

Doc ID: 035206740013 Type: PLT
Kind: PLT
Recorded: 06/11/2020 at 11:07:28 AM
Fee Amt: \$67.00 Page 1 of 13
POLK COUNTY Iowa
JULIE M. HADGERTY RECORDER
FILE# 2019-00107144
BK 17884 PG 154.166

INDEX LEGEND	
CITY: ALTOONA	COUNTY: POLK
OUTLOT: PART OF OUTLOT 'X'	
SUBDIVISION: TUSCANY PLAT 1	
PROPRIETOR: TUSCANY RESERVE, LLC	
REQUESTED BY: TUSCANY RESERVE, LLC	
SURVEYOR: MICHAEL D. LEE	
COMPANY: MCCLURE	
RETURN TO: MICHAEL D. LEE 1360 NW 121ST STREET, STE A CLIVE, IOWA 50325 / 515-964-1229	

OWNERS:
TUSCANY RESERVE, LLC
6900 WESTOWN PARKWAY
WEST DES MOINES, IOWA 50266
(515) 280-2059
ATTN: JOE PIETRUSZYNSKI

ENGINEER:
MCCLURE
1360 NW 121ST STREET
CLIVE, IA 50325
(515) 964-1229
ATTN: JAKE BECKER

SETBACKS:
FRONT= 30'
SIDE= 10' (5' BOTH SIDES)
REAR= 35'

ZONING:
R-5; PUD

LEGAL DESCRIPTION

A PART OF OUTLOT 'X', TUSCANY PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF ALTOONA, POLK COUNTY, STATE OF IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 49, TUSCANY PLAT 1; THENCE NORTH 13°52'13" EAST ALONG THE WESTERLY LINE OF SAID OUTLOT 'X' WHICH IS ALSO THE EAST LINE OF SAID LOT 49, A DISTANCE OF 110.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 49; THENCE NORTH 4°03'24" EAST ALONG SAID WESTERLY LINE, 19.90 FEET; THENCE SOUTHEAST ALONG A CURVE CONCAVE SOUTHWEST WHOSE RADIUS IS 560.00 FEET, WHOSE ARC LENGTH IS 511.87 FEET AND WHOSE CHORD BEARS SOUTH 52°04'39" EAST, 494.24 FEET; THENCE SOUTH 25°53'30" EAST, 115.20 FEET; THENCE SOUTHEAST ALONG A CURVE CONCAVE NORTHEAST WHOSE RADIUS IS 240.00 FEET, WHOSE ARC LENGTH IS 201.85 FEET AND WHOSE CHORD BEARS SOUTH 49°59'08" EAST, 195.95 FEET; THENCE SOUTH 76°31'58" EAST, 40.42 FEET; THENCE NORTH 89°33'57" EAST, 30.91 FEET; THENCE SOUTH 00°26'03" EAST, 130.00 FEET; THENCE NORTH 89°33'57" EAST, 4.56 FEET; THENCE SOUTH 00°26'03" EAST, 190.00 FEET THENCE SOUTH 89°33'57" WEST, 7.13 FEET; THENCE NORTHWEST ALONG A CURVE CONCAVE NORTHEAST WHOSE RADIUS IS 560.00 FEET, WHOSE ARC LENGTH IS 630.83 FEET AND WHOSE CHORD BEARS NORTH 58°09'46" WEST, 598.00 FEET; THENCE NORTH 25°53'30" WEST, 115.20 FEET; THENCE NORTHWEST ALONG A CURVE CONCAVE SOUTHWEST WHOSE RADIUS IS 240.00 FEET, WHOSE ARC LENGTH IS 165.45 FEET AND WHOSE CHORD BEARS NORTH 45°38'26" WEST, 162.19 FEET; THENCE SOUTH 36°04'41" WEST, 27.31 FEET TO THE WESTERLY LINE OF SAID OUTLOT 'X', TUSCANY PLAT 1 AND THE NORTHEASTERLY LINE OF LOT 52, TUSCANY PLAT 1; THENCE NORTH 36°41'56" WEST ALONG SAID WESTERLY LINE, 44.54 FEET; THENCE NORTH 13°52'13" EAST ALONG SAID WESTERLY LINE, 191.19 FEET; THENCE NORTH 76°07'47" WEST ALONG SAID WESTERLY LINE, 17.45 FEET TO THE POINT OF BEGINNING CONTAINING 6.84 ACRES THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

