

COMPARED

**Pottawattamie County Auditor's Certification
of Subdivision Name Approval**

**MARILYN JO DRAKE
POTTAWATTAMIE COUNTY AUDITOR
AND ELECTION COMMISSIONER
227 S. 6th St, Room 243
P. O. BOX 649
COUNCIL BLUFFS, IOWA 51502-0849**



Gary Herman, First Deputy - Elections
Paula Glade, First Deputy - Real Estate
Donna West, First Deputy - Tax and Finance
Phone (712) 328-5700
FAX (712) 328-4740

I, Marilyn Jo Drake, Auditor of Pottawattamie County, Iowa, or designee, do hereby certify that the subdivision name of the attached platting is unique within Pottawattamie County and is hereby approved.

Name of new subdivision:

DALEY'S ADDITION

Paula E Glade
Signed

December 14, 2007
Date

STATEMENT FROM MORTGAGE HOLDER

Comes now "MERS" Mortgage Electronic Registration Systems, Inc., the mortgage holder on the property that comprises the following legal description:

Daley's Addition - Final Plat Description

A part of the Northeast ¼ of the Northeast ¼ of Section 23, Township 75 North, Range 42 West of the 5th P.M., Pottawattamie County, Iowa and described as follows:

Beginning at the Northwest Corner of the Northeast ¼ of the Northeast ¼ of said Section 23; thence North 89°50'10" East, along the North line of said Northeast ¼ of the Northeast ¼, 1321.80 feet to the North East corner of said Section 23; thence South 0°40'57" West, along the East line of said Section 23, 464.75 feet; thence South 89°50'43" West, 1320.04 feet to a point on the West line of said Northeast ¼ of the Northeast ¼; thence North 0°27'51" East, along said West line, 464.46 feet to the point of beginning and containing 14.09 acres (613,760 S.F.) more or less and subject to 1.55 acres of road right of way.

said property being owned by Robert Daley and Jenny Daley.

The above-referenced lender hereby states that the Final Plat of Daley's Addition is prepared with our free consent and in accordance with our desire and in accordance with Iowa Code Section 354.11.

Dated this 19th day of November, 2007.

"MERS", Mortgage Holder

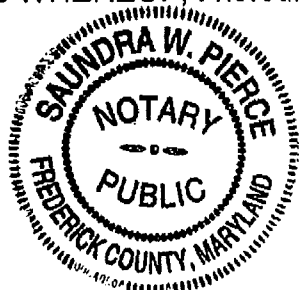


By Mary Ann Thompson
Mary Ann Thompson
Vice President

STATE OF Maryland
Frederick COUNTY }

On this 19th day of November, 2007, before me, the undersigned, personally appeared Mary Ann Thompson, Officer, personally known to me to be the person whose name is subscribed to within the instrument and acknowledge that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Sandra W. Pierce
Notary Public
My Commission Expires August 9, 2011

Prepared by: Pottawattamie County, Planning and Development, 223 South 6th Street, Council Bluffs, Iowa 51501 (712) 328-5792
Return to: Pottawattamie County, Planning and Development, 223 South 6th Street, Council Bluffs, Iowa 51501 (712) 328-5792

**PLANNING AND ZONING
RESOLUTION NO. 2007-06**

WHEREAS, this Board had approved the preliminary plat of **Daley's Addition**, a residential subdivision situated in **Hardin Township**, by approval of Planning and Zoning Resolution No. **2007-03**, dated **March 19, 2007**; and

WHEREAS, the final plat and supporting documents required by Chapter 9.10 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, has been filed with this Board for its study and consideration under **Case #SUB-2007-01**; and

WHEREAS, this Board has examined the final plat and has found it is in substantial compliance with the approved preliminary plat; and

WHEREAS, after careful study, and due consideration this Board has determined that the final plat and supporting documents conform to the requirements of Chapter 9.10 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, and it has deemed it to be in the best interest of Pottawattamie County, Iowa, to approve the final plat.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA: That the final plat of **Daley's Addition**, a residential subdivision in Pottawattamie County, Iowa, be, and the same is hereby approved as the final plat of said subdivision, subject to the following conditions:

1. The developer shall be responsible for the construction of all retention and detention facilities shown on the NRCS approved Pollution Prevention Plan. The developer and/or subsequent property owners of the subject lots shall be responsible for retaining and maintaining said structures.

And that the Chairman of the Board of Supervisors is hereby authorized to enter such approval upon said final plat.

PASSED AND APPROVED December 12, 2007.



Lynn Leaders, Chairman

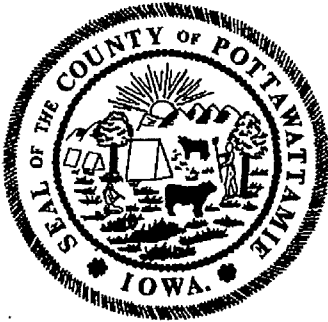
	ROLL	CALL	VOTE
AYE	NAY	ABSTAIN	ABSENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

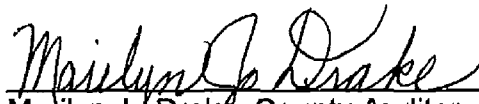


TO WHOM IT MAY CONCERN:


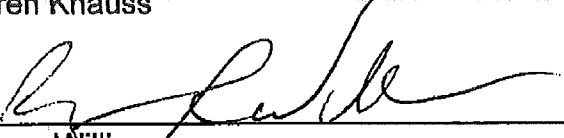
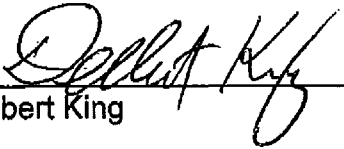

I, Marilyn Jo Drake, County Auditor, Pottawattamie County, Iowa, do hereby certify that the attached is a true and accurate copy of Planning and Zoning Resolution #2007-06, adopted by the Pottawattamie County, Iowa, Board of Supervisors, in their approval of Daley's Addition on December 12, 2007.

