

ABSTRACT OF TITLE

_____ TO _____

Lots One (1) to Six (6) inclusive, Sunnybrook Plaza, Second Filing to the City of Sioux City,
Woodbury County, Iowa.

This Continuation is intended to show only those conveyances, liens and other instruments
which appear of record and which affect the title to said premises since March 31, 2004 at 8:55
A.M., the date of the last examination made by Sedgwick-Brennan Abstract Company.

FINAL PLAT OF
SUNNYBROOK PLAZA, SECOND FILING
TO THE CITY OF SIOUX CITY
WOODBURY COUNTY, IOWA

AUDITOR AND RECORDER'S CERTIFICATE OF RECORDING

48 STATE OF IOWA :
: ss
COUNTY OF WOODBURY :

Docket No: 19185

Filed for record, this 31 day of March, 2004, at 9:00 o'clock A.M. recorded in Plat Envelope 670 A
& B, indexed and delivered to the County Auditor of Woodbury County, Iowa.

Dated 3/31/04

Patrick F. Gill, Auditor and Recorder
Woodbury County, Iowa
By: E. Dean Neal, Deputy Auditor/ Recorder

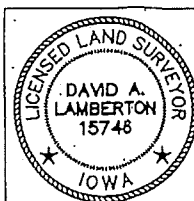
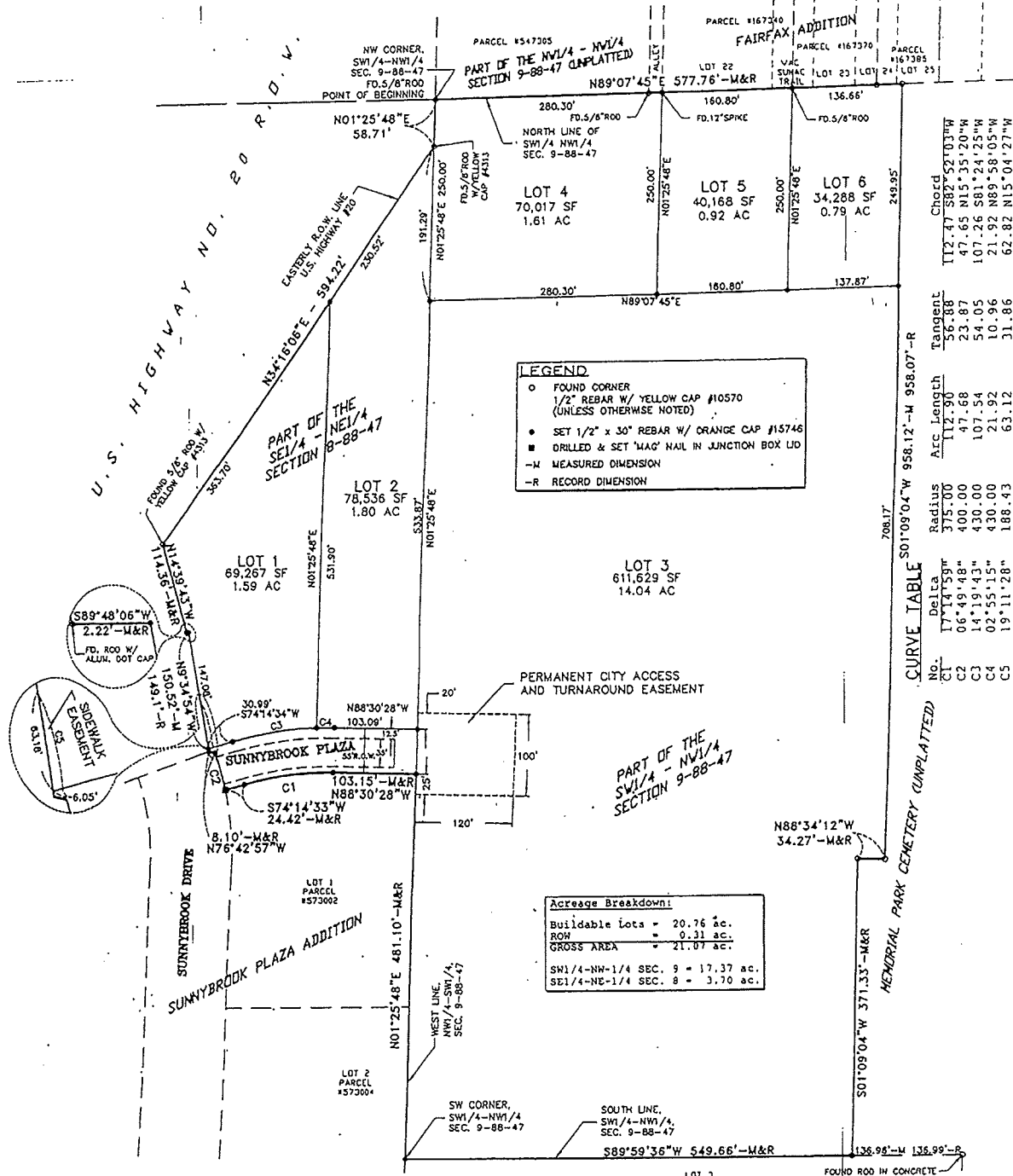
LEGAL DESCRIPTION

