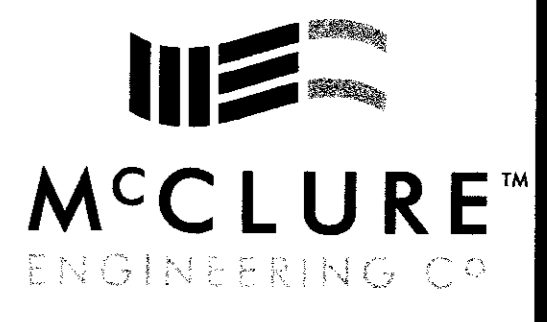


Doc ID: 031992180015 Type: PLT
 Kind: PLAT
 Recorded: 11/16/2016 at 12:52:16 PM
 Fee Amt: \$182.00 Page 1 of 15
 POLK COUNTY IOWA
 JULIE M. HADGERTY RECORDER
 File# 2016-0045283
 BK 16272 PG 166-180

PREPARED BY & RETURNED TO: BRADLEY R. GEATER, PLS, MCCLURE ENGINEERING, 1360 NW 121ST STREET, CLIVE, IOWA 50325, 515-964-1229

TUSCANY PLAT 3 ALTOONA, IA



building strong communities.

1360 NW 121ST Street
 Clive, Iowa 50325
 515-964-1229
 fax 515-964-2370

OWNERS:

TUSCANY RESERVE, L.L.C
 WESTOWN PARKWAY
 WEST DES MOINES, IOWA 50266
 (515) 280-2059
 JOE.PIETRUSZYNSKI@HUBBELLREALTY.COM
 ATTN: JOE PIETRUSZYNSKI

ENGINEER:

MCCLURE ENGINEERING
 1360 NW 121ST STREET
 CLIVE, IOWA 50235
 (515) 964-1229
 CSMITH@MECREULTS.COM
 ATTN: CALEB SMITH

NOTES:

1. DEVELOPER RESPONSIBLE TO RELOCATE STREETLIGHTS AS NEEDED TO ACCOMODATE NEW LOT LINES.
2. DEVELOPER RESPONSIBLE TO RELOCATE GANG MAILBOXES TO ACCOMODATE NEW LOT LINES.
3. LOTS 21, 22 AND 35 WILL HAVE 15-INCH MINIMUM DIAMETER DRIVEWAY CULVERTS.

SETBACK SUMMARY:

FRONT= 25' (UNLESS NOTED OTHERWISE)
 SIDE= 10' (5' EITHER SIDE)
 REAR= 10'

UTILITIES:

SANITARY SEWER - CITY OF ALTOONA
 WATER - CITY OF ALTOONA

ZONING:

R-5 (JOHN ALTMAN PUD - AMENDED 2016)

LEGAL DESCRIPTION:

LOTS 20-31, LOTS 114-121 AND OUTLOT W OF TUSCANY PLAT 1, AS RECORDED IN POLK COUNTY RECORDS AT BOOK 12850, PAGE 126-155, BEING LOCATED IN THE CITY OF ALTOONA, POLK COUNTY, IOWA.

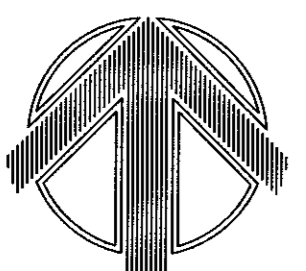
AND

OUTLOTS X, Y, AND Z OF TUSCANY PLAT 2, AS RECORDED IN POLK COUNTY RECORDS AT BOOK 13555, PG 764, BEING LOCATED IN THE CITY OF ALTOONA, POLK COUNTY, IOWA.

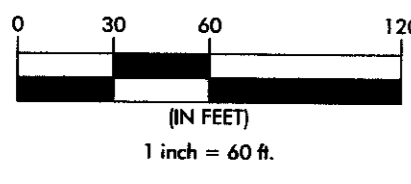
DESCRIBED AREA CONTAINS 11.23 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

ALTOONA CONTROL POINTS

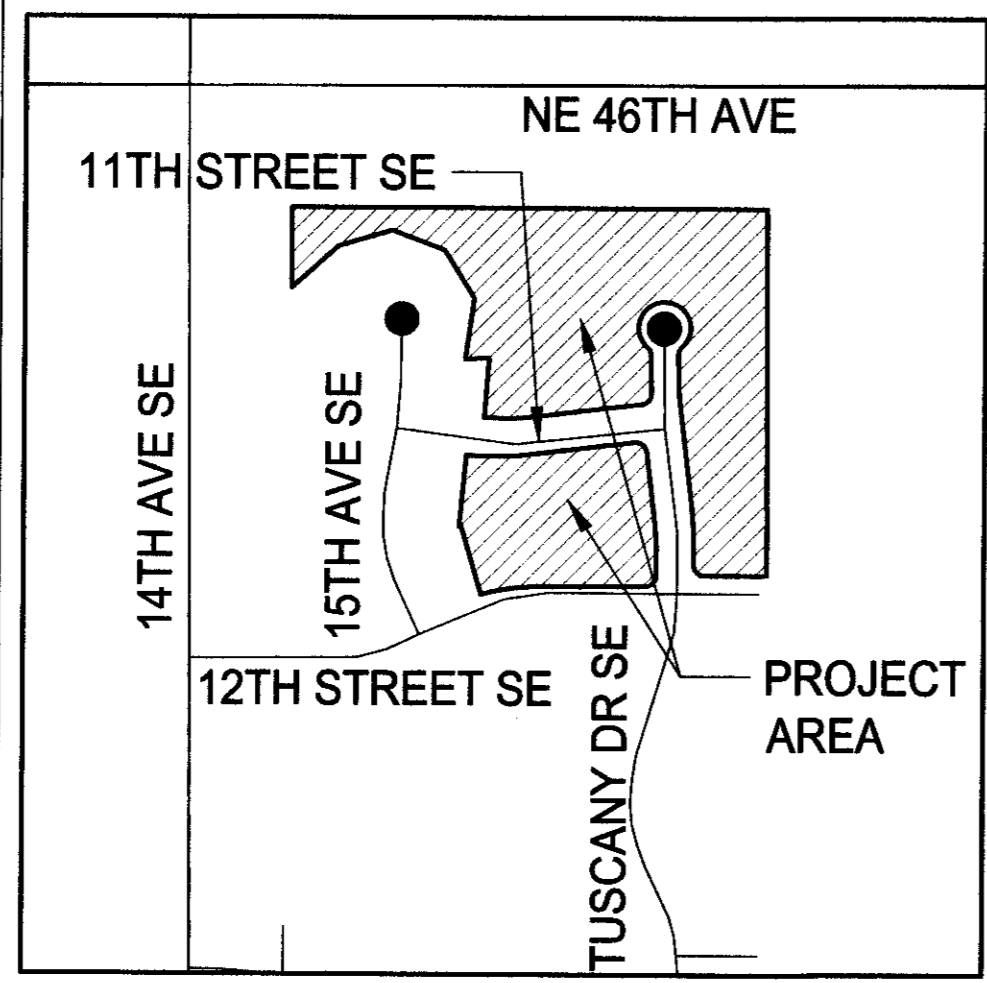
NO.	NORTHING	EASTING	ELEV.	DESCRIPTION
13	596720.478	1655447.933	950.997	BRASS DISC IN CONCRETE
14	589803.242	1644866.331	937.481	BRASS DISC IN CONCRETE (NOT IN SITE AREA)



