANTOR: (name)

GRANTEE: (name)

LEGAL DESCRIPTION: (if applicable)

The South Half (1/2) of the Southwest Quarter (1/4) and the Southwest Quarter (1/4) of the Southeast Quarter (1/4) of Section Fourteen (14), AND the Northwest Quarter (1/4) of the Northeast Quarter (1/4) and the North Half (1/2) of the Northwest Quarter (1/4) of Section Twenty-three (23), ALL in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa; EXCEPT a tract of land located in the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Twenty-three (23), containing 4.2022 acres, more particularly described as follows, to-wit: Commencing at the Northwest corner of said Section Twenty-three (23), thence South 00°00' 571.80 feet along the West line of the Northwest Quarter (1/4) of said Section Twenty-three (23) to the point of beginning, thence North 87°21' East 218.27 feet, thence South 03°48' East 756.75 feet, thence South 89°05' West 268.22 feet along the South line of the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Twenty-three (23), thence North 00°00' 749.29 feet along the West line of the Northwest Quarter (1/4) of said Section Twenty-three (23) to the point of beginning.

S ½ SW ¼ & SW ¼ of SW ¼ section 14 & NW ¼ NE ¼ & N ½ NW ¼ section 23 Union Township except a tract of land in the NW ¼ NW ¼ of section 23 containing 4.2022 acres.

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

Prepared By: Mark L. Smith, POB 230, Winterset, IA 50273
Return To: Mark L. Smith, POB 230, Winterset, IA 50273

Telephone: 515/462-3731
Telephone: 515/462-3731

**PLAT AND CERTIFICATE
FOR QUAIL RIDGE,
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 Quail Ridge and that the real estate comprising said plat is described as follows:

See Legal Description Attached.

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

1. Dedication of Plat;
2. Attorney's Opinion;
3. Certificate from County Treasurer;
4. Consent of Peoples Savings Bank;
5. Resolution of the Board of Supervisors of Madison County, 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; and
9. Consent of County Auditor to subdivision name;.

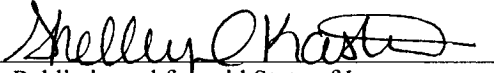
all of which are duly certified in accordance with the Madison County Zoning Ordinance.



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

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 27th day of November, 2018, by C.J.
Nicholl.



Notary Public in and for said State of Iowa



The South Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$) and the Southwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Fourteen (14), **AND** the Northwest Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$) and the North Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Twenty-three (23), **ALL** in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa; **EXCEPT** a tract of land located in the Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23), containing 4.2022 acres, more particularly described as follows, to-wit: Commencing at the Northwest corner of said Section Twenty-three (23), thence South $00^{\circ}00'$ 571.80 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23) to the point of beginning, thence North $87^{\circ}21'$ East 218.27 feet, thence South $03^{\circ}48'$ East 756.75 feet, thence South $89^{\circ}05'$ West 268.22 feet along the South line of the Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23), thence North $00^{\circ}00'$ 749.29 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23) to the point of beginning.

**DEDICATION OF PLAT
OF
QUAIL RIDGE**

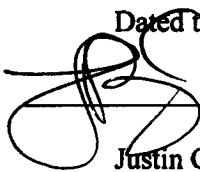
KNOW ALL MEN BY THESE PRESENTS:

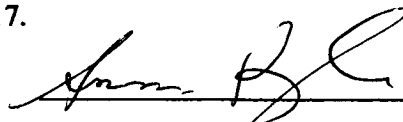
That we, Justin C. Doyle and Ann T. Doyle, Husband and Wife, do hereby certify that we are the owners and proprietors of the following-described real estate:

See Legal Description Attached.

That the Subdivision of the above-described real estate, as shown by the Final Plat of Quail Ridge, is with the free consent and in accordance with the owners' desires as owners of said real estate:

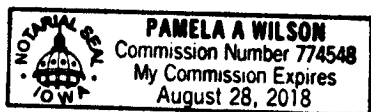
Dated this 28 day of September, 2017.


Justin C. Doyle


Ann T. Doyle

STATE OF IOWA, COUNTY OF Polk: ss

This instrument was acknowledged before me by Justin C. Doyle and Ann T. Doyle,, on this 25th day of September, 2017.