CLOSURE REPORT

LINE COURSE: N13°52'13"E LENGTH: 110.00'
LINE COURSE: N04°03'24"E LENGTH: 19.90'
CURVE COURSE: L= 511.87' R= 560.00' D= 052°22'17" T= 275.38' CH= 494.24', S52°04'39"E
LINE COURSE: S25°53'30"E LENGTH: 115.20'
CURVE COURSE: L= 201.85' R= 240.00' D= 048°11'17" T= 107.33' CH= 195.95', S49°59'08"E
LINE COURSE: S76°31'58"E LENGTH: 40.42'
LINE COURSE: N89°33'57"E LENGTH: 30.91'
LINE COURSE: S00°26'03"E LENGTH: 130.00'
LINE COURSE: N89°33'57"E LENGTH: 4.56'
LINE COURSE: S00°26'03"E LENGTH: 190.00'
LINE COURSE: S89°33'57"W LENGTH: 7.13'
CURVE COURSE: L= 630.83' R= 560.00' D= 064°32'33" T= 353.62' CH= 598.00', N58°09'46"W
LINE COURSE: N25°53'30"W LENGTH: 115.20'
CURVE COURSE: L= 165.45' R= 240.00' D= 039°29'53" T= 86.16' CH= 162.19', N45°38'26"W
LINE COURSE: S36°04'41"W LENGTH: 27.31'
LINE COURSE: N36°41'56"W LENGTH: 44.54'
LINE COURSE: N13°52'13"E LENGTH: 191.19'
LINE COURSE: N76°07'47"W LENGTH: 17.45'

PERIMETER: 2553.83' AREA: 297888.94 SQ. FT.
ERROR CLOSURE: 0.0129 COURSE: S06°48'26"W
ERROR NORTH: -0.01284 EAST: -0.00153
PRECISION 1: 197969.77

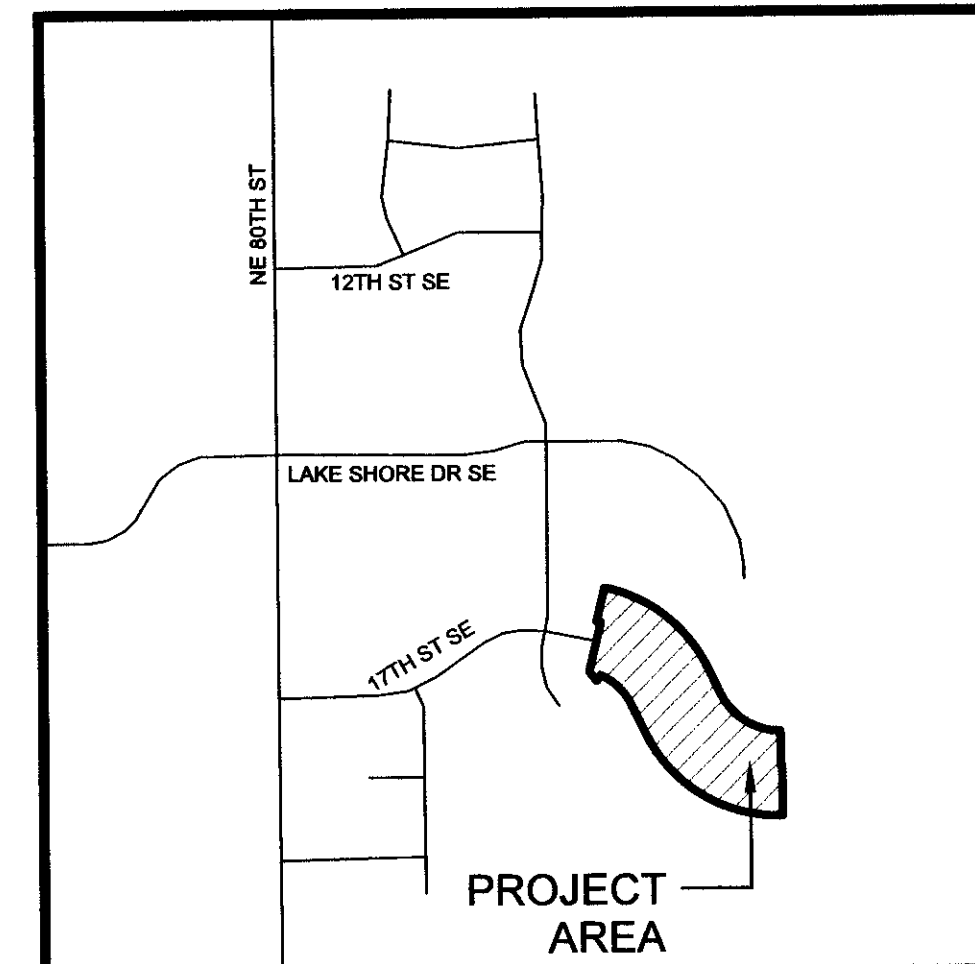
CURVE TABLE				
Curve #	Length	Radius	Delta	CHD B
C1	511.87'	560.00'	52°22'17"	S52°04'39"E
C2	201.85'	240.00'	48°11'17"	S49°59'08"E
C3	630.83'	560.00'	64°32'33"	N58°09'46"W
C4	165.45'	240.00'	39°29'53"	N45°38'26"W
C5	32.26'	430.00'	4°17'56"	N73°58'49"W
C6	51.37'	430.00'	6°50'42"	N68°24'29"W
C7	46.70'	430.00'	6°13'20"	N61°52'29"W
C8	53.23'	430.00'	7°05'35"	N55°13'01"W
C9	53.23'	430.00'	7°05'36"	N48°07'26"W
C10	51.37'	430.00'	6°50'40"	N41°09'18"W
C11	56.04'	430.00'	7°28'00"	N33°59'59"W
C12	32.83'	430.00'	4°22'29"	N28°04'44"W
C13	26.39'	370.00'	4°05'11"	S27°56'05"E
C14	76.65'	370.00'	11°52'10"	S35°54'46"E
C15	73.93'	370.00'	11°26'54"	S47°34'18"E
C16	80.66'	370.00'	12°29'25"	S56°32'27"E
C17	80.62'	370.00'	12°29'04"	S72°01'42"E
C18	78.55'	370.00'	12°09'49"	S84°21'08"E
C19	34.74'	240.00'	8°17'37"	N69°55'58"W
C20	52.32'	240.00'	12°29'25"	N59°32'27"W
C21	47.95'	240.00'	11°26'54"	N47°34'18"W
C22	49.72'	240.00'	11°52'10"	N35°54'46"W