NORTH

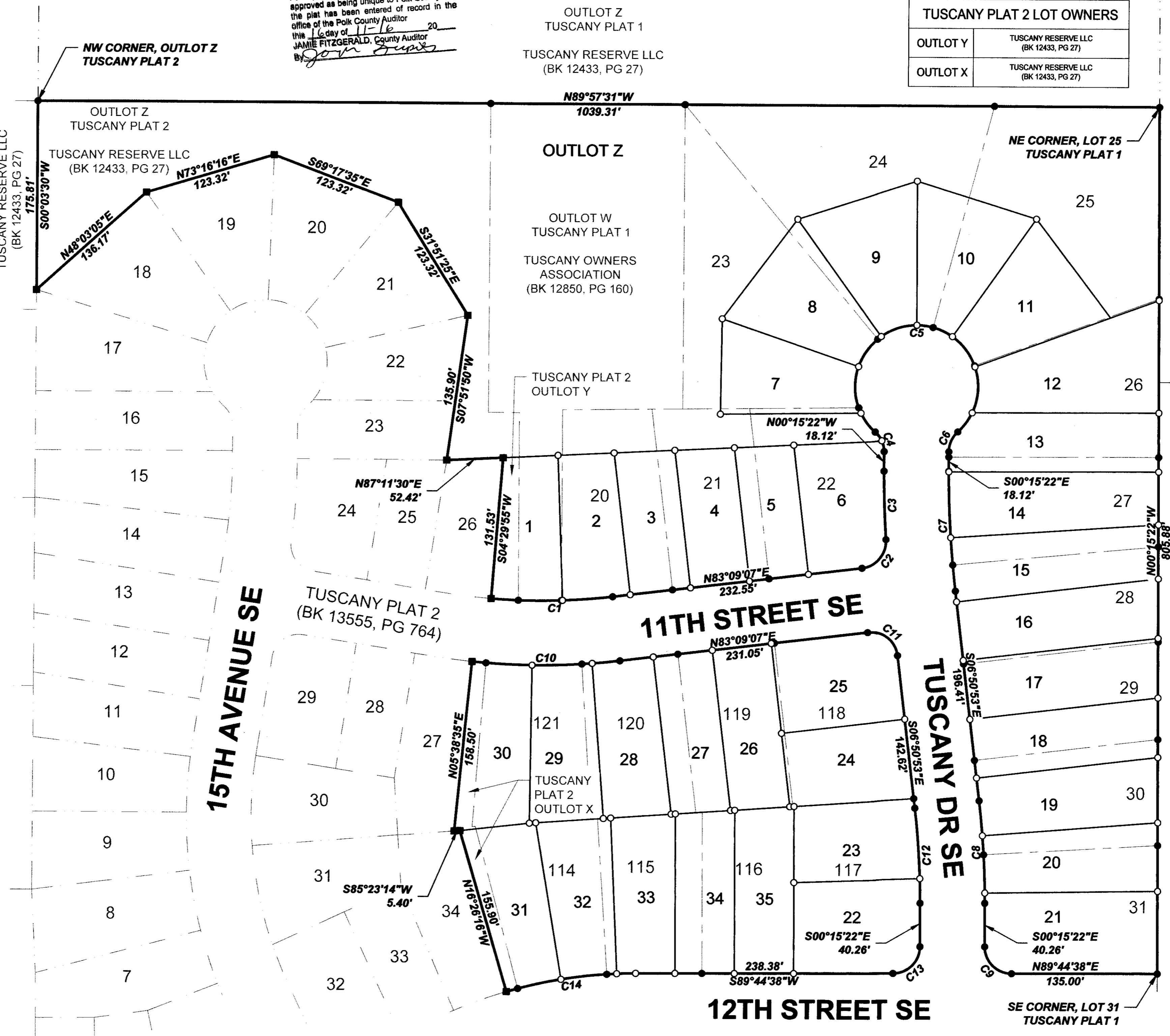


Curve #	Length	Radius	Delta	CHD B	CHD L
C1	112.88	570.00	11°20'48"	N88°49'31"E	112.70
C2	37.94	25.00	86°56'44"	N39°40'45"E	34.40
C3	63.60	1030.00	3°32'16"	N02°01'30"W	63.59
C4	20.89	25.00	47°52'35"	N24°11'40"W	20.29
C5	274.33	57.00	275°45'10"	N89°44'38"E	76.46
C6	20.89	25.00	47°52'35"	S23°40'56"W	20.29
C7	111.60	970.00	6°35'31"	S03°33'08"E	111.54
C8	95.49	830.00	6°35'31"	S03°33'08"E	95.44
C9	39.27	25.00	90°00'00"	S45°15'22"E	35.36
C10	137.35	630.00	12°29'28"	N89°23'51"E	137.08
C11	39.27	25.00	90°00'00"	S51°50'53"E	35.36
C12	88.59	770.00	6°35'31"	S03°33'08"E	88.54
C13	39.27	25.00	90°00'00"	S44°44'38"W	35.36
C14	121.44	430.00	16°10'54"	S81°39'11"W	121.04



