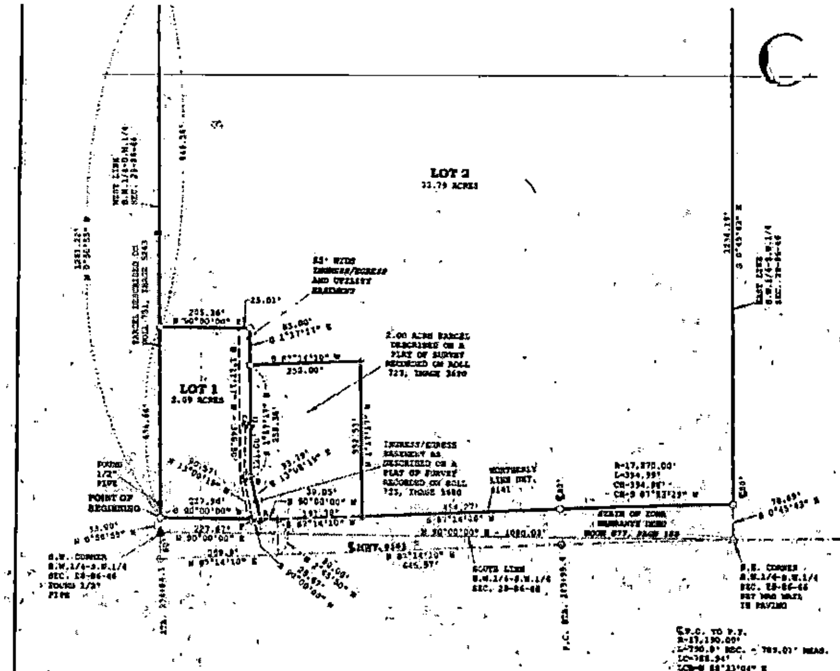
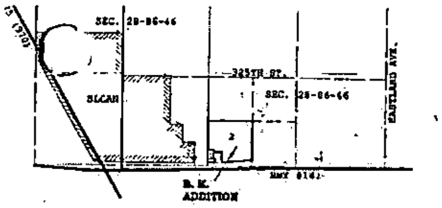
5-30-17
8





SCALE 1"=200'
0 100 200
28-86-46 SW SW SUB FINAL
2017 (34)

MONUMENTS

- ● = 1/2" REBAR FOUND (UNLESS NOTED)
- ⊕ = DRILL HOLE & CHISELED "X" FOUND IN CONCRETE
- ◉ = 1/2" YELLOW CAPPED REBAR #15082 FOUND
- ◍ = 60 'D' SPIKE FOUND
- O = 1/2" YELLOW CAPPED REBAR #15082 SET

TOTAL: 35.88 ACRES

NOTES:

SEE RECORDED PLAT OF SURVEY FOR THE BREAKDOWN OF THE S.W.1/4 OF SECTION 28, T.86N., R.46W.

LOT 1 IS SUBJECT TO AND TOGETHER WITH AN EASEMENT AGREEMENT FILED ON ROLL 468, IMAGE 466.

PROPERTY IS SUBJECT TO A RIGHT OF WAY AND EASEMENT FILED ON ROLL 201, IMAGE 902.

PROPERTY IS SUBJECT TO AND TOGETHER WITH ANY AND ALL OTHER EASEMENTS, RESTRICTIONS AND COVENANTS.

OWNERS/SUBDIVIDERS:
BRAD W. KOENIG & BRANDIE M. KOENIG, HUSBAND AND WIFE, AS JOINT TENANTS WITH FULL RIGHTS OF SURVIVORSHIP, AND NOT AS TENANTS IN COMMON

SURVEYOR:
ALAN L. FAGAN

ZONING:
AP AG PRESERVATION

BUILDING SETBACKS:
FRONT YARD - 100 FEET FROM ROAD R.O.W.
REAR YARD - 50 FEET
SIDE YARD - 20 FEET

LOT 1 IS SUBJECT TO AN INGRESS/EGRESS EASEMENT AS DESCRIBED ON A PLAT OF SURVEY OF A 2.00 ACRE PARCEL RECORDED ON ROLL 723, IMAGE 3680

A - B:	N.13°08'19"W.	- 93.79'
B - C:	N.1°17'17"W.	- 121.00'
C - D:	S.88°42'43"W.	- 12.00'
D - E:	S.0°54'32"W.	- 121.58'
E - F:	S.12°45'05"E.	- 92.78'
F - A:	N.90°00'00"E.	- 17.50'

THE EASTERLY 23.00 FEET OF LOT 1 IS SUBJECT TO AN INGRESS/EGRESS AND UTILITY EASEMENT TO BENEFIT LOT 2.