CURVE TABLE				
Curve #	Length	Radius	Delta	CHD B
C23	17.12'	240.00'	4°05'11"	N27°56'05"W
C24	42.76'	560.00'	4°22'29"	N28°04'44"W
C25	72.98'	560.00'	7°28'00"	N33°59'59"W
C26	66.90'	560.00'	6°50'40"	N41°09'18"W
C27	69.33'	560.00'	7°05'36"	N48°07'26"W
C28	69.33'	560.00'	7°05'35"	N55°13'01"W
C29	60.81'	560.00'	6°13'20"	N61°52'29"W
C30	66.90'	560.00'	6°50'42"	N68°24'29"W
C31	62.87'	560.00'	6°25'57"	N75°02'49"W
C32	69.38'	370.00'	10°44'24"	N70°45'35"W
C33	69.97'	370.00'	10°50'07"	N59°58'19"W
C34	59.18'	370.00'	9°09'54"	N49°58'19"W
C35	63.91'	370.00'	9°53'48"	N40°26'28"W
C36	62.00'	370.00'	9°36'04"	N30°41'32"W
C37	20.73'	430.00'	2°45'46"	S27°16'23"E
C38	48.57'	430.00'	6°28'18"	S31°53'25"E
C39	46.70'	430.00'	6°13'22"	S38°14'14"E
C40	44.37'	430.00'	5°54'42"	S44°18'16"E
C41	48.58'	430.00'	6°28'24"	S50°29'49"E
C42	48.57'	430.00'	6°28'18"	S56°58'10"E
C43	41.10'	430.00'	5°28'35"	S62°56'37"E
C44	46.71'	430.00'	6°13'24"	S68°47'36"E

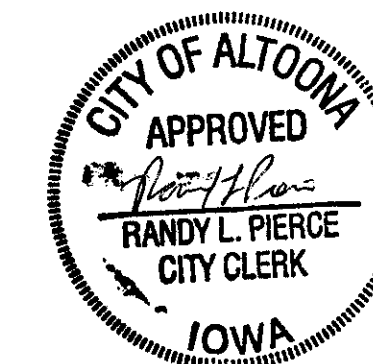
CURVE TABLE				
Curve #	Length	Radius	Delta	CHD B
C45	48.57'	430.00'	6°28'19"	S75°08'27"E
C46	48.58'	430.00'	6°28'23"	S81°36'48"E
C47	41.91'	430.00'	5°35'03"	S87°38'31"E
C48	54.58'	560.00'	5°35'03"	N87°38'31"W
C49	63.27'	560.00'	6°28'23"	N81°36'48"W
C50	63.26'	560.00'	6°28'19"	N75°08'27"W
C51	60.83'	560.00'	6°13'24"	N68°47'36"W
C52	53.52'	560.00'	5°28'35"	N62°56'37"W
C53	63.25'	560.00'	6°28'18"	N56°58'10"W
C54	63.27'	560.00'	6°28'24"	N50°29'49"W
C55	57.78'	560.00'	5°54'42"	N44°18'16"W
C56	60.82'	560.00'	6°13'22"	N38°14'14"W
C57	63.25'	560.00'	6°28'18"	N31°53'25"W
C58	27.00'	560.00'	2°45'46"	N27°16'23"W
C59	40.22'	240.00'	9°36'04"	N30°41'32"W
C60	41.45'	240.00'	9°53'48"	N40°26'28"W
C61	38.39'	240.00'	9°09'54"	N49°58'19"W
C62	45.39'	240.00'	10°50'07"	N59°58'19"W
C63	350.73'	400.00'	50°14'17"	S51°00'38"E
C64	450.59'	400.00'	64°32'33"	S58°09'46"E

