

CONSENT AND DEDICATION

RE: HIMMELSBACH FIFTH ADDITION TO THE CITY OF WALFORD, BENTON COUNTY, IOWA

KNOW ALL MEN THESE PRESENTS that we Bernard H. Himmelsbach and Janet L. Himmelsbach, husband and wife, being the owners of the land included in HIMMELSBACH FIFTH ADDITION TO THE CITY OF WALFORD, BENTON COUNTY, IOWA, have caused a survey and subdivision of said land to be made, lots and streets to be marked, named and numbered as shown by a Plat dated the 18th day of September, 1995, and the certificate of Gary L. Casady, a registered land surveyor, said documents are attached hereto, and to that end the same may be recorded and hereinafter designated and known as HIMMELSBACH FIFTH ADDITION TO THE CITY OF WALFORD, BENTON COUNTY, IOWA.

AND WE, THE SAID Bernard H. Himmelsbach and Janet L. Himmelsbach, husband and wife, hereby acknowledge the subdivision of the land shown by the Plat to be of our free consent and in accordance with our desires, and do hereby set apart and dedicate to the public use, as public highway forever all highways and streets in that part of HIMMELSBACH FIFTH ADDITION TO THE CITY OF WALFORD, BENTON COUNTY, IOWA as shown on the recorded Plat thereof.

AND WE, THE SAID Bernard H. Himmelsbach and Janet L. Himmelsbach, husband and wife, for the purpose of said Plat and Dedication, do hereby relinquish all our contingent rights of dower and homestead.

IN WITNESS WHEREOF THE UNDERSIGNED HAVE CAUSED THESE PRESENTS TO BE EXECUTED THIS 12th DAY OF OCTOBER, 1995.

Bernard H. Himmelsbach
BERNARD H. HIMMELSBACH

Janet L. Himmelsbach
JANET L. HIMMELSBACH

OCT 16 10 00 AM '95

RECORDED
BENTON COUNTY
IOWA

Book 260 Page 415
Fee Paid \$66.00
00001691
Survey Book 8 Page 400

STATE OF IOWA)
COUNTY OF BENTON) SS:

On this 12th day of October, 1995, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Bernard H. Himmelsbach and Janet L. Himmelsbach, husband and wife, to me known to be the identical persons named in and who executed the foregoing Consent and Dedication and acknowledged that they executed the same as their voluntary act and deed.



Cindy L. Arrp
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA



BENTON CO IA- LEXA S SPEIDEL, RECORDER
Book: 260 Page: 415
10/16/1995 @10:00AM # Pages 13
DUTY DEED/LAND
Total Fees: \$66.00

RESOLUTION NO. 9-95-2

RESOLUTION APPROVING PLAT

WHEREAS, a Plat of HIMMELSBACH FIFTH ADDITION TO THE CITY OF WALFORD, BENTON COUNTY, IOWA, containing Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 has been filed with the City Clerk and after consideration of the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa and the ordinances of the City of Walford, Iowa, in relation to Plats and Additions to Cities,

NOW, THEREFORE:

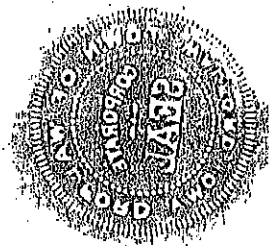
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WALFORD, IOWA, that the said Plat and dedications of said HIMMELSBACH FIFTH ADDITION TO THE CITY OF WALFORD, BENTON COUNTY, IOWA, be and the same are hereby acknowledged and approved on the part of the City of Walford, Iowa, and that the roads therein shown be and are hereby approved and the Mayor and City Clerk are hereby directed to certify this Resolution of Approval and affix the same to said Plat as by law provided.

Passed this 18th day of Sept, 1995.

David L. Ultsch, Mayor

ATTEST:

Janet L. Lane, City Clerk

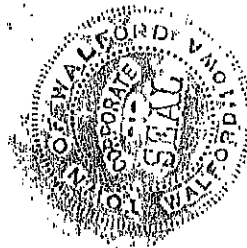


STATE OF IOWA)
) SS:
COUNTY OF BENTON)

We, David L. Uthoff, Mayor, and Janet L. Gann, City Clerk of the City of Walford, Iowa, do hereby certify that the above and foregoing Resolution is a true and correct copy of the Resolution passed by the City Council of the City of Walford, Iowa on this 18th day of Sept, 1995.