VICINITY MAP- NTS

State of Iowa, Polk County ss
 I certify that the attached plat name has been approved as being unique to Polk County and the plat has been entered of record in the office of the Polk County Auditor
 this 11th day of 11-16-20
 JAMIE FITZGERALD, County Auditor

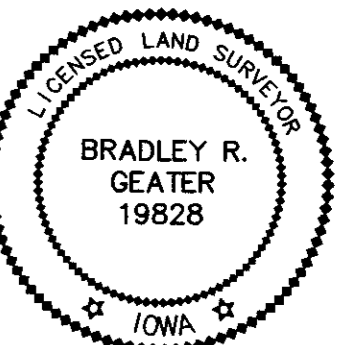


TUSCANY PLAT 2 LOT OWNERS

OUTLOT Y	TUSCANY RESERVE LLC (BK 12433, PG 27)
OUTLOT X	TUSCANY RESERVE LLC (BK 12433, PG 27)

N 605 FT 1/2 E 1/2 NW 1/4 LESS RD SEC 20-79-22

SHANNON PATRICK O LOIS POLK CO LLC (BK 13750, PG 601)

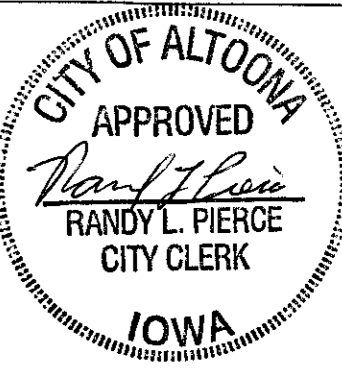


I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

Bradley R. Geater, PLS
 DATE: 11/11/16
 NO. 19828

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2017

PAGES OR SHEETS COVERED BY THIS SEAL: PAGES 1-3



TUSCANY PLAT 3
 ALTOONA, IA
 224035
 10/05/2016

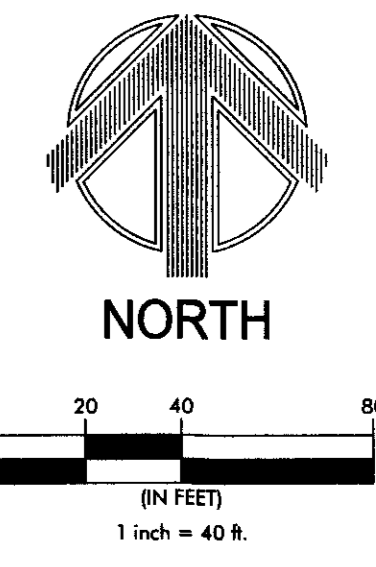
REVISIONS
 10/20/2016
 11/3/2016

ENGINEER: C. SMITH
 CHECKED BY: P. SHELQUIST
 DRAWN BY: C. CARLETON
 FIELD BOOK NO.:
 SHEET NO.:

DRAWING NO. FP-03 SHEET NO. 01/03

NOTICE:
McClure Engineering Company waives any and all responsibility and liability for problems which arise from failure to follow these Plans, Specifications, and the engineering intent they convey, or for problems which arise from failure to obtain and/or follow the engineers guidance with respect to any errors, omissions, inconsistencies, ambiguities, or conflicts which are alleged.