GENERAL LEGEND	
—	SURVEY BOUNDARY
---	PROPOSED LOT
---	EXIST PROPERTY LINE
---	SECTION LINE
---	SETBACK LINE
---	EXIST EASEMENT
MONUMENTS FOUND:	
▲	SECTION CORNER (TYPE AS NOTED)
●	1/2" REBAR (UNLESS NOTED OTHERWISE)
MONUMENTS SET:	
▲	SECTION CORNER
●	1/2" REBAR WYPC #16747
○	1/2" REBAR WYPC #16747
×	CUT X
FND	FOUND
PC	PLASTIC CAP
BK	BOOK AND PAGE
(M)	MEASURED, RECORDED
R.O.W.	RIGHT-OF-WAY
P.O.B.	PUBLIC UTILITY EASEMENT
P.O.C.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT

TUSCANY PLAT 5 FINAL PLAT ALTOONA, IOWA



VICINITY MAP- NTS

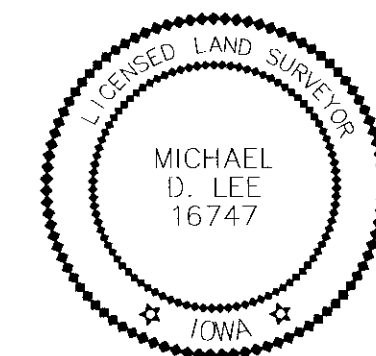


making lives better

1360 NW 121st Street, STE A
Clive, Iowa 50325
515-964-1229
fax 515-964-2370

NOTICE:
McClure 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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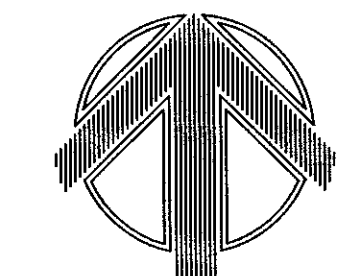


I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

DATE: 5-15-2020
NAME: Michael D. Lee
MICHAEL D. LEE, PLS
NO. 16747

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2020

PAGES OR SHEETS COVERED BY THIS SEAL:
2 SHEETS



0 25 50 100
(IN FEET)
1 inch = 50 ft.

TUSCANY PLAT 5 FINAL PLAT ALTOONA, IOWA

POLK COUNTY
226035
09/03/2019

REVISIONS

ENGINEER: J. BECKER
DRAWN BY: C. CARLETON
SURVEYOR: M. LEE
CHECKED BY: B. MCGINTY

DRAWING NO. FP-05
SHEET NO. 01/02

DRAWING PATH: N:\Land Projects\4\ALT 226035.dwg; Preliminary Plat 2\Plan\Final Plat 226035_Final Plat 5.dwg

TUSCANY DR SE

OUTLOT 'T'