SURVEYOR'S DESCRIPTION:
PART OF THE S.W.1/4 OF THE S.W.1/4 OF SECTION 28, TOWNSHIP 86 NORTH, RANGE 46 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE S.W. CORNER OF SAID S.W.1/4 OF THE S.W.1/4; THENCE N.0°50'55"W. ALONG THE WEST LINE OF SAID S.W.1/4 OF THE S.W.1/4 FOR 33.00 FEET TO THE NORTHERLY LINE OF HIGHWAY #141 AS DESCRIBED ON A WARRANTY DEED RECORDED IN BOOK 877, PAGE 188 IN THE WOODBURY COUNTY RECORDER'S OFFICE AND THE POINT OF BEGINNING; THENCE CONTINUING N.0°50'55"W. ALONG SAID WEST LINE FOR 1281.22 FEET TO THE N.W. CORNER OF SAID S.W.1/4 OF THE S.W.1/4; THENCE S.89°56'34"E. ALONG THE NORTH LINE OF SAID S.W.1/4 OF THE S.W.1/4 FOR 1309.51 FEET TO THE N.E. CORNER OF SAID S.W.1/4 OF THE S.W.1/4; THENCE S.0°45'43"E. ALONG THE EAST LINE OF SAID S.W.1/4 OF THE S.W.1/4 FOR 1234.19 FEET TO SAID NORTHERLY LINE OF HIGHWAY #141; THENCE WESTERLY ALONG SAID NORTHERLY LINE AND A 17,270 FOOT RADIUS CURVE CONCAVE SOUTHERLY FOR 394.99 FEET, SAID CURVE HAVING A CHORD BEARING OF S.87°53'29"W. AND A CHORD LENGTH OF 394.98 FEET; THENCE S.87°14'10"W. ALONG SAID NORTHERLY LINE FOR 454.27 FEET TO THE SOUTHEASTERLY CORNER OF A 2.00 ACRE PARCEL DESCRIBED ON A PLAT OF SURVEY RECORDED ON ROLL 723, IMAGE 3680 IN THE WOODBURY COUNTY RECORDER'S OFFICE; THENCE N.1°17'17"W. ALONG THE EASTERLY LINE OF SAID PARCEL FOR 352.53 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL; THENCE S.87°14'10"W. ALONG THE NORTHERLY LINE OF SAID PARCEL FOR 250.00 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL; THENCE S.1°17'17"E. ALONG THE WESTERLY LINE OF SAID PARCEL FOR 258.36 FEET; THENCE S.13°08'19"E. ALONG SAID WESTERLY LINE FOR 93.79 FEET TO SAID NORTHERLY LINE OF HIGHWAY #141; THENCE S.90°00'00"W. ALONG SAID NORTHERLY LINE FOR 227.86 FEET TO THE POINT OF BEGINNING. CONTAINING 35.88 ACRES. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

NOTE: THE SOUTH LINE OF SAID S.W.1/4 OF THE S.W.1/4 IS ASSUMED TO BEAR N.90°00'00"E.

SURVEYOR'S CERTIFICATE:
I, ALAN L. FAGAN, A DULY LICENSED LAND SURVEYOR UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF IOWA, HOLDING CERTIFICATE NO. 15082, DO HEREBY CERTIFY THAT THE SUBDIVISION PLAT OF B. K. ADDITION, WOODBURY COUNTY, IOWA, IS A TRUE REPRESENTATION OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE SAME IS LOCATED UPON AND COMPRISES THE WHOLE OF THE ATTACHED DESCRIBED PROPERTY.