Notary Public in for the State of Iowa

The South Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$) and the Southwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Fourteen (14), AND the Northwest Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$) and the North Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Twenty-three (23), ALL in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa; EXCEPT a tract of land located in the Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23), containing 4.2022 acres, more particularly described as follows, to-wit: Commencing at the Northwest corner of said Section Twenty-three (23), thence South $00^{\circ}00'$ 571.80 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23) to the point of beginning, thence North $87^{\circ}21'$ East 218.27 feet, thence South $03^{\circ}48'$ East 756.75 feet, thence South $89^{\circ}05'$ West 268.22 feet along the South line of the Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23), thence North $00^{\circ}00'$ 749.29 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23) to the point of beginning.

**CONSENT TO PLATTING
PEOPLES SAVINGS BANK**

Peoples Savings Bank does consent to the platting and subdivision of the following-described real estate:

See Legal Description Attached,

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

The undersigned holds the following mortgage on the above real estate:

A Deed of Trust from Justin C. Doyle and Ann T. Doyle, Husband and Wife to Peoples Savings Bank dated and filed March 31, 2017, in Book 2017, Page 1003 of the Recorder's Office of Madison County, Iowa to secure indebtedness in the amount of \$1,325,500.00. This Mortgage is a first lien against the real estate under examination.

Dated this 5 day of November, 2018.



JAKE SCHILLING
Commission Number
811418
My Commission Expires
July 3, 2023

Peoples Savings Bank

By [Signature]
McKinley Steig

Title: Business Development / Credit Analyst manager

STATE OF IOWA, COUNTY OF Warren: ss

This instrument was acknowledged before me on this 5 day of November, 2018, by McKinley Steig as Business Development / Credit Analyst manager of Peoples Savings Bank.
[Signature]
Notary Public in and for said State

The South Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$) and the Southwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Fourteen (14), AND the Northwest Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$) and the North Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Twenty-three (23), ALL in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa; EXCEPT a tract of land located in the Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23), containing 4.2022 acres, more particularly described as follows, to-wit: Commencing at the Northwest corner of said Section Twenty-three (23), thence South $00^{\circ}00'$ 571.80 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23) to the point of beginning, thence North $87^{\circ}21'$ East 218.27 feet, thence South $03^{\circ}48'$ East 756.75 feet, thence South $89^{\circ}05'$ West 268.22 feet along the South line of the Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23), thence North $00^{\circ}00'$ 749.29 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23) to the point of beginning.

**ATTORNEY'S OPINION FOR FINAL PLAT
QUAIL RIDGE**

I, Mark L. Smith, an attorney at law licensed to practice under the laws of the State of Iowa, have examined the abstract of title in one (1) part, last certified to October 17, 2018 at 8:00 A.M., by Madison County Abstract Company; purporting to show the chain of title to the following-described property, which is the real property contained in Quail Ridge, Madison County, Iowa;

See Attached Legal

In my opinion, merchantable title to the above-described property is in the name of the proprietors:

**JUSTIN C. DOYLE and ANNE T. DOYLE,
As Joint Tenants with full rights of survivorship and not as Tenants in Common,**

subject to the following:

1. Entry No. 73 of Continuation to Abstract 14762732FI shows a Deed of Trust from Justin C. Doyle, By John D. Freund, Attorney-in-Fact; and Anne T. Doyle, by John D. Freund, Attorney-in-Fact, Husband and Wife, to Peoples Savings Bank dated and filed March 31, 2017, in Book 2017, Page 1003 of the Recorder's Office of Madison County, Iowa, to secure credit in the amount of \$1,322,500.00. This Mortgage is a first lien against the real estate under examination.

2. The following Easements are shown of record:

A. Entry No.15 of Continuation to Abstract 24916 shows an Easement granted to Standard Oil Company filed September 10, 1941, in Deed Record 75, Page 488 of the Recorder's Office of Madison County, Iowa for a pipeline for the transportation of oil, gas or other products and all necessary appurtenances thereto.

Entry No. 32 of Continuation to Abstract 34754 and Entries No. 41, 49, 56, 57 and 58 of Continuation to Abstract 14762731 all show Assignments, Power of Attorneys and other documents related to this pipeline easement. The final owner of said easement is Buckeye Pipeline Transportation LLC subject to a right of first refusal in favor of BP Products North America, Inc..

B. Entry No. 38 of Continuation to Abstract 14762731 shows an Easement granted to Standard Oil Company dated May 9, 1941, and filed August 11, 1941, in Deed Record 75, Page 457 of the Recorder's Office of Madison County, Iowa, for a pipeline for the transportation of oil, gas or other petroleum products and all necessary appurtenances thereto.