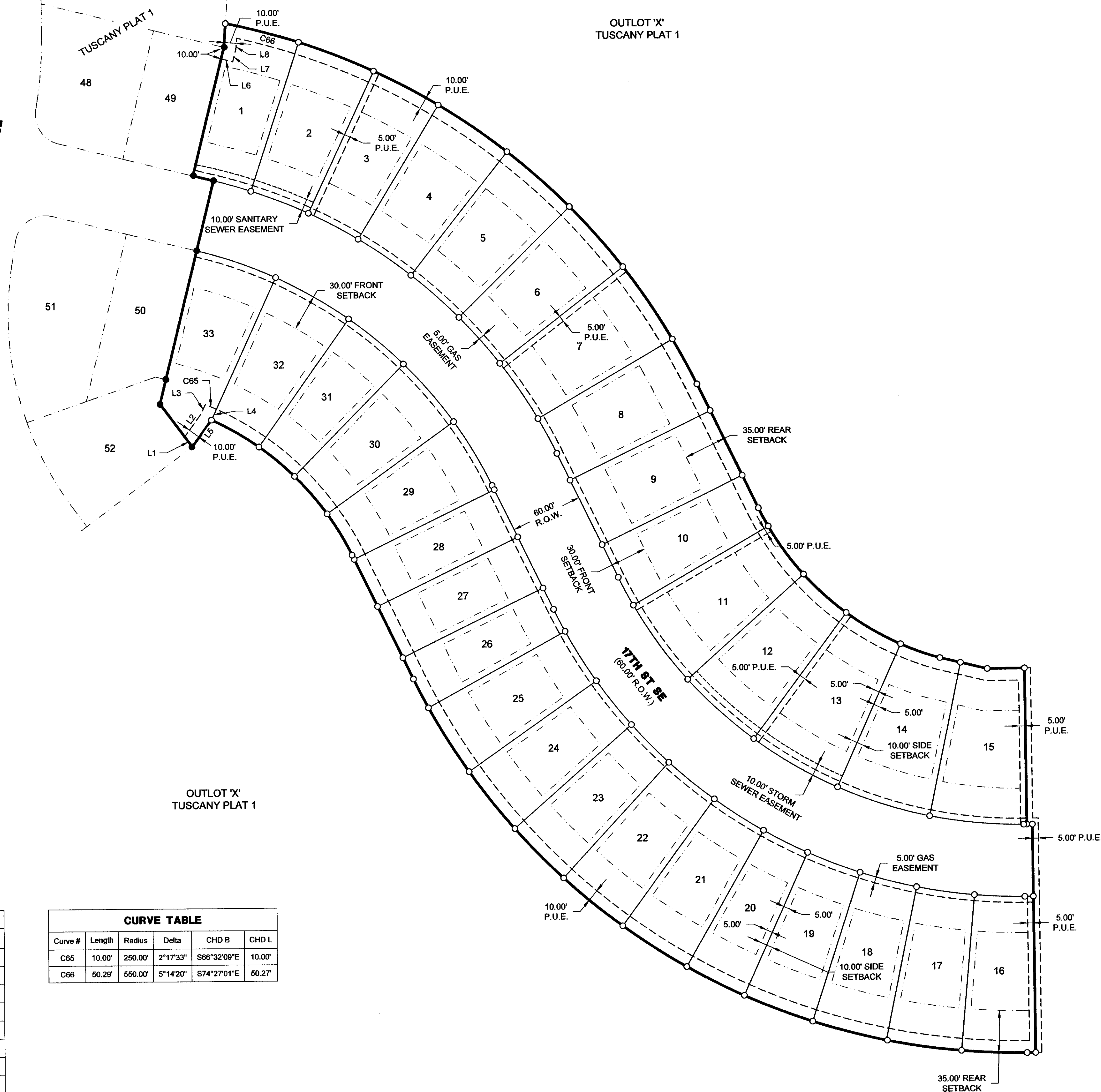
TUSCANY PLAT 1

OUTLOT 'X'

TUSCANY PLAT 1

LINE TABLE		
Line #	Direction	Length
L1	N36°41'56"W	10.47'
L2	N36°04'41"E	23.20'
L3	N24°36'38"E	8.80'
L4	S24°36'38"W	10.00'
L5	S36°04'41"W	27.31'
L6	S76°07'47"E	10.00'
L7	N13°52'13"E	10.86'
L8	N04°03'24"E	9.20'

CURVE TABLE					
Curve #	Length	Radius	Delta	CHD B	CHD L
C65	10.00'	250.00'	2°17'33"	S66°32'09"E	10.00'
C66	50.29'	550.00'	5°14'20"	S74°27'01"E	50.27'

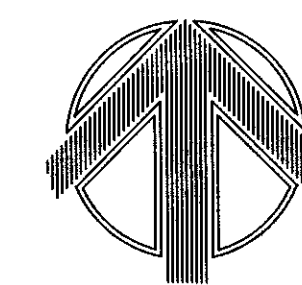


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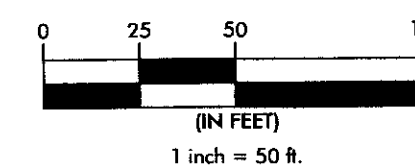
1360 NW 121st Street, STE A
Clive, Iowa 50325
515-964-1229
fax 515-964-2370

NOTICE:
McClure 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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NORTH



**TUSCANY PLAT 5
FINAL PLAT**
ALTOONA, IOWA
POLK COUNTY
226035
09/03/2019
REVISIONS

ENGINEER

J.BECKER

DRAWN BY

C.CARLETON

SURVEYOR

M.LEE

CREW CHIEF

B.MCGINTY

DRAWING NO.

FP-05

SHEET NO.

02/02

RETURN TO:

Prepared by, and when recorded return to: Ashley N. Hemphill, Hubbell Realty Company, 6900 Westown Parkway, West Des Moines, Iowa 50266, (515) 280-2013

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 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 5**". The undersigned further acknowledges and certifies that the subdivision of said **Tuscany Plat 5** 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 5**.

Dated this 15 day of May, 2020.

Tuscany Reserve, LLC

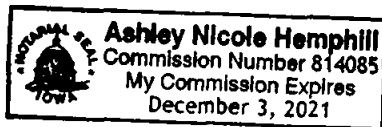
By: Hubbell Realty Company, Managing Member

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

By: [Signature]
B.J. Miller, Assistant Secretary

STATE OF IOWA)
) SS.
COUNTY OF DALLAS)

On this 15 day of May 2020, before me the undersigned, a Notary Public in and for the State of Iowa, personally appeared Joseph F. Pietruszynski and B.J. Miller, to me personally known, who, being by me duly sworn, did say that they are the Senior Vice President and Assistant Secretary, respectively, of Hubbell Realty Company, the Managing Member of **Tuscany Reserve, LLC**, an Iowa limited liability company.