I DO HEREBY CERTIFY THAT THERE ARE CONTAINED IN SAID DESCRIPTION THE LOTS AND STREETS DESCRIBED IN THE ADDITION PLATTED; THAT THE SAME ARE OF THE DIMENSIONS, NUMBERS, NAMES AND LOCATIONS AS SHOWN ON SAID PLAT AND THAT IRON STAKES WERE DRIVEN AT EACH CORNER OF EVERY LOT AND TRACT EXCEPT AS NOTED ON SAID PLAT.

DATED AT SIOUX CITY, IOWA APRIL 27, 2017.

ALAN L. FAGAN
IOWA NO. 15082

ALAN L. FAGAN NO. 15082

LICENSE RENEWAL DATE: DECEMBER 31, 2017

INDEX LEGEND	
SURVEYOR:	ALAN L. FAGAN 712-539-1471
MAIL TO:	AL FAGAN LAND SURVEYING, P.C. P.O. BOX 858 - MERRILL, IA 51038
COUNTY:	WOODBURY

AUDITOR AND RECORDER'S CERTIFICATE OF RECORDING
STATE OF IOWA :
: SS
COUNTY OF WOODBURY:

DOCKET NO: 14135

FILED FOR RECORD, THIS 13 DAY OF June, 2017 AT 9:00 O'CLOCK A.M., RECORDED IN PLAT ENVELOPE 8198A.

AUDITOR'S APPROVAL OF SUBDIVISION NAME OR TITLE:
THE COUNTY AUDITOR HEREBY ACCEPTS AND APPROVES THE NAME OF B. K. ADDITION, WOODBURY COUNTY, IOWA, FOR USE IN WOODBURY COUNTY, IOWA AS REQUIRED BY IOWA CODE SECTION 354.6(2).

DATED JUNE 8, 2017.

Diane Swoboda Peterson, Deputy
PATRICK F. GILL
WOODBURY COUNTY AUDITOR
BY: DIANE SWOBODA PETERSON, DEPUTY

TREASURER'S CERTIFICATE OF TAXES AND SPECIAL ASSESSMENTS
I, MIKE CLAYTON, TREASURER OF WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE LAND DESCRIBED IN THE ATTACHED AND FOREGOING SURVEYOR'S CERTIFICATE IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

DATED JUNE 8, 2017

Dianne McCall, Deputy
MIKE CLAYTON
TREASURER,
WOODBURY COUNTY, IOWA
Dianne McCall, Deputy

COUNTY ENGINEER'S CERTIFICATE
I, MARK NAHRA, P.E. COUNTY ENGINEER FOR WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE BOUNDARY LINES OF THE PLAT AND LOTS THEREIN WERE MATHEMATICALLY CHECKED AND CONFORM WITH THE REQUIREMENTS AS PROVIDED FOR IN THE SUBDIVISION ORDINANCE, THAT ALL DIMENSIONS BOTH LINEAL AND ANGULAR NECESSARY FOR THE LOCATION OF LOTS, TRACTS, STREETS, ALLEYS AND EASEMENTS ARE SHOWN.

Mark J. Nahra
MARK NAHRA, P.E.
COUNTY ENGINEER
WOODBURY COUNTY, IOWA

CERTIFICATE OF COUNTY ASSESSOR
I, JULIE CONOLLY, HEREBY CERTIFY THAT ON THE 8 DAY OF June, 2017, A COPY OF THIS PLAT WAS FILED IN THE WOODBURY COUNTY ASSESSOR'S OFFICE.

DATED 6-8-2017

JULIE CONOLLY
WOODBURY COUNTY ASSESSOR
by Scott Clausen, Dep.

BOARD OF SUPERVISORS' RESOLUTION RESOLUTION NO. 12,565
RESOLUTION ACCEPTING AND APPROVING B. K. ADDITION, WOODBURY COUNTY, IOWA.

WHEREAS, THE OWNERS AND PROPRIETORS DID ON THE 25TH DAY OF APRIL, 2017, FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS B. K. ADDITION, WOODBURY COUNTY, IOWA; AND

WHEREAS, IT APPEARS THAT SAID PLAT CONFORMS WITH ALL OF THE PROVISIONS OF THE CODE OF THE STATE OF IOWA AND ORDINANCES OF WOODBURY COUNTY, IOWA, WITH REFERENCE TO THE FILING OF SAME; AND

~~WHEREAS, THE ZONING COMMISSION OF WOODBURY~~ COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT; AND

WHEREAS, THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

NOW THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, THAT THE PLAT OF B. K. ADDITION, WOODBURY COUNTY, IOWA BE, AND THE SAME IS HEREBY ACCEPTED AND APPROVED, AND THE CHAIRMAN AND SECRETARY OF THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, ARE HEREBY DIRECTED TO FURNISH TO THE OWNERS AND PROPRIETORS A CERTIFIED COPY OF THIS RESOLUTION AS REQUIRED BY LAW.