Entries No. 39, 41, 49, 56, 57 and 58 of Continuation to Abstract 14762731 are all the Assignments and Powers of Attorneys and other documents related to this pipeline easement. The final owner of said easement is Buckeye Pipeline Transportation LLC subject to a right of first refusal in favor of BP Products North America, Inc..

C. Entry No. 42 of Continuation to Abstract 14762731 shows a Warranty Deed filed March 14, 1975, in Deed Record 104, Page 639 of the Recorder's Office of Madison County, Iowa. Within this Deed the Grantor conveys to the Grantee a perpetual Easement for a water well situated on the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section Fifteen (15), Township Seventy-six (76), Range Twenty-seven (27) West of the 5th P.M. Therein Grantees are granted use of said waterline and access to said well and line for the purpose of maintenance at their own expense. At Entry No. 59 of Continuation to Abstract 14762731 a Warranty Deed is shown filed January 22, 2013, in Book 2013, Page 234 of the Recorder's Office of Madison County, Iowa. Within this Deed the same Easement for waterline and well is referenced.

D. Entry No. 48 of Continuation to Abstract 14762731 shows an Easement granted to Warren Water, Inc. filed May 21, 1998, in Book 140, Page 106 of the Recorder's Office of Madison County, Iowa, for a waterline and all necessary appurtenances thereto.

E. Entry No. 82 of Continuation to Abstract 14762735 shows an Easement granted to Warren Water District, its successors and assigns, dated June 6, 2017, and filed September 1, 2017, in Book 2017, Page 2750 of the Recorder's Office of Madison County, Iowa for a waterline and all necessary appurtenances thereto.

You should familiarize yourself with these Easements and their terms as they will to some extent limit the use of the real estate under examination.

3. Entry No. 50 of Continuation to Abstract 14762731 shows an Agreement between James L. Naumann and Francis Gordon dated July 26, 2003, and filed July 28, 2003, in Book 2003, Page 4412 of the Recorder's Office of Madison County, Iowa. This Agreement states that the East-West fence located between the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 14 and the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 14 is not the true boundary line between the tracts and that the parties agree that the boundary line is the Quarter Section Line. You should familiarize yourself with this Agreement as it may to some extent limit the use of the real estate under examination.

4. Entry No. 83 of Continuation to Abstract 14762735 shows a Surface Discharging Wastewater Treatment System Agreement between Justin Doyle and the Madison County Board of Health filed January 5, 2018, in Book 2018, Page 66 of the Recorder's Office of Madison County, Iowa. This Agreement states that the property owners agree to follow Chapter 69 requirements for on-site wastewater treatment and disposal systems. The NPDES Permit is non-transferable and must be applied for with a Notice of Intent every time ownership is transferred. This Entry states that the type of disposal being used is subsurface sand filter and that said system requires a maintenance contract with the manufacturer a certified technician shall be maintained at all times.

5. Various Entries within the abstract show that the real estate is subject to the Madison County Zoning Ordinances. You should familiarize yourself with these Ordinances as they may to some extent limit the use of the real estate under examination.

6. Entry No. 62 of Continuation to Abstract 14762731 shows a Statement and Notice to Public filed by the Madison County Soil Conservation District. This Notice states that certain real estate in Madison County, Iowa, may be subject to soil conservation practice refund provided for in what is now Iowa Code Section 161A.7(3). This Code Section provides that an owner of real estate may enter into an agreement to obtain certain cost sharing funds for conservation practices. The Code Section further provides that the agreement does not create a lien on the land, but is a charge personally against the owner of the land at the time of removal, alteration or modification of the conservation practice. You may wish to inquire with the Madison County Soil Conservation District as to whether or not the real estate under examination is subject to such an agreement.

7. Entry No. 63 of Continuation to Abstract 14762631 shows a Land Disturbing Activities Regulation Resolution recorded on August 23, 2004, in Book 2004 on Page 3908 in the Office of the Madison County Recorder. This regulation only applies to land disturbing activities where the land to be disturbed is in excess of 25,000 square feet.

