

FILED FOR RECORD
POLK COUNTY, IOWA

00 OCT -9 P 1:54.7

TIMOTHY J. BRIEN

Prepared by and Return to: Ed Skinner, Box 367, ~~RECORDED~~ Altoona, IA 50009 (515) 967-4264

STATEMENT BY PROPRIETORS

THE UNDERSIGNED, acting pursuant to Iowa Code Section 354.11(1) 1999, hereby state that they are the proprietors and record fee and record fee titleholders of a part of the real estate described in

Please see Exhibit A attached hereto and by this reference made a part hereof as though fully set out herein. Said real estate is to be known as Elder Business Park, an Official Plat, to be included in and forming a part of the Unincorporated Territory of Polk County, Iowa.

That the real estate is to be subdivided and platted as Elder Business Park, an Official Plat in the Unincorporated Territory of Polk County, Iowa as it appears on the accompanying plat; and that the real estate is platted with the free consent of, and in accordance with the desires of, the undersigned proprietors and fee titleholders.

Dated this 13 day of Sept 2000.

Terry L. Mickle
Terry L. Mickle
Joan M. Mickle
Joan M. Mickle

By: Harry Elder
Harry Elder, Manager
WWJD, L.L.C.

STATE OF IOWA)
) ss:
COUNTY OF POLK)

On this 17th day of August 2000, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared TERRY L. MICKLE and JOAN M. MICKLE, to me personally known, and that TERRY L. MICKLE and JOAN M. MICKLE acknowledged the execution of the instrument to be their voluntary act and deed.

Jeannie G. Beebe
Notary Public in and for
the State of Iowa

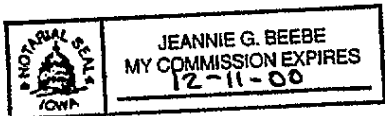


EXHIBIT "A"

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF THE NW FRL. 1/4 OF SEC. 1, T79N, R24W OF THE 5TH P.M., POLK COUNTY, IOWA, KNOWN AS PARCEL "C" RECORDED IN BOOK 8181, PAGE 271 AND, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE W 1/4 COR. OF SAID SEC. 1; THENCE N 90°00' E 691.45 FT. ALONG THE SOUTH LINE OF THE NW FRACTIONAL QUARTER OF SAID SEC. 1 TO THE POINT OF BEGINNING; THENCE CONTINUING N 90°00' E 745.25 FT. ALONG THE SOUTH LINE OF THE NW FRACTIONAL QUARTER OF SAID SEC. 1 TO THE WESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE N 10°28' E 20.34 FT. ALONG THE SAID WESTERLY RAILROAD RIGHT-OF-WAY; THENCE N 90°00' W 316.05 FT.; THENCE N 0°1 1/2' E 743.43 FT.; THENCE N 89°57 1/2' E 453.14 FT. TO THE WESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE N 10°28' E 570.20 FT. ALONG SAID WESTERLY RAILROAD RIGHT-OF-WAY TO THE NORTH LINE OF THE SOUTH HALF OF THE NW FRACTIONAL QUARTER OF SAID SEC. 1, SAID POINT BEING THE SE COR. OF LOT 5 OF WOODSIDE BUSINESS PARK - PLAT 3 ; THENCE S 89°50' W 1674.83 FT. ALONG THE SAID NORTH LINE OF THE SOUTH HALF OF THE NW FRACTIONAL QUARTER, SAID LINE ALSO BEING THE SOUTH LINE OF WOODSIDE BUSINESS PARK - PLAT ONE TO THE NW COR. OF THE SOUTH HALF OF THE NW FRACTIONAL QUARTER OF SAID SEC. 1, SAID POINT ALSO BEING THE SW COR. OF LOT B, WOODSIDE BUSINESS PARK - PLAT 1; THENCE S 0°17' W 827.60 FT. ALONG THE WEST LINE OF THE NW FRACTIONAL QUARTER OF SAID SEC. 1; THENCE S 90°00' E 689.00 FT.; THENCE S 0°00' W 492.00 FT. TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 32.849 ACRES AND IS SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

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TIMOTHY J. BRIEN
RECORDER
RESOLUTION # 0000-53

RESOLUTION ACCEPTING THE FINAL PLAT OF ELDER BUSINESS PARK

WHEREAS, the Plan and Zoning Commission of the City of Ankeny, Iowa, recommended approval of the final plat of Elder Business Park on the 8th day of February, 2000; and

WHEREAS, the Commission also recommended a variation from the Subdivision Regulations of the City of Ankeny, Iowa, to require that the subdivision be required to comply with applicable Polk County regulations in lieu of the Ankeny Subdivision regulations; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANKENY, IOWA:

1. That the final plat of Elder Business Park is hereby approved and accepted subject to the above listed conditions.

PASSED AND APPROVED this 21st day of February, 2000.

Merle O. Johnson
Merle O. Johnson, Mayor

ATTEST:

Pamela DeMouth
Pamela DeMouth, City Clerk

RESOLUTION

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Moved by Phillips Seconded by Baker that the following resolution

be adopted.

TIMOTHY J. BRIEN
RECORDED

WHEREAS, the owner of a parcel of land located in Section 1, Township 79 North, Range 24 West of the 5th P.M., Polk County, Iowa, wishes to subdivide and plat their land into a plat known as Elder Business Park; and

WHEREAS, the owner has complied with all codes and ordinances for the unincorporated territory of Polk County, Iowa; and

WHEREAS, the Polk County Zoning Commission on January 24, 2000, recommended denial of the plat to the Polk County Board of Supervisors by a unanimous vote, with three absent.