30TH MAY

~~**DEDICATION**~~
~~KNOW ALL MEN BY THESE PRESENTS:~~

~~THAT BRAD W. KOENIG AND BRANDIE M. KOENIG, HUSBAND AND WIFE, THE OWNERS OF THE REAL ESTATE DESCRIBED IN THE ATTACHED SURVEYOR'S CERTIFICATE, HAVE IN THE PURSUANCE OF LAW, CAUSED SAID DESCRIBED REAL ESTATE TO BE SURVEYED, STAKED AND PLATTED INTO LOTS AND STREETS, AS IS PARTICULARLY SHOWN AND SET FORTH IN THE ATTACHED PLAT AND SAID CERTIFICATE OF ALAN L. FAGAN, A PROFESSIONAL SURVEYOR WHO SURVEYED AND PLATTED THE REAL ESTATE TO BE KNOWN AS B. K. ADDITION, WOODBURY COUNTY, IOWA, AND THAT THE SAME IS PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES AS OWNERS AND PROPRIETORS THEREOF.~~

~~EXECUTED AT ______, IOWA, THE ______ DAY OF ______, 2017.~~

~~BRAD W. KOENIG~~

~~BRANDIE M. KOENIG~~

~~STATE OF IOWA :~~
~~: SS~~
~~WOODBURY COUNTY:~~

~~ON THIS ____ DAY OF ______, 2017, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED BRAD W. KOENIG AND BRANDIE M. KOENIG, TO ME KNOWN TO BE THE PERSONS NAMED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR VOLUNTARY ACT AND DEED.~~

~~NOTARY PUBLIC IN AND FOR SAID STATE~~

RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA
I, CHRISTINE ZELLMER-ZANT, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVISEMENT THE PLAT OF B. K. ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE 22ND DAY OF MAY, 2017 APPROVE THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

DATED THIS 22ND DAY OF MAY, 2017.

CHRISTINE ZELLMER-ZANT
CHAIRMAN
WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA

TITLE OPINION
TO: COUNTY AUDITOR AND RECORDER
WOODBURY COUNTY, IOWA

Dear Sir:

We have this date examined a complete abstract of title, pursuant to Iowa Code Section 354.11(2), to the property described in the Surveyor's Certificate on the Plat of B. K. Addition, Woodbury County, Iowa, described more particularly as: PART OF THE S.W.1/4 OF THE S.W.1/4 OF SECTION 28, TOWNSHIP 86 NORTH, RANGE 46 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE S.W. CORNER OF SAID S.W.1/4 OF THE S.W.1/4; THENCE N.0°50'55"W. ALONG THE WEST LINE OF SAID S.W.1/4 OF THE S.W.1/4 FOR 33.00 FEET TO THE NORTHERLY LINE OF HIGHWAY #141 AS DESCRIBED ON A WARRANTY DEED RECORDED IN BOOK 877, PAGE 188 IN THE WOODBURY COUNTY RECORDER'S OFFICE AND THE POINT OF BEGINNING; THENCE CONTINUING N.0°50'55"W. ALONG SAID WEST LINE FOR 1281.22 FEET TO THE N.W. CORNER OF SAID S.W.1/4 OF THE S.W.1/4; THENCE S.89°56'34"E. ALONG THE NORTH LINE OF SAID S.W.1/4 OF THE S.W.1/4 FOR 1309.51 FEET TO THE N.E. CORNER OF SAID S.W.1/4 OF THE S.W.1/4; THENCE S.0°45'43"E. ALONG THE EAST LINE OF SAID S.W.1/4 OF THE S.W.1/4 FOR 1234.19 FEET TO SAID NORTHERLY LINE OF HIGHWAY #141; THENCE WESTERLY ALONG SAID NORTHERLY LINE AND A 17,270 FOOT RADIUS CURVE CONCAVE SOUTHERLY FOR 394.99 FEET, SAID CURVE HAVING A CHORD BEARING OF S.87°53'29"W. AND A CHORD LENGTH OF 394.98 FEET; THENCE S.87°14'10"W. ALONG SAID NORTHERLY LINE FOR 454.27 FEET TO THE SOUTHEASTERLY CORNER OF A 2.00 ACRE PARCEL DESCRIBED ON A PLAT OF SURVEY RECORDED ON ROLL 723, IMAGE 3680 IN THE WOODBURY COUNTY RECORDER'S OFFICE; THENCE N.1°17'17"W. ALONG THE EASTERLY LINE OF SAID PARCEL FOR 352.53 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL; THENCE S.87°14'10"W. ALONG THE NORTHERLY LINE OF SAID PARCEL FOR 250.00 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL; THENCE S.1°17'17"E. ALONG THE WESTERLY LINE OF SAID PARCEL FOR 258.36 FEET; THENCE S.13°08'19"E. ALONG SAID WESTERLY LINE FOR 93.79 FEET TO SAID NORTHERLY LINE OF HIGHWAY #141; THENCE S.90°00'00"W. ALONG SAID NORTHERLY LINE FOR 227.86 FEET TO THE POINT OF BEGINNING. CONTAINING 35.88 ACRES. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS. NOTE: THE SOUTH LINE OF SAID S.W.1/4 OF THE S.W.1/4 IS ASSUMED TO BEAR N.90°00'00"E which abstract was last certified by Engleson Abstract Co., Inc. dated June 13, 2017 at 9:59 o'clock a.m. and from said abstract find good and merchantable title to said premises vested in Brad W. Koenig and Brandie M. Koenig a/k/a Brandi M. Koenig, husband and wife, the proprietors, free and clear of all mortgages, liens and other encumbrances, except the following:

a) Mortgage from Brad W. Koenig and Brandie M. Koenig, husband and wife to Sloan State Bank dated May 6, 2011, filed May 12, 2011 on Roll 716, Image 2032.

The above mortgage has been assigned to Mortgage Electronic Registration Systems, Inc.

b) Mortgage from Brad W. Koenig and Brandie M. Koenig, husband and wife to Sloan State Bank dated August 30, 2012, filed August 31, 2012 on Roll 724, Image 10011.

c) Easement filed September 8, 2000 on Roll 468, Image 466 granted for access purposes to and from Highway 141.

d) Warranty Deed filed March 18, 1938 in Book 877, Page 188 under which rights of direct access to the adjoining public right of way are relinquished except for a farm entrance at Station 231 + 00 on the North side and a double field entrance on the East, which entrances are to be connected to a frontage road when a frontage road is constructed.

e) Easement filed May 12, 1980 on Roll 201, Image 902 conveyed to AT&T Communications of the Midwest, Inc. in connection with a communication system.

f) Plat of Survey filed June 14, 2012 on Roll 723, Image 3680 shown for informational purposes as it discloses the location of an ingress/egress easement adjoining the West boundary of a parcel "excepted" from the property being platted hereunder.

g) Zoning Regulations from the Woodbury County Board of Supervisors to The Public, dated January 11, 1971, filed March 5, 1971, and recorded in Book 1262, Pages 8 to 78.

h) Resolution No. 6332 dated May 12, 1977 on Roll 62, Image 2118 and 2119.

i) Resolution No. 6333 dated May 12, 1977 on Roll 62, Image 2120 and 2121.

j) Notice filed July 25, 1992 on Roll 268, Image 2343.

k) Resolution No. 9460 filed December 12, 2000 on Roll 475, Image 935.

l) Resolution No. 10,455 filed August 28, 2008 on Roll 639, Image 7313.

m) Resolution No. 10,456 filed August 28, 2008 on Roll 639, Image 7315.

n) Easements and other matters set forth on the Plat diagram of B. K. Addition to Woodbury County, Iowa.

o) All certified real estate taxes and special assessments due and payable have been paid. Real estate taxes and special assessments not certified are a lien in an undetermined amount.

Dated: June 13, 2017.