When a land disturbing activity in excess of 25,000 square feet is to occur as part of a project for which a permit is required by a political subdivision, the required permit for the project causing the land disturbing activity shall not be issued unless there is on file with the issuing authority a soil erosion control plan which covers the proposed project and is approved by the soil conservation district commissioners. The Resolution defines "land disturbing activity" as a land change such as tilling, clearing, grading, or excavating, transporting or filling of land which may result in soil erosion from water or wind, the movement of sediment and sediment related pollutants into the waters of the state or onto the lands in the state. You can become acquainted with the limitations that this resolution may place on contemplated uses for the above described property by contacting Madison County Soil Conservation District.

8. Taxes payable in the fiscal year beginning July 1, 2018, are shown as:

First half paid

Second half unpaid but not delinquent.

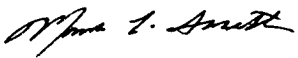
9. According to law, you are required to take notice of any conditions which could be reasonably ascertained by an inspection of the premises. Such conditions are not ordinarily shown by an abstract of title. We therefore suggest that you satisfy yourself as to the following matters from an inspection of the premises:

- a. You should determine the rights of any person in possession of the premises or any part thereof. You should particularly take notice of any highways, transmission lines, access routes, drain tiles or pipelines;
- b. You should determine the exact boundaries of the real estate and the location of improvements within these boundaries;
- c. You should determine whether or not there have been any improvements placed on the real estate within the last ninety (90) days because they could result in a mechanic's lien being filed against the premises. If such improvements have been made, you should make sure the costs of labor and materials have been paid or that mechanic's lien waivers have been secured from all suppliers of such labor and materials;
- d. You should determine whether any solid wastes, hazardous substances, pollutants, above or below ground storage tanks, drainage wells, water wells, landfill sites or other environmentally regulated conditions exist on the property. Such conditions are not ordinarily shown in the abstract, but they may result in injunctions, fines, required cleanup, or other remedial actions under federal, state or local laws; and
- e. You should determine whether the real estate is served by a private sewage disposal system, such as a septic tank and laterals. If such real estate is served by a private sewage disposal system, the deed to the property must be accompanied with a Certified Inspector's Report documenting the acceptable condition of the septic system, or if the septic system has been inspected and approved within two (2) years, the inspector's permit number must be inserted in the Groundwater Hazard Statement. This should generally be done at the expense of the seller or sellers. Limited exemptions from this requirement do exist. For more information see Iowa Code Section 455B.172(11).

If you are entitled to a veteran's exemption or homestead credit, you must make application with the county assessor before next July 1st.

Respectfully submitted,

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

By 

Mark L. Smith, Title Guaranty No. 10074

kb

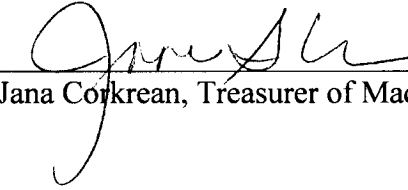
The South Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$) and the Southwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Fourteen (14), AND the Northwest Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$) and the North Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Twenty-three (23), ALL in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa; EXCEPT a tract of land located in the Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23), containing 4.2022 acres, more particularly described as follows, to-wit: Commencing at the Northwest corner of said Section Twenty-three (23), thence South $00^{\circ}00'$ 571.80 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23) to the point of beginning, thence North $87^{\circ}21'$ East 218.27 feet, thence South $03^{\circ}48'$ East 756.75 feet, thence South $89^{\circ}05'$ West 268.22 feet along the South line of the Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23), thence North $00^{\circ}00'$ 749.29 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23) to the point of beginning.

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:

See Attached Legal Description.

DATED at Winterset, Iowa, this 23 day of Oct, 2018.



Jana Corkrean, Treasurer of Madison County, Iowa

RECEIVED

OCT 18 2018

MADISON CO. TREASURER

The South Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$) and the Southwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Fourteen (14), AND the Northwest Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$) and the North Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Twenty-three (23), ALL in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa; EXCEPT a tract of land located in the Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23), containing 4.2022 acres, more particularly described as follows, to-wit: Commencing at the Northwest corner of said Section Twenty-three (23), thence South $00^{\circ}00'$ 571.80 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23) to the point of beginning, thence North $87^{\circ}21'$ East 218.27 feet, thence South $03^{\circ}48'$ East 756.75 feet, thence South $89^{\circ}05'$ West 268.22 feet along the South line of the Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23), thence North $00^{\circ}00'$ 749.29 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23) to the point of beginning.