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TUSCANY PLAT 3

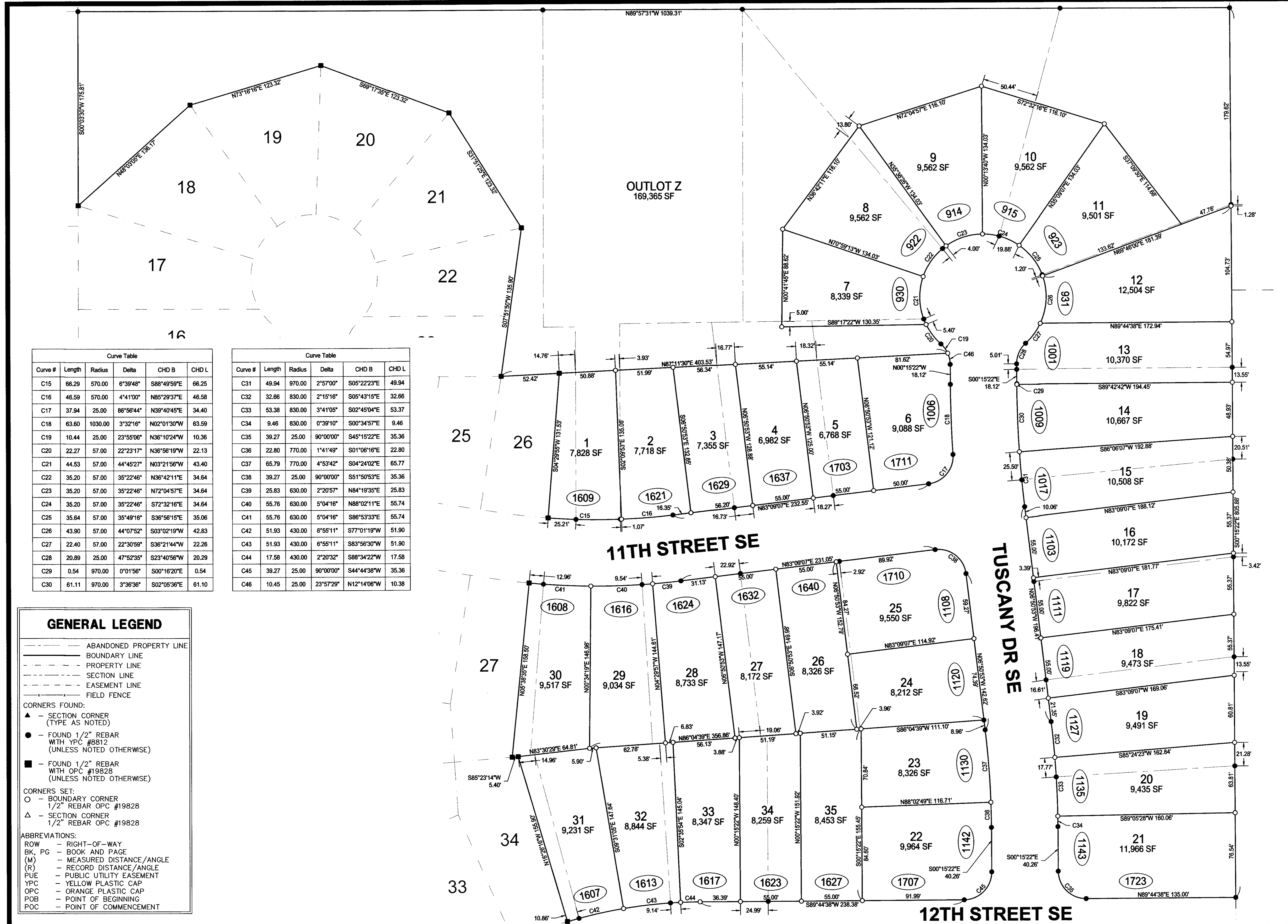
ALTOONA, IA
226035
10/05/2016

REVISIONS
10/20/2016
11/3/2016

ENGINEER: C.SMITH DRAWN BY: C.CARLETON

CHECKED BY: P.SHELQUIST FIELD BOOK NO.:

DRAWING NO. FP-03 SHEET NO. 02/03



Curve #	Length	Radius	Delta	CHD B	CHD L
C15	66.29	570.00	6°39'48"	S88°49'59"E	66.25
C16	46.59	570.00	4°41'00"	N85°29'37"E	46.58
C17	37.94	25.00	86°56'44"	N39°40'45"E	34.40
C18	63.60	1030.00	3°32'16"	N02°01'30"W	63.59
C19	10.44	25.00	23°55'06"	N36°10'24"W	10.36
C20	22.27	57.00	22°23'17"	N36°56'19"W	22.13
C21	44.53	57.00	44°45'27"	N03°21'56"W	43.40
C22	35.20	57.00	35°22'46"	N36°42'11"E	34.64
C23	35.20	57.00	35°22'46"	N72°04'57"E	34.64
C24	35.20	57.00	35°22'46"	S72°32'16"E	34.64
C25	35.64	57.00	35°49'16"	S36°56'15"E	35.06
C26	43.90	57.00	44°07'52"	S03°02'19"W	42.83
C27	22.40	57.00	22°30'59"	S36°21'44"W	22.26
C28	20.89	25.00	47°52'35"	S23°40'56"W	20.29
C29	0.54	970.00	0°01'56"	S00°16'20"E	0.54
C30	61.11	970.00	3°36'36"	S02°05'36"E	61.10

Curve #	Length	Radius	Delta	CHD B	CHD L
C31	49.94	970.00	2°57'00"	S05°22'23"E	49.94
C32	32.66	830.00	2°15'16"	S05°43'15"E	32.66
C33	53.38	830.00	3°41'05"	S02°45'04"E	53.37
C34	9.46	830.00	0°39'10"	S00°34'57"E	9.46
C35	39.27	25.00	90°00'00"	S45°15'22"E	35.36
C36	22.80	770.00	1°41'49"	S01°06'16"E	22.80
C37	65.79	770.00	4°53'42"	S04°24'02"E	65.77
C38	39.27	25.00	90°00'00"	S51°50'53"E	35.36
C39	25.83	630.00	2°20'57"	N84°19'35"E	25.83
C40	55.76	630.00	5°04'16"	N88°02'11"E	55.74
C41	55.76	630.00	5°04'16"	S86°53'33"E	55.74
C42	51.93	430.00	6°55'11"	S77°01'19"W	51.90
C43	51.93	430.00	6°55'11"	S83°56'30"W	51.90
C44	17.58	430.00	2°20'32"	S88°34'22"W	17.58
C45	39.27	25.00	90°00'00"	S44°44'38"W	35.36
C46	10.45	25.00	23°57'29"	N12°14'06"W	10.38

GENERAL LEGEND

- ABANDONED PROPERTY LINE
- BOUNDARY LINE
- PROPERTY LINE
- SECTION LINE
- EASEMENT LINE
- FIELD FENCE

CORNERS FOUND:

- ▲ - SECTION CORNER (TYPE AS NOTED)
- - FOUND 1/2" REBAR WITH YPC #8812 (UNLESS NOTED OTHERWISE)
- - FOUND 1/2" REBAR WITH OPC #19828 (UNLESS NOTED OTHERWISE)

CORNERS SET:

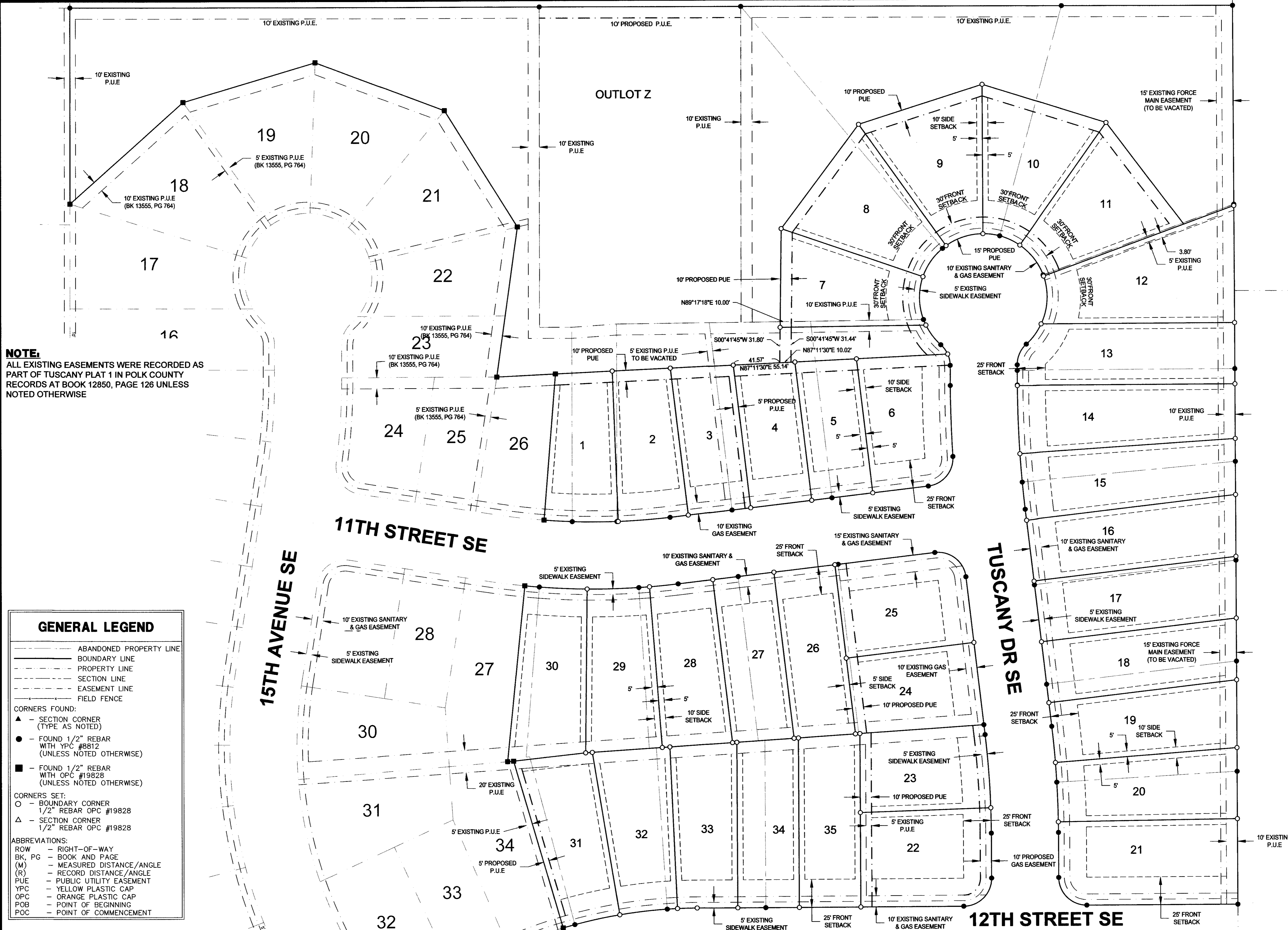
- - BOUNDARY CORNER 1/2" REBAR OPC #19828
- △ - SECTION CORNER 1/2" REBAR OPC #19828

ABBREVIATIONS:

- ROW - RIGHT-OF-WAY
- BK, PG - BOOK AND PAGE
- (M) - MEASURED DISTANCE/ANGLE
- (R) - RECORD DISTANCE/ANGLE
- PUE - PUBLIC UTILITY EASEMENT
- YPC - YELLOW PLASTIC CAP
- OPC - ORANGE PLASTIC CAP
- POB - POINT OF BEGINNING
- POC - POINT OF COMMENCEMENT

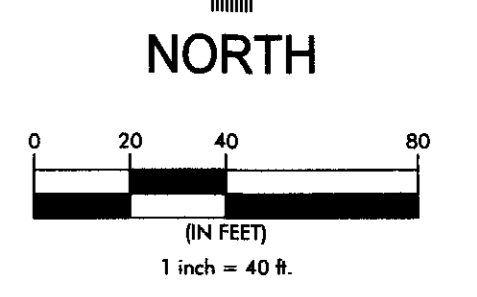
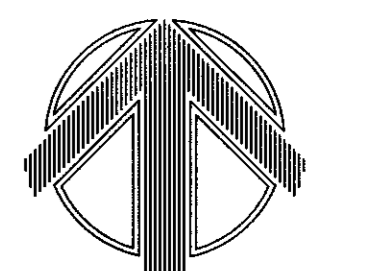
NOTICE:
McClure Engineering Company waives any and all responsibility and liability for problems which arise from failure to follow these Plans, Specifications, and the engineering intent they convey, or for problems which arise from failure to obtain and/or follow the engineer's guidance with respect to any errors, omissions, inconsistencies, ambiguities, or conflicts which are alleged.