[Signature]
Notary Public in and for the State of Iowa

EXHIBIT A
LEGAL DESCRIPTION

A PART OF OUTLOT 'X', TUSCANY PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF ALTOONA, POLK COUNTY, STATE OF IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 49, TUSCANY PLAT 1; THENCE NORTH 13°52'13" EAST ALONG THE WESTERLY LINE OF SAID OUTLOT 'X' WHICH IS ALSO THE EAST LINE OF SAID LOT 49, A DISTANCE OF 110.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 49; THENCE NORTH 4°03'24" EAST ALONG SAID WESTERLY LINE, 19.90 FEET; THENCE SOUTHEAST ALONG A CURVE CONCAVE SOUTHWEST WHOSE RADIUS IS 560.00 FEET, WHOSE ARC LENGTH IS 511.87 FEET AND WHOSE CHORD BEARS SOUTH 52°04'39" EAST, 494.24 FEET; THENCE SOUTH 25°53'30" EAST, 115.20 FEET; THENCE SOUTHEAST ALONG A CURVE CONCAVE NORTHEAST WHOSE RADIUS IS 240.00 FEET, WHOSE ARC LENGTH IS 201.85 FEET AND WHOSE CHORD BEARS SOUTH 49°59'08" EAST, 195.95 FEET; THENCE SOUTH 76°31'58" EAST, 40.42 FEET; THENCE NORTH 89°33'57" EAST, 30.91 FEET; THENCE SOUTH 00°26'03" EAST, 130.00 FEET; THENCE NORTH 89°33'57" EAST, 4.56 FEET; THENCE SOUTH 00°26'03" EAST, 190.00 FEET THENCE SOUTH 89°33'57" WEST, 7.13 FEET; THENCE NORTHWEST ALONG A CURVE CONCAVE NORTHEAST WHOSE RADIUS IS 560.00 FEET, WHOSE ARC LENGTH IS 630.83 FEET AND WHOSE CHORD BEARS NORTH 58°09'46" WEST, 598.00 FEET; THENCE NORTH 25°53'30" WEST, 115.20 FEET; THENCE NORTHWEST ALONG A CURVE CONCAVE SOUTHWEST WHOSE RADIUS IS 240.00 FEET, WHOSE ARC LENGTH IS 165.45 FEET AND WHOSE CHORD BEARS NORTH 45°38'26" WEST, 162.19 FEET; THENCE SOUTH 36°04'41" WEST, 27.31 FEET TO THE WESTERLY LINE OF SAID OUTLOT 'X', TUSCANY PLAT 1 AND THE NORTHEASTERLY LINE OF LOT 52, TUSCANY PLAT 1; THENCE NORTH 36°41'56" WEST ALONG SAID WESTERLY LINE, 44.54 FEET; THENCE NORTH 13°52'13" EAST ALONG SAID WESTERLY LINE, 191.19 FEET; THENCE NORTH 76°07'47" WEST ALONG SAID WESTERLY LINE, 17.45 FEET TO THE POINT OF BEGINNING CONTAINING 6.84 ACRES THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.



REPLY TO DES MOINES OFFICE

May 22, 2020

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. 7816-77 prepared by Iowa Title Company and certified that it reflects all matters up to May 7, 2020, at 6:00 a.m. and relating to the following property:

A PART OF OUTLOT 'X', TUSCANY PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF ALTOONA, POLK COUNTY, STATE OF IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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#3111253 v.2

DAVIS BROWN KOEHN SHORS & ROBERTS P.C.

240.00 FEET, WHOSE ARC LENGTH IS 165.45 FEET AND WHOSE CHORD BEARS NORTH 45°38'26" WEST, 162.19 FEET; THENCE SOUTH 36°04'41" WEST, 27.31 FEET TO THE WESTERLY LINE OF SAID OUTLOT 'X', TUSCANY PLAT 1 AND THE NORTHEASTERLY LINE OF LOT 52, TUSCANY PLAT 1; THENCE NORTH 36°41'56" WEST ALONG SAID WESTERLY LINE, 44.54 FEET; THENCE NORTH 13°52'13" EAST ALONG SAID WESTERLY LINE, 191.19 FEET; THENCE NORTH 76°07'47" WEST ALONG SAID WESTERLY LINE, 17.45 FEET TO THE POINT OF BEGINNING CONTAINING 6.84 ACRES.

To be known following platting as Tuscany Plat 5.

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 Reserve, LLC.