CERTIFICATE OF AUDITOR

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

Quail Ridge,

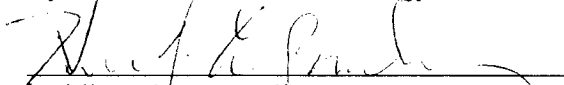
For property located at:

See Attached Legal Description,

And owned by: **Justin C. Doyle and Ann T. Doyle,**
As Joint Tenants with Full Rights of Survivorship, and Not as Tenants in Common.

Has been approved on the 18th day of October, 2018.

By: Auditor, Madison County, Iowa.


Heidi Burhans, Auditor

The South Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$) and the Southwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Fourteen (14), AND the Northwest Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$) and the North Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Twenty-three (23), ALL in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa; EXCEPT a tract of land located in the Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23), containing 4.2022 acres, more particularly described as follows, to-wit: Commencing at the Northwest corner of said Section Twenty-three (23), thence South $00^{\circ}00'$ 571.80 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23) to the point of beginning, thence North $87^{\circ}21'$ East 218.27 feet, thence South $03^{\circ}48'$ East 756.75 feet, thence South $89^{\circ}05'$ West 268.22 feet along the South line of the Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23), thence North $00^{\circ}00'$ 749.29 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23) to the point of beginning.

ZO-RESOLUTION-11-20-18
RESOLUTION APPROVING FINAL PLAT
QUAIL RIDGE,
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 Quail Ridge; and

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

See Legal Description Attached.

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, Justin C. Doyle and Ann T. Doyle; as Joint Tenants with full rights of survivorship and not as Tenants in Common; 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 of 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 Quail Ridge, should be approved by the Board of Supervisors of Madison County, Iowa.

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

1. That said plat, known as Quail Ridge, prepared in connection with said plat and subdivision is hereby approved.

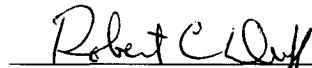
2. The Zoning Administrator of Madison County, Iowa, is hereby directed to certify this resolution which shall be affixed to said plat to the County Recorder of Madison County, Iowa, and attend to the filing and recording of the plat, papers, and documents which should be filed and recorded in connection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

DATED at Winterset, Iowa, this 20th day of November, 2018.

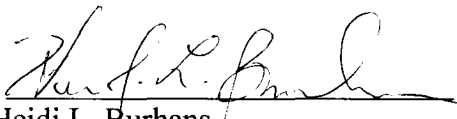


Phillip Clifton, Chairman

Aaron Price, Supervisor



Robert Duff, Supervisor

Attest: 
Heidi L. Burhans,
Madison County Auditor

The South Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$) and the Southwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Fourteen (14), AND the Northwest Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$) and the North Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Twenty-three (23), ALL in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa; EXCEPT a tract of land located in the Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23), containing 4.2022 acres, more particularly described as follows, to-wit: Commencing at the Northwest corner of said Section Twenty-three (23), thence South $00^{\circ}00'$ 571.80 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23) to the point of beginning, thence North $87^{\circ}21'$ East 218.27 feet, thence South $03^{\circ}48'$ East 756.75 feet, thence South $89^{\circ}05'$ West 268.22 feet along the South line of the Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23), thence North $00^{\circ}00'$ 749.29 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23) to the point of beginning.

AGREEMENT

This Agreement, made and entered into, by and between, the proprietors of Quail Ridge, and the Madison County Engineer.

NOW THEREFORE IT IS AGREED AS FOLLOWS:

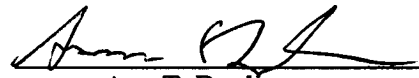
1. The proprietors of Quail Ridge, a Plat of the following described real estate:

See Attached Legal Description,

hereby agree that all private roads located within Quail Ridge 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 QUAIL RIDGE


Justin C. Doyle


Ann T. Doyle


Todd Hagan, Madison County Engineer

9-28-2017



**MADISON COUNTY
SECONDARY ROAD DEPARTMENT**
1105 E. COURT AVE.
WINTERSET, IOWA 50273
PHONE - (515) 462-1136 / FAX - (515) 462-2506



TODD R. HAGAN, P.E.
COUNTY ENGINEER

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

KERRY STAPLES
OFFICE ASSISTANT

RAY PARKER JR.
MAINTENANCE SUPERINTENDENT

October 31, 2018

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

RE: Quail Ridge Final Plat
Sections 14 & 23, Township 76N, Range 27W
Union Township
Madison County, Iowa

Commission Members:

Upon further review of the above-referenced subdivision, it was noted that there will be a need for a new intersection along Quail Ridge Ave. and another one along Quarry Trl. The owner needs to obtain an approved application from the Madison County Secondary Road Department for each intersection before starting construction. Also, only lots One (1), Fourteen (14) and Fifteen (15) will be allowed access to a Madison County secondary road and all three lots will need approved driveway permits on file.