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NOTE:
ALL EXISTING EASEMENTS WERE RECORDED AS PART OF TUSCANY PLAT 1 IN POLK COUNTY RECORDS AT BOOK 12850, PAGE 126 UNLESS NOTED OTHERWISE

GENERAL LEGEND	
	ABANDONED PROPERTY LINE
	BOUNDARY LINE
	PROPERTY LINE
	SECTION LINE
	EASEMENT LINE
	FIELD FENCE
CORNERS FOUND:	
	SECTION CORNER (TYPE AS NOTED)
	FOUND 1/2" REBAR WITH YPC #8812 (UNLESS NOTED OTHERWISE)
	FOUND 1/2" REBAR WITH OPC #19828 (UNLESS NOTED OTHERWISE)
CORNERS SET:	
	BOUNDARY CORNER 1/2" REBAR OPC #19828
	SECTION CORNER 1/2" REBAR OPC #19828
ABBREVIATIONS:	
ROW	RIGHT-OF-WAY
BK, PG	BOOK AND PAGE
(M)	MEASURED DISTANCE/ANGLE
(R)	RECORD DISTANCE/ANGLE
PUE	PUBLIC UTILITY EASEMENT
YPC	YELLOW PLASTIC CAP
OPC	ORANGE PLASTIC CAP
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT



TUSCANY PLAT 3
ALTOONA, IA
226035
10/05/2016

REVISIONS
10/20/2016
11/3/2016

ENGINEER: C.SMITH
DRAWN BY: C.CARLETON
CHECKED BY: P.SHELQUIST
FIELD BOOK NO.:
DRAWING NO.: FP-03
SHEET NO.: 03/03

152
chg

RETURN TO:

Prepared by, and when recorded return to: B.J. Miller, Hubbell Realty Company 6900 Westown Parkway, West Des Moines, Iowa 50266, (515) 280-2057

SPACE ABOVE THIS LINE FOR RECORDER

OWNER'S CERTIFICATE

KNOW ALL PERSONS BY THESE PRESENTS: That **Tuscany Reserve, LLC**, an Iowa limited liability company owns the property legally described as set forth on the attached Exhibit A.

The undersigned property owner has caused the Property described above to be subdivided into lots to be known as "**Tuscany Plat 3**". The undersigned further acknowledge and certify that the subdivision of said **Tuscany Plat 3** is with its consent and in accordance with its desires.

Tuscany Reserve, LLC does hereby dedicate to the electric company or companies, the natural gas company or companies, the telephone company or companies, the cable television company or companies and the data transmission company or companies serving the City of Altoona, Iowa, the perpetual public utility easements for underground electrical, natural gas, telephone, cable television utility services, and data transmission utility services that are shown on the recorded Final Plat of **Tuscany Plat 3**. Tuscany Reserve, LLC does hereby dedicate to the public all such other easements as shown on the recorded Final Plat of **Tuscany Plat 3**.

Dated this 7 day of November, 2016.

TUSCANY RESERVE, LLC

By: **Hubbell Realty Company, Managing Member**

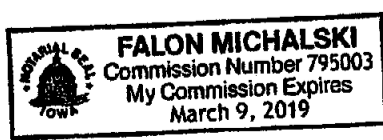
By: [Signature]
Joseph F. Pietruszynski, Vice President

By: [Signature]
Dan Cornelison, Senior Vice President and Secretary

STATE OF IOWA)
)SS.
COUNTY OF DALLAS)

This instrument was acknowledged before me on November 7, 2016 by Joseph F. Pietruszynski and Dan Cornelison as a Vice President and Senior Vice President and Secretary, respectively, of Hubbell Realty Company, an Iowa corporation and the Managing Member of **Tuscany Reserve, LLC**, an Iowa limited liability company.

[Signature]
Notary Public in and for said State



**EXHIBIT A
LEGAL DESCRIPTION**

LOTS 20-31, LOTS 114-121 OF TUSCANY PLAT 1, AS RECORDED IN POLK COUNTY RECORDS AT BOOK 12850, PAGE 126-155, BEING LOCATED IN THE CITY OF ALTOONA, POLK COUNTY, IOWA.

AND

OUTLOTS X, Y, AND Z OF TUSCANY PLAT 2 AS RECORDED IN POLK COUNTY RECORDS AT BOOK 13555, PG 764, BEING LOCATED IN THE CITY OF ALTOONA, POLK COUNTY, IOWA.

Prepared by, and when recorded return to: B.J. Miller, Hubbell Realty Company 6900 Westtown Parkway, West Des Moines, Iowa 50266, (515) 280-2057

SPACE ABOVE THIS LINE FOR RECORDER

OWNER'S CERTIFICATE

KNOW ALL PERSONS BY THESE PRESENTS: That **Tuscany Owners Association**, an Iowa nonprofit corporation owns the property legally described as set forth on the attached Exhibit A.

The undersigned property owner has caused the Property described above to be subdivided into lots to be known as "**Tuscany Plat 3**". The undersigned further acknowledge and certify that the subdivision of said **Tuscany Plat 3** is with its consent and in accordance with its desires.

Tuscany Owners Association does hereby dedicate to the electric company or companies, the natural gas company or companies, the telephone company or companies, the cable television company or companies and the data transmission company or companies serving the City of Altoona, Iowa, the perpetual public utility easements for underground electrical, natural gas, telephone, cable television utility services, and data transmission utility services that are shown on the recorded Final Plat of **Tuscany Plat 3**. Tuscany Owners Association does hereby dedicate to the public all such other easements as shown on the recorded Final Plat of **Tuscany Plat 3**.

Dated this 8th day of November, 2016.

TUSCANY OWNERS ASSOCIATION

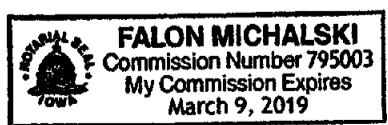
By: [Signature]
John Bergman, President

By: [Signature]
Ashley Aust, Secretary

STATE OF IOWA)
)SS.
COUNTY OF DALLAS)

This instrument was acknowledged before me on November 8, 2016 by John Bergman and Ashley Aust as President and Secretary, respectively, of **Tuscany Owners Association**, an Iowa nonprofit corporation.

[Signature]
Notary Public in and for said State



**EXHIBIT A
LEGAL DESCRIPTION**

OUTLOT W OF TUSCANY PLAT 1, AS RECORDED IN POLK COUNTY RECORDS AT BOOK 12850, PAGE 126-155, BEING LOCATED IN THE CITY OF ALTOONA, POLK COUNTY, IOWA.