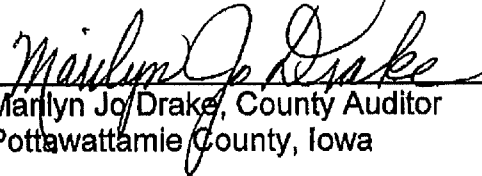
Dated this 12th day of December, 2007.





Marilyn Jo Drake, County Auditor
Pottawattamie County, Iowa

	AYE	ROLL NAY	CALL ABSTAIN	VOTE ABSENT
 Loren Knauss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Roger Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Delbert King	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Melvyn Houser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attest: 
Marilyn Jo Drake, County Auditor
Pottawattamie County, Iowa

RECORD: After Passage

PORTER TAUKE & EBKE

ATTORNEYS AT LAW

42 NORTH 2ND STREET

P.O. Box 457

COUNCIL BLUFFS, IOWA 51502-0457

TELEPHONE (712) 322-5588

FAX (712) 322-8308

E-MAIL: PTEBKE@QWEST.NET

A.W. (TONY) TAUKE

STEPHEN C. EBKE

ANGELA WEATHERHEAD
ASSOCIATE

RICHARD A. PORTER (1927-1999)

October 8, 2007

Robert and Jenny Daley
28837 Highway 6
Treyvor, Iowa 51575

Dear Robert and Jenny:

I have examined the abstract of title to:

A PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 23,
TOWNSHIP 75 NORTH, RANGE 42 WEST OF THE 5TH P.M., POTTAWATTAMIE
COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE
NORTHEAST 1/4 OF SAID SECTION 23; THENCE NORTH 89°50'10" EAST, ALONG
THE NORTH LINE OF SAID NORTHEAST 1/4 OF THE NORTHEAST 1/4, 1321.80
FEET TO THE NORTH EAST CORNER OF SAID SECTION 23; THENCE SOUTH
0°40'57" WEST, ALONG THE EAST LINE OF SAID SECTION 23, 464.75 FEET;
THENCE SOUTH 89°50'43" WEST, 1320.04 FEET TO A POINT ON THE WEST
LINE OF SAID NORTHEAST 1/4 OF THE NORTHEAST 1/4; THENCE NORTH
0°27'51" EAST, ALON SAID WEST LINE, 464.46 FEET TO THE POINT OF
BEGINNING AND CONTAING 14.09 ACRES (613,760 S.F.) MORE OR LESS AND
SUBJECT TO 1.55 ACRES OF ROAD RIGHT OF WAY.

This abstract does not cover matters included in Chapter 614.29 through 614.38 of the
Code of Iowa as amended, the Marketable Title Act and Chapter 11 of the Iowa Land
Title Examination Standards and the Abstracting Standards of the Iowa Land Title
Association, which are excluded thereunder except plat and surveys, easements, party
wall and other boundary line agreements, unexpired recorded leases, and patents, and
is certified to July 13, 2007, at 8:00 o'clock A.M. by Dakota Title and Escrow Company,
and is in one part containing 55 entries. From my examination I find marketable title to
be in - - -

Robert Daley and Jenny Daley, husband and wife as joint tenants with full rights
of survivorship and not as tenants in common, subject to the following:

1. Entry #23A sets forth a Declaration of Restrictions which may affect the intended use of said property. You are referred to the entry and Declaration for further particulars.
2. Entry #32 shows a Plat of Survey which reflects an easement for U.S. Highway 6 right-of-way (recorded in Book 712 at Page 417) and an easement for 290th Street right-of-way. You are referred to the survey and easements for further particulars.
3. Entry #35 sets forth a Fire Protection Charter Agreement which may affect the use of said property. You are referred to the entry for further particulars.
4. Entry #51 sets forth a Mortgage in the amount of \$407,000.00 from Robert Daley and Jenny Dale, husband and wife to Mortgage Electronic Registration System, Inc., as nominee for CitiMortgage, Inc. dated May 17, 2007 and recorded May 25, 2007 in Book 2007, Page 8450. However, Jenny Dale executes the document as Jenny Daley. PR 2007-12914
5. Entry #52 sets forth a Mortgage in the amount of \$147,547.00 from Robert W. Daley and Jenny M. Daley, husband and wife to Council Bluffs Savings Bank dated May 17, 2007 and recorded May 29, 2007 in Book 2007, Page 8584. PR 2008-951
6. Entry #55 shows the General Taxes for 2005 and prior years paid.

Yours very truly,


Angela Weatherhead

AMW: ph

County Treasurer's Certification

This is to certify that I find no certified taxes and no certified special assessments due or delinquent against the property as described within the Daley's Addition Plat , as shown by the records of this office.

Dolores McDermott Deputy Treas
County Treasurer

11-28-07
Date