The owner has submitted plan and profile sheets for the proposed private subdivision roads. The roads have been designed to meet a 30 mph design speed.

The owner has proposed granular surfaced roadways. The surface design calls for 7 inches of granular subbase topped with 4 inches of $\frac{3}{4}$ " crushed limestone. I concur with their design based on an estimated AADT of 220 vehicles per day.

The developer shall provide the subdivision with adequate ditches, culverts, complete bridges, storm sewers, intakes, and manholes to provide for the collection and removal of all surface waters, and these improvements shall extend to the boundaries of the subdivision so as to provide for extension by adjoining properties. The cross section sheet provided shows 4:1 foreslopes and backslopes with a 4 foot ditch bottom. The plan and profile submitted does show proposed cross-road culverts designed to keep the surface water within its natural course.

Storm water runoff items (silt fence, ditch checks, etc.) were not specified in the cost opinion. It is the owner's responsibility to control storm water runoff in order to keep silt from leaving his/her property. Therefore, the owner will need to file a Pollution Prevention Plan (PPP) with the Iowa Department of Natural Resources. Aside from that, I concur with their cost estimate.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Todd R. Hagan', with a stylized flourish at the end.

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

TRH:kbs

The South Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$) and the Southwest Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Fourteen (14), AND the Northwest Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$) and the North Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Twenty-three (23), ALL in Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa; EXCEPT a tract of land located in the Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23), containing 4.2022 acres, more particularly described as follows, to-wit: Commencing at the Northwest corner of said Section Twenty-three (23), thence South $00^{\circ}00'$ 571.80 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23) to the point of beginning, thence North $87^{\circ}21'$ East 218.27 feet, thence South $03^{\circ}48'$ East 756.75 feet, thence South $89^{\circ}05'$ West 268.22 feet along the South line of the Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23), thence North $00^{\circ}00'$ 749.29 feet along the West line of the Northwest Quarter ($\frac{1}{4}$) of said Section Twenty-three (23) to the point of beginning.

SUBDIVISION BOND

Bond No. 1135121

Know all men by these presents:

THAT we, Justin Doyle Development Services
as Principal, and Lexon Insurance Company of 10002 Shelbyville Rd., STE 100
Louisville, KY 40223

(hereinafter called the Surety) are held and firmly bound unto the Madison County, Iowa,

as Obligee, in the penal sum of Eight Hundred Forty Eight Thousand Thirty dollars (\$ 848,030.00),
lawful money of the United States to the payment of which sum well and truly to be made, the
Principal herein firmly binds himself (themselves), their heirs, executors, and administrators, and
the said Surety binds itself, its successors, assigns, executors and administrators, jointly and
severally, firmly by these presents.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, THAT, whereas the above
bounden Principal is platting certain plots entitled Quail Ridge Development

being an official plat lying within the City of Winterset

County of Madison, State of Iowa.

WHEREAS, the above bounden Principal has agreed with the Obligee to do the following:

Quail Ridge Development Roadway Improvement [Earthwork, Stormwater, Water Service, Landscaping, Screening & Amenities and Road Improvements]

Before the final plat of any area shall be approved, the subdivider shall have installed the improvements required by these regulations or shall provide performance guarantees to assure the installation of the required improvements shall be completed within one (1) year after final approval of the plat.

All such improvements to be completed in accordance with an agreement between the principal and Obligee.

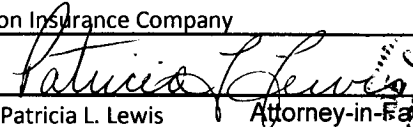
NOW, if the Principal shall in all respects fulfill his said obligation according to the terms thereof, and shall satisfy all claims and demands incurred for same, and shall fully indemnify and save harmless the Obligee from all costs and damages which it may suffer by reason of failure to do so and shall fully reimburse and repay the Obligee all outlays and expenses which it may incur in making good any such default, then this obligation is to be void and of no effect; otherwise to remain in full force and effect.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 20th
day of November, 2018,

Justin Doyle Development Services

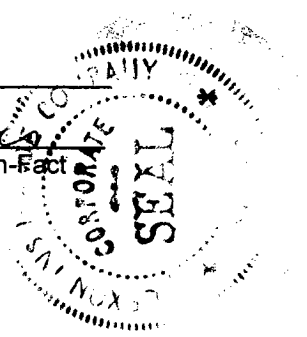
By: 

Lexon Insurance Company

By: 

Patricia L. Lewis

Attorney-in-Fact



POWER OF ATTORNEY

Lexon Insurance Company

Bond #: 1135121

Principal: Justin Doyle Development Services

Obligee: Madison County, Iowa

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Patricia L. Lewis

its true and lawful Attorney-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$2,500,000.00, Two-million five hundred thousand dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.