Prepared by, and when recorded return to: B.J. Miller, Hubbell Realty Company, 6900 Westown Parkway, West Des Moines, Iowa 50266, (515) 280-2057

SPACE ABOVE THIS LINE FOR RECORDER

MORTGAGEE'S CONSENT TO THE FINAL PLAT OF TUSCANY PLAT 3

KNOW ALL MEN BY THESE PRESENTS: that, First National Bank of Omaha ("First National Bank") is the present owner of the Mortgagee's interest in that certain Mortgage, granted by Tuscany Reserve, LLC, an Iowa limited liability company, as Mortgagor, to First National Bank, as Mortgagee, filed for record in the Office of the Recorder for Polk County, Iowa, on November 1, 2007, in Book 12433, at Page 36, (the "Mortgage") which Mortgage creates a lien on, among other property, parts of the below described real property legally described as follows:

LOTS 20-31, LOTS 114-121 AND OUTLOT W OF TUSCANY PLAT 1, AS RECORDED IN POLK COUNTY RECORDS AT BOOK 12850, PAGE 126-155, BEING LOCATED IN THE CITY OF ALTOONA, POLK COUNTY, IOWA. AND OUTLOTS X, Y, AND Z OF TUSCANY PLAT 2 AS RECORDED IN POLK COUNTY RECORDS AT BOOK 13555, PG 764, BEING LOCATED IN THE CITY OF ALTOONA, POLK COUNTY, IOWA. DESCRIBED AREA CONTAINS 11.23 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD;

which Property is the property that is to be platted into a subdivision to be known as "Tuscany Plat 3", an Official Plat, now included in and forming a part of the City of Altoona, Polk County, Iowa. First National Bank hereby acknowledges that the subdivision of the Property into lots in a plat to be known as Tuscany Plat 3 is with its consent and in accordance with its desire.

Dated this 4th day of November, 2016.

FIRST NATIONAL BANK OF OMAHA

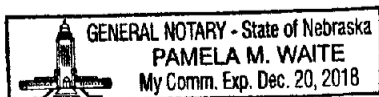
By: [Signature] Scott W. Damrow, Vice President

By: [Signature] Keith A. Swanson, Vice President

STATE OF NEBRASKA)) SS. COUNTY OF DOUGLAS)

On this 4th day of November, 2016, before me the undersigned, a Notary Public in and for the State of Iowa, personally appeared Scott W. Damrow and Keith A. Swanson, to me personally known, who, being by me duly sworn, did say that they are the Vice President and Vice President of First National Bank of Omaha.

[Signature] Pamela M. Waite Notary Public in and for said State



ALTOONA

RESOLUTION # 11-7-2016# 03

RESOLUTION APPROVING THE FINAL PLAT FOR "TUSCANY PLAT 3"

WHEREAS, the City of Altoona has received a request for approval of the above referenced final plat; and


WHEREAS, the Altoona City Council has reviewed said final plat and found it to be in true order.

THEREFORE, BE IT RESOLVED BY THE ALTOONA CITY COUNCIL to approve the request for said final plat.

Passed this 7th day of November, 2016


J.M. Skip Conkling, Mayor

Attest:


Randy Pierce, City Clerk

Council member Wiley introduced and moved for the adoption of
RESOLUTION #11-7-2016#03. Seconded by Sloan.

Council Vote:	Ayes	Nays	Absent	Abstain
Boka	✓			
Mertz	✓			
O'Connor	✓			
Sloan	✓			
Wiley				



Christopher S. Talcott
christalcott@davisbrownlaw.com
phone: 515-288-2500
Des Moines Office

November 6, 2016

Mayor and City Council
City of Altoona
407 8th St SE
Altoona, IA 50009

Tuscany Reserve, LLC
6900 Westown Parkway
West Des Moines, IA 50266

Ladies and Gentlemen:

I

We have examined an Abstract of Title commencing with the Root of Title entry and ending with Pencil Notes No. 704455 prepared by Iowa Title Company and certified that it reflects all matters up to October 6, 2016, at 6:00 a.m. and relating to the following property:

Lots 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31; Lots 114, 115, 116, 117, 118, 119, 120 and 121, and Outlot W all of TUSCANY PLAT 1, as recorded in Polk County Records at Book 12850, Page 126-155, being located in the City of Altoona, Polk County, Iowa,

AND

Outlots X, Y and Z of TUSCANY PLAT 2, an Official Plat, as recorded in Polk County Records at Book 13555, Page 764, being located in the City of Altoona, Polk County, Iowa.

To be known following platting as Tuscany Plat 3.

As of that date and time, we find from our examination that good and marketable title to the property described above is held by:

Tuscany Owners Association, as to Outlot W of Tuscany Plat 1; and

Tuscany Reserve, LLC, as to the balance of the property under examination.

EXCEPT THAT it is subject to the following:

#2785562

DAVIS BROWN KOEHN SHORS & ROBERTS P.C.

PHONE 515.288.2500
FAX 515.243.0654
DAVISBROWNLAW.COM

THE DAVIS BROWN TOWER, 215 10TH ST., STE. 1300, DES MOINES, IA 50309
THE HIGHLAND BUILDING, 4201 WESTOWN PKWY., STE. 300, WEST DES MOINES, IA 50266
THE AMES OFFICE, 2605 NORTHRIDGE PKWY., STE. 101, AMES, IA 50010
THE EMMETSBURG OFFICE, 3004 MAIN ST., P.O. BOX 314, EMMETSBURG, IA 50536

1. **MORTGAGE.** There is shown a Mortgage, Security Agreement and Assignment of Rents dated October 31, 2007 and filed November 1, 2007 in Book 12433, Page 36 of the Polk County Recorder's Office from Tuscan Reserve, LLC to First National Bank of Omaha. A satisfaction of this mortgage was filed November 19, 2015 in Book 15811, Page 994. A Ratification and Revival of Mortgage was filed March 7, 2016 in Book 15915, Page 532, which reestablished the lien of the mortgage against most of the property under examination. **This mortgage is a lien on most of the property under examination located, and you must obtain the mortgagee's consent to your plat.**