EXCEPT THAT it is subject to the following:

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

- a. Development Agreement filed November 1, 2007 in Book 12433, Page 16 pertaining to construction of sanitary sewer improvements, and a related payment satisfaction filed in Book 14671, Page 288.
- b. City of Altoona Zoning Ordinance.
- c. Easement for public highway filed August 24, 1949 in Book 2275, Page 560.
- d. Easement for public highway filed December 12, 1951 in Book 2467, Page 233.
- e. Easement for public highway filed January 31, 1969 in Book 4008, Page 284.
- f. Easement for public highway filed April 10, 1969 in Book 4023, Page 105, re-filed July 25, 1969 in Book 4062, Page 359.
- g. Easement to Southeast Polk Rural Water District filed December 9, 1983 in Book 5211, Page 366.
- h. Easement for public highway filed April 11, 1969 in Book 4023, Page 155.
- i. Easement to Southeast Polk Rural Water District filed October 14, 1982 in Book 5199, Page 771.
- 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. Declaration of Covenants, Conditions, Easements and Restrictions Applicable to Tuscany filed December 10, 2008 in Book 12850, Page 219, which among other things creates the Tuscan Owners Association with authority to levy dues and assessments. Amendments are shown filed at Book 14413, Page 798; Book 15945, Page 72; Book 16272, Page 189; Book 16348, Page 871; Book 16944, Page 664; and Book 16999, Page 975.
- m. Temporary Tunaround Easement filed December 10, 2008 in Book 12850, Page 183.
- n. Plat of Survey of neighboring 3.52 acre parcel filed February 24, 2016 in Book 15905, Page 184.

2. **REAL ESTATE TAXES.** The abstract shows that the property is subject to the taxes for 2018-2019, payable in 2019-2020 as follows: Parcel No. 171.00511.345.138, 1st Installment- paid; 2nd Installment- paid, each half in the amount of \$635.00.

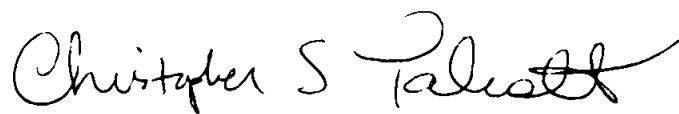
3. **SEARCHES.** The abstracter has conducted ten-year judgment lien searches against the owners and nothing is shown except as set forth above.

GENERAL MATTERS.

- (a) This Opinion is prepared for purposes of complying with Section 354.11 of the Iowa Code (2018) 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, reading "Christopher S. Talcott". The signature is written in a cursive style with a large initial "C" and a stylized "T".

Christopher S. Talcott

Approval of Subdivision Plat Name

Pursuant to Iowa Code §354.6(2) and §354.11(1)(e), the Polk County Auditor has approved the subdivision plat name of:

TUSCANY PLAT 5



Jamie Fitzgerald, Polk County Auditor

May 12, 2020
Date



By: Ryan S. Smith



RESOLUTION # 11-4-2019# 01

**RESOLUTION APPROVING THE FINAL PLAT FOR
"TUSCANY PLAT 5"**

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.

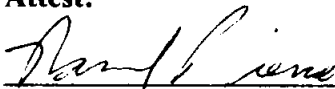
THEREFORE, BE IT RESOLVED BY THE ALTOONA CITY COUNCIL to approve the request for said final plat.

Passed this 4th day of November, 2019



Dean O'Connor, Mayor

Attest:



Randy Pierce, City Clerk

Council member Mertz **introduced and moved for the adoption of**
RESOLUTION #11-4-2019# 01 . Seconded by Per **.**

Council Vote:	Ayes	Nays	Absent	Abstain
Boka	✓			
Duer	✓			
Leighter			✓	
Mertz	✓			
Willey				

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 5

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,
Utilities or Buildings on Leased Land against

TUSCANY RESERVE, LLC,

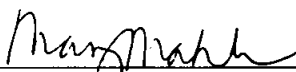
who is(are) the record title holder(s) of said real estate.

Dated at Des Moines, IA , Monday, May 11, 2020 .

MARY MALONEY
POLK COUNTY TREASURER

by 
Deputy
(Treasurer's Seal)

Subscribed and sworn to before me on this
11th day of May, 2020.

by 
Notary Public in and for Polk County, IA
(Notary Seal)