NOW, THEREFORE, BE IT RESOLVED that the plat of Elder Business Park and the same is hereby approved.

| | |
|----------------|---|
| Sewer Service: | Individual Septic System |
| Water Service: | Des Moines Water Works |
| Zoning: | Light Business District |
| Platted By: | Harry Elder |
| Engineer: | Engineering Resource Group, Inc. |
| Location: | East of N.E. 14 th Street (Hwy 69) and north of N.E. 66 th Avenue |
| Township: | Saylor |

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POLK COUNTY BOARD OF SUPERVISORS

Angela Connolly
Chairperson

RECOMMENDED FOR APPROVAL:

By R. E. Van Gundy
R. E. Van Gundy
Polk County Engineer and
Director of Public Works

DATE ACTION REQUESTED: 4/4/00

FISCAL NOTE: No cost to the County

| | |
|---------------------------------------|---|
| ROLL CALL FOR ALLOWANCE | |
| APR - 4 '00 | |
| Jack Bishop | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| George M. Mills | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| Gene Phillips | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| Thomas E. Baker | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| Angela Connolly | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| Yea | 5 |
| Nay | 0 |
| Above tabulation made by <u>MKS</u> | |
| ALLOWED BY ABOVE VOTE OF BOARD | |
| <u>Angela Connolly</u> CHAIRPERSON | |

| | |
|--|--------------------------|
| CERTIFICATE | |
| I, Michael A. Mauro, Auditor in and for Polk County, State of Iowa, do hereby certify that this is a true and complete copy of the Original Instrument filed in this office. | |
| This | 4 day of APRIL, 2000 |
| MICHAEL A. MAURO, Auditor. | |
| by | <u>B Dewey</u> Deputy |

#10

SKINNER LAW OFFICE

FILED FOR RECORD
POLK COUNTY, IOWA

ATTORNEYS AT LAW

A Professional Corporation

Ed Skinner
R. Bradley Skinner
Troy A. Skinner

204 8th Street S.E.
P.O. Box 367
Altoona, Iowa 50009

00 OCT -9 P. 1: 54.7

Telephone (515) 967-4264
Facsimile (515) 967-6486

TIMOTHY J. BRYEN
RECORDER

September 12, 2000

Abstract Opinion Required by Chapter 354.11(3) 1999 Code of Iowa

TO WHOM IT MAY CONCERN:

I hereby certify that I have examined the Abstract of Title to the following described real estate, to-wit:

Please see Exhibit A attached hereto and by this reference made a part hereof as though fully set out herein,

said real estate to be known as Elder Business Park, an Official Plat that is to be included in and forming a part of the unincorporated territory of Polk County, Iowa.

The Abstract examined is Iowa Title Company's Abstract No. 361567 from the date of Root of Title to November 12, 1998, at 2:35 P.M., and the pencil note continuation thereof by Iowa Title Company, being No. 399018, from that date to the date of September 6, 2000, at 7:00 A.M. at which time title of said real estate stood in the name of:

WWJD, L.L.C., a Limited Liability Company, formed under the laws of the State of Iowa, and Terry L. Mickle and Joan M. Mickle, husband and wife

subject to the following:

1. Said Limited Liability Company lists Harry W. Elder as Manager.
2. There is no mortgage against the subject property.
3. All real estate taxes are shown as paid to a current condition except an installment for the fiscal year 1999-2000 taxes assessed in Saylor Township 27-0, Parcel No. 5-3 is paid. The amount of the second installment is \$435.00 and has not been paid.
4. There is an easement for an underground electric line in favor of Mid American Energy Company. Said easement is restricted to the 10 foot wide strip of land situated in that property described as the South Half of the Northwest Fractional

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RE: Abstract Opinion Required by Chapter 354.11(3) 1999 Code of Iowa
September 12, 2000
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Quarter of Section 1, Township 79 North, Range 24 West of the 5th P.M., Saylor Township, Polk County, Iowa. Said land easement is approximately 565 feet, more or less, from the centerline of NE 14th Street, in a Northwesterly distance of 180 feet to a pad mounted transformer.

The purpose of this Opinion is for platting the subject real estate and is given pursuant to Chapter 354.11(3) of the 1999 Code of Iowa.

Respectfully submitted,
SKINNER LAW OFFICE, P.C.



By: Ed Skinner
Title Guaranty No. 2557

ES:lb
attachment

BK8609PG426

EXHIBIT "A"

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CERTIFICATE OF TREASURER OF POLK COUNTY, IOWA

STATE OF IOWA)
) ss:
COUNTY OF POLK)

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00 OCT -9 P 1:54 J

TIMOTHY J. BRIEN
RECORDER

I, Mary Maloney, Treasurer of Polk County, having examined the records of my office, in accordance with the provisions of Section 354.11 of the Code of Iowa pertaining to real properties, specifically set forth in Exhibit "A" attached hereto and made part hereof, to be hereinafter designated as:

ELDER BUSINESS PARK,
an Official Plat,
Polk County, Iowa

do hereby certify that same is free from all certified taxes, special assessments and special rates and charges.

Nor are there any taxes due for Moneys and Credits, Bushels of Grain, Industrial Machinery, Data Processing Equipment, Utilities or Buildings on Leased Land against

WWJD, L.L.C., a Limited Liability Company,
and TERRY MICKLE and JOAN M. MICKLE ,
who is(are) the record title holder(s) of said real estate.

Dated at Des Moines, IA this day, day 18 in the month of SEPTEMBER, 2000.

MARY MALONEY
POLK COUNTY TREASURER

by Jodi Husch

Subscribed and sworn to before me this
18th day of September, 2000.

by Louise E. Hill
Notary Public in and for Polk County, Iowa



(Treasurer's Seal)

(Notary Seal)

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