49 (Caption Description as to that which appears on Page 44 of No. 86365)

FINAL PLAT OF SUNNYBROOK PLAZA, SECOND FILING

TO THE CITY OF SIOUX CITY

WOODBURY COUNTY, IOWA

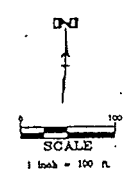


I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision, and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

David A. Lambertson 1/13/04

DAVID A. LAMBERTSON License No. 15748 DATE

My license renewal date is December 31, 2004
 Pages or sheets covered by this seal: 1 of 2
 Survey performed at the request of: Jerry J. Johnson



SURVEYOR'S CERTIFICATE

51 I, David A. Lamberton, a duly licensed Land Surveyor under the provisions of the laws of the State of Iowa, holding Certificate No. 15746, do hereby certify that the Plat of SUNNYBROOK PLAZA, SECOND FILING, an addition to Sioux City, 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 street 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 will be placed as required by Iowa Code.

Dated at Sioux City, Iowa January 13, 2004

/s/ David A. Lamberton, Iowa No. 15746

License Renewal Date: December 31, 2004.

DEDICATION

52 Jerry J. Johnson and Marcia Johnson, husband and wife, and Homes, Inc., an Iowa Corporation, Jerry J. Johnson president, the owners of the real estate described in the attached Surveyor's Certificate, have in the pursuance of the 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 David A. Lamberton, a Licensed Surveyor who surveyed and platted the real estate to be known as SUNNYBROOK PLAZA, SECOND FILING, an addition to Sioux City, Woodbury County, Iowa, and that the same is prepared with the free consent and in accordance with the desires as owner and proprietor thereof.

Executed at Sioux City, Iowa, the 9th day of March, 2004.

Homes, Inc.
By: Jerry J. Johnson,
President

/s/ Jerry J. Johnson

/s/ Marcia Johnson

Acknowledged March 9th, 2004.

TITLE OPINION

53 COUNTY AUDITOR AND RECORDER
WOODBURY COUNTY, IOWA

DEAR SIR:

WE HAVE THIS DATE EXAMINED A COMPLETE ABSTRACT OF TITLE, PURSUANT TO IOWA CODE SECTION 351.11(3), TO THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE ON THAT PLAT OF SUNNYBROOK PLAZA, SECOND FILING, AN ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA, LAST CERTIFIED BY SEDGWICK BRENNAN ABSTRACT CO., DATED March 31, 2004 AT 8.55 .M. AND FROM SAID ABSTRACT FIND GOOD AND MERCHANTABLE TITLE TO LOTS 3, 4, 5 AND 6 VESTED IN JERRY J. JOHNSON, A MARRIED PERSON, AND THE BALANCE OF THE PREMISES VESTED IN HOMES, INC., AN IOWA CORPORATION, THE PROPRIETORS, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES EXCEPT AS FOLLOWS:

1. ASSESSMENT AGREEMENT BETWEEN THE CITY OF SIOUX CITY, IOWA AND HOMES, INC., DATED DECEMBER 5, 2001 AND FILED FEBRUARY 1, 2002 IN ROLL 526, IMAGE 335.
2. STORMWATER DRAINAGE EASEMENT BETWEEN RYAN COMPANIES US, INC. AND HOMES, INC. DATED FEBRUARY 1, 2002 AND FILED FEBRUARY 1, 2002 IN ROLL 526, IMAGE 253.
3. AFFIDAVIT REGARDING WETLANDS MITIGATION AGREEMENT FILED AUGUST 13, 2001 IN ROLL 502, IMAGE 1421.
4. USE RESTRICTIONS ON SPECIAL WARRANTY DEED DATED APRIL 1, 2002 AND FILED APRIL 16, 2002 IN ROLL 535, IMAGE 1019.
5. ALL CERTIFIED REAL ESTATE TAXES AND SPECIAL ASSESSMENTS, EXCEPT AS SHOWN HEREIN, DUE AND PAYABLE HAVE BEEN PAID. REAL ESTATE TAXES AND SPECIAL ASSESSMENTS NOT CERTIFIED ARE A LIEN IN AN UNDETERMINED AMOUNT.