PREPARED BY: Rebecca Lawrence, Property Description Specialist

EXHIBIT A

A PART OF OUTLOT 'X', TUSCANY PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF ALTOONA, POLK COUNTY, STATE OF IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 49, TUSCANY PLAT 1; THENCE NORTH 13°52'13" EAST ALONG THE WESTERLY LINE OF SAID OUTLOT 'X' WHICH IS ALSO THE EAST LINE OF SAID LOT 49, A DISTANCE OF 110.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 49; THENCE NORTH 4°03'24" EAST ALONG SAID WESTERLY LINE, 19.90 FEET; THENCE SOUTHEAST ALONG A CURVE CONCAVE SOUTHWEST WHOSE RADIUS IS 560.00 FEET, WHOSE ARC LENGTH IS 511.87 FEET AND WHOSE CHORD BEARS SOUTH 52°04'39" EAST, 494.24 FEET; THENCE SOUTH 25°53'30" EAST, 115.20 FEET; THENCE SOUTHEAST ALONG A CURVE CONCAVE NORTHEAST WHOSE RADIUS IS 240.00 FEET, WHOSE ARC LENGTH IS 201.85 FEET AND WHOSE CHORD BEARS SOUTH 49°59'08" EAST, 195.95 FEET; THENCE SOUTH 76°31'58" EAST, 40.42 FEET; THENCE NORTH 89°33'57" EAST, 30.91 FEET; THENCE SOUTH 00°26'03" EAST, 130.00 FEET; THENCE NORTH 89°33'57" EAST, 4.56 FEET; THENCE SOUTH 00°26'03" EAST, 190.00 FEET THENCE SOUTH 89°33'57" WEST, 7.13 FEET; THENCE NORTHWEST ALONG A CURVE CONCAVE NORTHEAST WHOSE RADIUS IS 560.00 FEET, WHOSE ARC LENGTH IS 630.83 FEET AND WHOSE CHORD BEARS NORTH 58°09'46" WEST, 598.00 FEET; THENCE NORTH 25°53'30" WEST, 115.20 FEET; THENCE NORTHWEST ALONG A CURVE CONCAVE SOUTHWEST WHOSE RADIUS IS 240.00 FEET, WHOSE ARC LENGTH IS 165.45 FEET AND WHOSE CHORD BEARS NORTH 45°38'26" WEST, 162.19 FEET; THENCE SOUTH 36°04'41" WEST, 27.31 FEET TO THE WESTERLY LINE OF SAID OUTLOT 'X', TUSCANY PLAT 1 AND THE NORTHEASTERLY LINE OF LOT 52, TUSCANY PLAT 1; THENCE NORTH 36°41'56" WEST ALONG SAID WESTERLY LINE, 44.54 FEET; THENCE NORTH 13°52'13" EAST ALONG SAID WESTERLY LINE, 191.19 FEET; THENCE NORTH 76°07'47" WEST ALONG SAID WESTERLY LINE, 17.45 FEET TO THE POINT OF BEGINNING CONTAINING 6.84 ACRES THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

	Index	Date Recorded	Instrument Date	Kind	Party Ones	Party Twos	Remarks (Not Warranted)	File Number	Book/Page	Ref	Amount	Images
							[+]					
422	GEN	06/11/2020 Instrument Date 05/15/2020	05/15/2020	WARRANTY DEED	TUSCANY RESERVE LLC	ALTOONA CITY OF	TUSCANY PLAT 5 Lot:A	2019-00107145	17884 / 167			2
423	GRW	06/11/2020 InstrumentDate 05/15/2020	05/15/2020	GROUNDWATER	TUSCANY RESERVE LLC	ALTOONA CITY OF	TUSCANY PLAT 5 Lot:A	2019-00107146	17884 / 169	17884 / 167		2
424	GEN	06/11/2020 Instrument Date 05/15/2020	05/15/2020	EASEMENT	TUSCANY RESERVE LLC TUSCANY PLAT 5	ALTOONA CITY OF	TUSCANY PLAT 5 Lot:1 CONC TUSCANY PLAT 5 Lot:2 CONC SANITARY SEWER EASEMENT	2019-00107147	17884 / 171			4
425	GEN	06/11/2020 Instrument Date 05/15/2020	05/15/2020	EASEMENT	TUSCANY RESERVE LLC TUSCANY PLAT 5	ALTOONA CITY OF	TUSCANY PLAT 5 Lot:1 CONC TUSCANY PLAT 5 Lot:2 CONC TUSCANY PLAT 5 Lot:3 [+]	2019-00107148	17884 / 175			4
426	GEN	06/11/2020 Instrument Date 05/15/2020	05/15/2020	EASEMENT	TUSCANY RESERVE LLC TUSCANY PLAT 5	ALTOONA CITY OF	TUSCANY PLAT 5 Lot:12 CONC TUSCANY PLAT 5 Lot:13 CONC STORM SEWER EASEMENT	2019-00107149	17884 / 179			4
427	GEN	06/11/2020 Instrument Date 05/15/2020	05/15/2020	EASEMENT	TUSCANY RESERVE LLC TUSCANY PLAT 5	ALTOONA CITY OF	TUSCANY PLAT 5 Lot:3 CONC TUSCANY PLAT 5 Lot:2 CONC TUSCANY PLAT 5 Lot:3 [+]	2019-00107150	17884 / 183			5
428	GEN	06/11/2020 Instrument Date 05/15/2020	05/15/2020	EASEMENT	TUSCANY RESERVE LLC TUSCANY PLAT 1	ALTOONA CITY OF	TUSCANY PLAT 1 Lot:OL X CONC OFFSITE PUBLIC UTILITY EASEMENT	2019-00107151	17884 / 188			4

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