2. **EASEMENTS AND COVENANTS.** The following easements appear in the abstract and on file in the Polk County Recorder's Office:

- a. Easement for public highway filed August 24, 1949 in Book 2275, Page 560.
- b. Easement for public highway filed December 12, 1951 in Book 2467, Page 233.
- c. Easement for public highway filed January 31, 1969 in Book 4008, Page 284.
- d. Easement for public highway filed April 10, 1969 in Book 4023, Page 105, re-filed July 25, 1969 in Book 4062, Page 359.
- e. Easement to Southeast Polk Rural Water District filed December 9, 1983 in Book 5211, Page 366.
- f. Easement for public highway filed April 11, 1969 in Book 4023, Page 155.
- g. Easement to Southeast Polk Rural Water District filed October 14, 1982 in Book 5199, Page 771.
- h. Restrictive Covenant filed August 13, 2007 in Book 12327, Page 991, restricting commercial operations within a 7.98 acre parcel of the W 1/2 of Section 20, Township 79, Range 22.
- i. Development Agreement filed November 1, 2007 in Book 12433, Page 16 pertaining to construction of sanitary sewer improvements, and related payment satisfaction filed in Book 14671, Page 288.
- j. Plat of Survey filed March 20, 2008 in Book 12587, Page 325.
- k. Easements, setback requirements, and development notes shown on the Plat for Tuscany Plat 1, filed December 10, 2008 in Book 12850, Page 126, as affected by Surveyor Affidavit filed in Book 12899, Page 841, Partial Vacation filed in Book 13555, Page 760, and Partial Vacation filed in Book 13555, page 762.
- l. Sidewalk Easement filed December 10, 2008 in Book 12850, Page 180.
- m. Sanitary Sewer Force Main Easement filed December 10, 2008 in Book 12850, Page 192.
- n. Storm Sewer Easement filed December 10, 2008 in Book 12850, Page 189.

- o. Sanitary Sewer Easement filed December 10, 2008 in Book 12850, Page 195.
- p. Public Utility Easement filed December 10, 2008 in Book 12850, Page 198.
- q. Gas Easement filed December 10, 2008 in Book 12850, Page 203.
- r. Declaration of Covenants, Conditions, Easements and Restrictions Applicable to Tuscany, Altoona, Polk County, Iowa, filed December 10, 2008 in Book 12850, Page 219, amended at Book 14413, Page 798 and Book 15945, Page 72.
- s. Underground Electric Line Easement filed March 12, 2009 in Book 12949, Page 785.
- t. Underground Electric Line Easement filed June 11, 2010 in Book 13473, Page 772.
- u. Disclaimer of Interest in Public Utility Easement filed July 2, 2010 in Book 13498, page 300.
- v. Easements, setback requirements, and development notes shown on the Plat for Tuscany Plat 2, filed August 27, 2010 in Book 13555, Page 764.

3. **REAL ESTATE TAXES.** The abstract shows that the property is subject to the taxes for 2015-2016, payable in 2016-2017 as follows: Parcel Nos. 171.00511.345.115, 171.00511.345.116, 171.00511.345.117, 171.00511.345.118, 171.00511.345.119, 171.00511.345.120, and 171.00511.345.121 each show 1st Installment- paid; 2nd Installment- paid, each half in the amount of \$3.00; Parcel Nos. 171.00511.345.129, 171.00511.346.045, 171.00511.346.046, and 171.00511.346.047 each show 1st Installment- paid; 2nd Installment- paid, each half in the amount of \$1.00.

4. **SEARCHES.** The abstracter has conducted ten-year judgment lien searches against the owners and nothing is shown except as set forth above.

GENERAL MATTERS.

- (a) This Opinion is prepared for purposes of complying with Section 354.11 of the Iowa Code (2015) and only shows information of record that is required by Section 354.11.
- (b) This opinion does not cover matters which are not included in the abstract, and you should determine for yourself if any of the following items may be a problem:
 - (1) Plat and boundary lines;
 - (2) Parties in possession;
 - (3) Special assessments not yet certified with the County Treasurer;
 - (4) Liens for charges for municipal services not yet certified with the County Auditor;
 - (5) Zoning ordinances;

- (6) Personal property taxes against the titleholder in the county where the property is located, which are not assessed in the taxing district where the property is located; and
- (7) Labor or material furnished on the property within the last ninety (90) days which might become subject to mechanic's liens.

Sincerely,

DAVIS, BROWN, KOEHN, SHORS & ROBERTS, P.C.

A handwritten signature in black ink, appearing to read "Chris S. Talcott". The signature is written in a cursive, somewhat stylized font.

Christopher S. Talcott

CERTIFICATE OF TREASURER OF POLK COUNTY, IOWA

STATE OF IOWA)
) ss:
COUNTY OF POLK)

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:

TUSCANY PLAT 3 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

TUSCANY RESERVE, LLC & TUSCANY OWNERS ASSOCIATION,

who is(are) the record title holder(s) of said real estate.

Dated at Des Moines, IA , Wednesday, November 09, 2016 .

MARY MALONEY
POLK COUNTY TREASURER

Subscribed and sworn to before me on this
10th day of November, 2016.

by Jade H. [Signature]
Deputy

by [Signature]
Notary Public in and for Polk County, IA

(Treasurer's Seal)

(Notary Seal)



PREPARED BY: Rebecca Lawrence, Property Description Specialist

EXHIBIT A

Lots 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31; Lots 114, 115, 116, 117, 118, 119, 120 and 121, and Outlot W all of TUSCANY PLAT 1, as recorded in Polk County Records at Book 12850, Page 126-155, being located in the City of Altoona, Polk County, Iowa,

AND

Outlots X, Y and Z of TUSCANY PLAT 2, an Official Plat, as recorded in Polk County Records at Book 13555, Page 764, being located in the City of Altoona, Polk County, Iowa.