3/31,2004

/s/ Cody M. McCullough, Attorney at Law

TREASURER'S CERTIFICATE OF
TAXES AND SPECIAL ASSESSMENTS

54 I, Robert Knowler, 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 3/29/2004

/s/ Robert Knowler,
Treasurer Woodbury County, Iowa

CERTIFICATE OF CITY ASSESSOR

55 I, Melvin Obbink, hereby certify that on the 29th day of March, 2004, a copy of this Plat was filed in the City Assessor's Office

Dated March 29, 2004

/s/ M. J. Obbink, City Assessor

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CITY COUNCIL RESOLUTION NO. 2004-0179

56 Resolution accepting and approving the Plat of SUNNYBROOK PLAZA, SECOND FILING, an addition to Sioux City, Woodbury County, Iowa.

Whereas, the Planning and Zoning Commission of the City of Sioux City, Iowa, has recommended the acceptance and approval of said Plat. Now, therefore be, and it is, resolved by the City Council of the City of Sioux City, Iowa, that said Plat of SUNNYBROOK PLAZA, SECOND FILLING, an addition to Sioux City, Woodbury County, Iowa, as hereto attached and forming part of this Resolution be, and the same hereby is, accepted and approved.

Passed 2-23, 2004

/s/ David W. Ferris, Mayor

Approved 2-23, 2004

Attest: Robert K. Padmore, City Clerk

STATE OF IOWA :
 : ss
COUNTY OF WOODBURY :

I, Robert K. Padmore, Clerk of the City of Sioux City, Iowa, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution accepting and approving the Plat of SUNNYBROOK PLAZA, SECOND FILING, an addition to Sioux City, Woodbury County, Iowa, which said Resolution was adopted by the City Council of said City on the 23rd day of February, 2004 and approved by the Mayor of said City on said date all as full, true and complete as the same appears of record in the Office of said City Clerk.

Dated March 23, 2004

/s/ David W. Ferris, Mayor

Dated March 23, 2004

/s/ Robert K. Padmore, City Clerk

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CITY ENGINEER'S CERTIFICATE

57 I, Christopher R. Payer, P.E., Engineer for the City of Sioux City, do hereby certify that the boundary lines of said plat 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 and easements are shown; that improvements meet or exceed accepted engineering design practice and were constructed in conformance with the specifications of the City of Sioux City, Iowa.

Dated 3/24,2004

/s/ Christopher R. Payer, City Engineer

CERTIFICATE OF PLANNING AND ZONING COMMISSION

58 We do hereby certify that we are the Chairperson and Planning Director, respectively, of the Planning and Zoning Commission of the City of Sioux City, Iowa, and we do further certify that said Planning and Zoning Commission did take under advisement the attached Plat of SUNNYBROOK PLAZA, SECOND FILING, an addition to Sioux City, Woodbury County, Iowa, and that said Planning and Zoning Commission did on the 10th day of February, 2004 recommend to the City Council of the City of Sioux City, Iowa, the acceptance and approval of the Plat of said Subdivision.

Dated 3-26-04

/s/ Joseph P. Krage, Chairperson

Dated 3 - 26, 2004

/s/ Jerry Hanson, Planning Director

ADDENDUM TO AND PART OF THE FINAL PLAT OF
SUNNYBROOK PLAZA, SECOND FILING

59 The following lots must be used in combination with the adjoining properties, i.e.:

Lot Six (6) of Sunnybrook Plaza, Second Filing, to the City of Sioux City, Woodbury County, Iowa, with:

The East One-half (E ½), Sumac Trail abutting on Lots Twenty (20), Twenty One (21), Twenty Two (22) and Twenty Three (23), Fairfax Addition to Sioux City, Woodbury County, Iowa.

AND