LEXON INSURANCE COMPANY

BY

David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

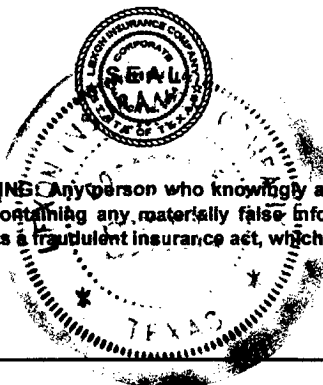
BY

Amy Taylor
Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 20th Day of November, 2018.



BY

Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

**LAND DISTURBING ACTIVITIES
AFFIDAVIT**

STATE OF IOWA :
: ss
MADISON COUNTY :

Pursuant to section 161A.64, Code of Iowa in consideration for permission to engage in a land disturbing activity as defined in that statute, and recognizing that the agency authorized by that statute to receive and file this affidavit will rely on the statements we make herein, we, Justin C. Doyle and Ann T. Doyle, 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 other than building 3 small ponds and roads:

See Legal Description Attached.

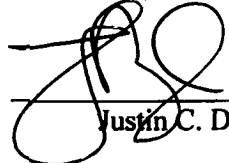
As owners or occupants of the land described above, we are aware that we must establish and maintain soil conservation practices as necessary to meet the soil loss limits established by the Madison County Soil and Water Conservation District, pursuant to sections 161A.43, and 161A.44, Code of Iowa.

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.

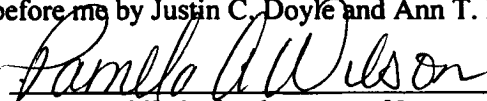
Dated this 25 day of September, 2017.

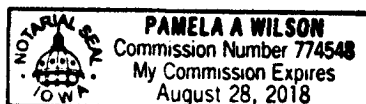

Justin C. Doyle


Ann T. Doyle

STATE OF IOWA, COUNTY OF Polk :

This instrument was acknowledged before me by Justin C. Doyle and Ann T. Doyle, on this 25 day of September, 2017.


Notary Public in for the State of Iowa

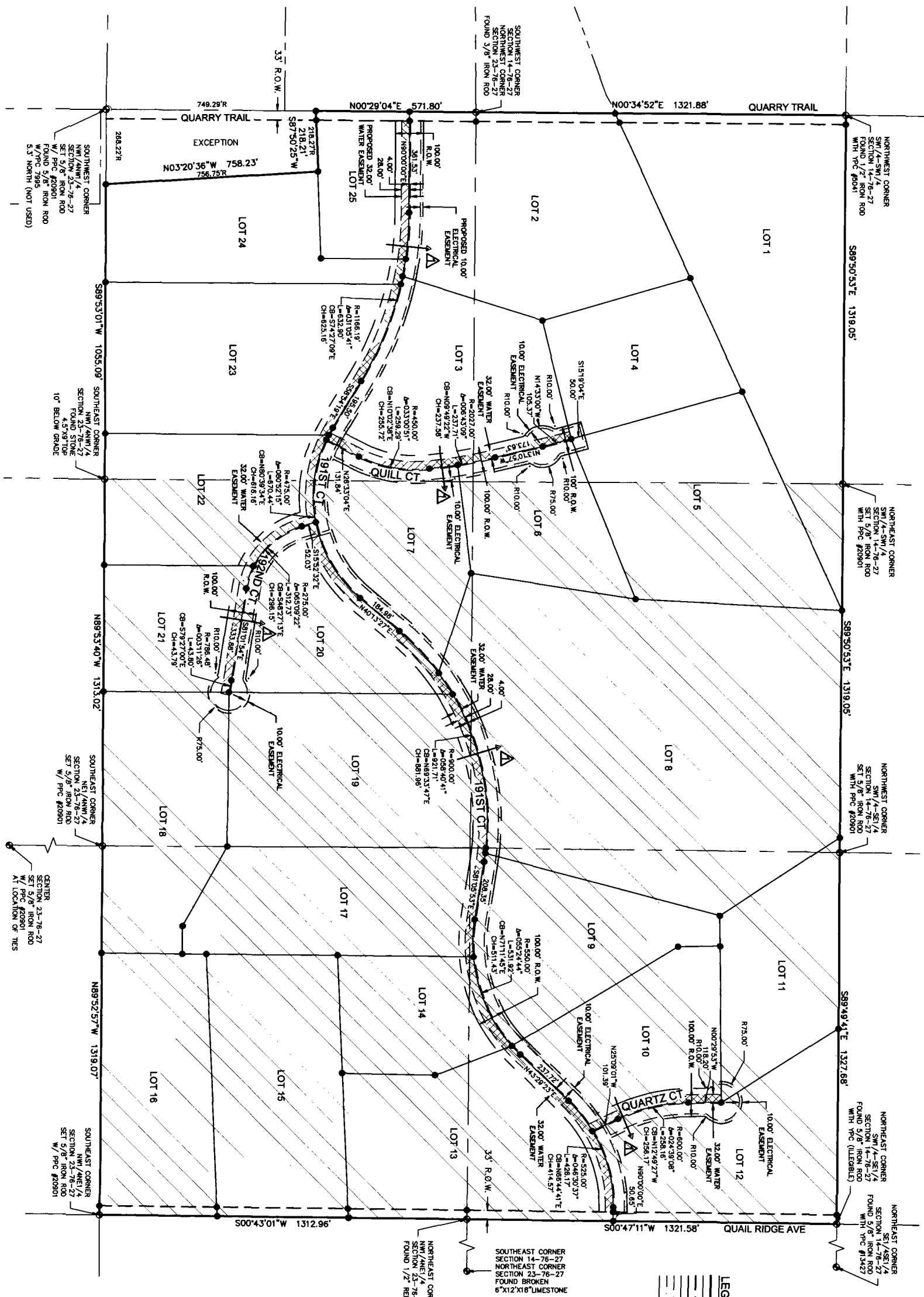
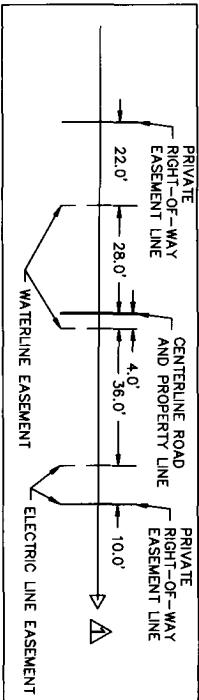


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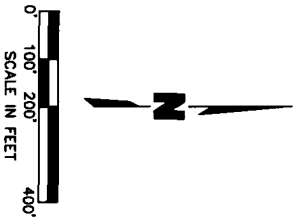
QUAIL RIDGE SUBDIVISION

FINAL PLAT

EASEMENT DETAILS



LOT #	TOTAL ACRES	PRIVATE ROW EASEMENT	PUBLIC ROW EASEMENT
LOT 1	16.74	0	0.62
LOT 2	13.64	0.65	0.56
LOT 3	9.15	1.76	0
LOT 4	5.96	0.06	0
LOT 5	10.92	0.05	0
LOT 6	5.44	0.53	0
LOT 7	6.72	1.84	0
LOT 8	31.17	0.83	0
LOT 9	7.66	0.81	0
LOT 10	7.01	1.01	0
LOT 11	6.56	0.07	0
LOT 12	9.19	1.00	0.61
LOT 13	10.94	0.42	0.72
LOT 14	5.00	0.42	0
LOT 15	10.10	0	0.36
LOT 16	8.56	0	0.32
LOT 17	8.84	0.45	0
LOT 18	8.72	0.10	0
LOT 19	11.27	0.76	0
LOT 20	6.42	1.68	0
LOT 21	5.07	0.66	0
LOT 22	7.63	0.68	0
LOT 23	11.75	0.69	0
LOT 24	7.16	0.11	0
LOT 25	3.91	0.57	0.25
TOTALS	238.57	15.25	3.44

[illegible]

QUAIL RIDGE SUBDIVISION FINAL PLAT	
EASEMENT DETAILS	
MADISON COUNTY, IOWA	2018