David L. Uthoff, Mayor

Janet L. Gann, City Clerk



LAW OFFICES OF
BRUCE A. ERUSHA
FARMERS SAVINGS BANK BUILDING
P.O. BOX 131
WALFORD, IOWA 52351

BRUCE A. ERUSHA
(licensed in Iowa and Arizona)

TELEPHONE:
PH: (319) 846-2650
FAX (319) 846-2611

October 9, 1995

TO WHOM IT MAY CONCERN:

We have examined, at your request, the abstract of title to the following described real estate, to-wit:

THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION THIRTY-SIX (36), TOWNSHIP EIGHTY-TWO (82) NORTH, RANGE NINE (9), WEST OF THE 5TH P.M., EXCEPT BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 36, THENCE S. 89°25'30" W. ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SAID SECTION 36, 1318.00 FEET TO THE SOUTHWEST CORNER OF THE SAID SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$); THENCE N.0°12'4"W. ALONG THE WEST LINE OF THE SAID SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$); 1084.95 FEET; THENCE N.89°33'30"E., 467.00 FEET; THENCE N.0°18'30"E., 242.00 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$); THENCE N.89°33'30"E. ALONG THE SAID NORTH LINE, 849.05 FEET TO THE NORTHEAST CORNER OF THE SAID SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$); THENCE S.0°11'30"E. 1323.86 FEET TO THE POINT OF BEGINNING, EXCEPT HIMMELSBACH FIRST ADDITION TO THE CITY OF WALFORD, AND EXCEPT HIMMELSBACH SECOND ADDITION TO THE CITY OF WALFORD, AND EXCEPT HIMMELSBACH THIRD ADDITION TO THE CITY OF WALFORD, BENTON COUNTY, IOWA, AND EXCEPT HIMMELSBACH FOURTH ADDITION TO THE CITY OF WALFORD, BENTON COUNTY, IOWA.

consisting of 112 Entries and last certified on the 27th day of September, 1995, at 8:00 a.m., by the Benton County Title Company, and we find good and merchantable title to be in:

BERNARD H. HIMMELSBACH AND JANET L. HIMMELSBACH,
HUSBAND AND WIFE,

subject to following liens, objections, and restrictions:

1. At Entry No. 91 is shown a mortgage from Bernard H. Himmelsbach and Janet L. Himmelsbach, husband and wife, to Farmers Savings Bank, Walford, Iowa. This mortgage was dated April 29, 1992, and was filed for record May 13, 1992 in Book 146 at Page 421.

Bernard H. and Janet L. Himmelsbach
October 9, 1995
Page 2

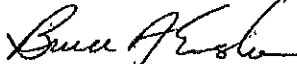
2. Your attention is directed to the ordinances of Walford, Iowa and Benton County, Iowa.

3. This opinion is given in compliance with Section 354.11 of the Code of Iowa 1993.

4. The Abstractor notes that all current taxes for the years 1994-1995 are paid on the property under examination.

Very truly yours,

LAW OFFICES OF BRUCE A. ERUSHA



Bruce A. Erusha

BAE:ss

HIMMELSBACH FIFTH ADDITION TO THE CITY OF WALFORD, BENTON COUNTY, IOWA

TREASURER'S CERTIFICATE

STATE OF IOWA)
) SS.
COUNTY OF BENTON)

I, WARREN RICHART, Treasurer of Benton County, Iowa, do hereby certify that the land included in Himmelsbach Fifth Addition to the City of Walford, Benton County, Iowa, which is located on and includes:

HIMMELSBACH FIFTH ADDITION TO THE CITY OF WALFORD, BENTON COUNTY, IOWA

Part of the Southeast Quarter of the Northeast Quarter of Section 36, Township 82 North, Range 9 West of the Fifth P.M., Benton County, Iowa and more particularly described as follows:

Commencing at the East Quarter Corner of of said Section 36; thence S89°54'57"W, 612.91 feet along the East-West Quarter Section line of said Section to the point of beginning; thence continuing along said Quarter Section line S89°54'57"W, 705.33 feet to the Southwest Corner of said Quarter-Quarter Section; thence N00°00'45"E, 1079.74 feet along the west line of said Quarter-Quarter Section to the south line of the north 242.00 feet of said Quarter-Quarter Section; thence N89°55'32"E, 466.86 feet along said south line to the west line of Himmelsbach Second Addition to the City of Walford, Iowa; thence S00°37'36"W, 478.07 feet along the west line of Himmelsbach Second, Himmelsbach Third and Himmelsbach Fourth Additions to Walford, Iowa to the southerly line of said Himmelsbach Fourth Addition; thence N89°45'34"E, 646.77 feet; thence northeasterly 124.90 feet along the arc of a 50.00 foot radius curve, concave northwesterly, (the chord bears N71°19'28"E, 94.87 feet); thence N89°45'34"E, 57.73 feet all along said southerly line to the west right-of-way line of the county road; thence S00°00'00"W, 180.00 feet along said west line; thence S49°52'08"W, 139.43 feet; thence S71°26'21"W, 214.27 feet; thence S64°14'08"W, 335.96 feet; thence S22°11'22"E, 162.53 feet to the point of beginning. Said parcel contains 18.495 acres.

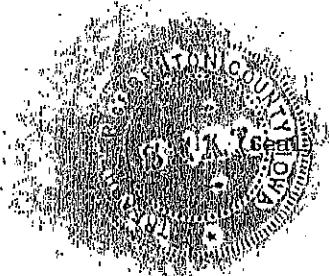
is free from certified taxes and certified special assessments, as shown in the records of this office:

WITNESS MY HAND AND SEAL at Vinton, Benton County, Iowa, this 16th day of October, 1995.

BY:

Warren Richart
WARREN RICHART

TREASURER OF BENTON COUNTY, IOWA



CONSENT TO PLATTING AND PARTIAL MORTGAGE RELEASE

THIS CONSENT by the Farmers Savings Bank, Walford, Iowa, grantee/mortgagee in Mortgage, by Bernard H. Himmelsbach and Janet L. Himmelsbach, grantors/mortgagors, dated April 29, 1992 and filed of record May 13, 1992 in Book 146, Page 421 in the Office of the Benton County Recorder, hereby states that that the plat of Himmelsbach Fifth Addition to the City of Walford, Benton County, Iowa, covering the following described real estate:

HIMMELSBACH FIFTH ADDITION TO THE CITY OF WALFORD, BENTON COUNTY, IOWA

Part of the Southeast Quarter of the Northeast Quarter of Section 36, Township 82 North, Range 9 West of the Fifth P.M., Benton County, Iowa and more particularly described as follows:

Commencing at the East Quarter Corner of of said Section 36; thence S89°54'57"W, 612.91 feet along the East-West Quarter Section line of said Section to the point of beginning; thence continuing along said Quarter Section line S89°54'57"W, 705.33 feet to the Southwest Corner of said Quarter-Quarter Section; thence N00°00'45"E, 1079.74 feet along the west line of said Quarter-Quarter Section to the south line of the north 242.00 feet of said Quarter-Quarter Section; thence N89°55'32"E, 466.86 feet along said south line to the west line of Himmelsbach Second Addition to the City of Walford, Iowa; thence S00°37'36"W, 478.07 feet along the west line of Himmelsbach Second, Himmelsbach Third and Himmelsbach Fourth Additions to Walford, Iowa to the southerly line of said Himmelsbach Fourth Addition; thence N89°45'34"E, 646.77 feet; thence northeasterly 124.90 feet along the arc of a 50.00 foot radius curve, concave northwesterly, (the chord bears N71°19'28"E, 94.87 feet); thence N89°45'34"E, 57.73 feet all along said southerly line to the west right-of-way line of the county road; thence S00°00'00"W, 180.00 feet along said west line; thence S49°52'08"W, 139.43 feet; thence S71°26'21"W, 214.27 feet; thence S64°14'08"W, 335.96 feet; thence S22°11'22"E, 162.53 feet to the point of beginning. Said parcel contains 18.495 acres,

is prepared with its free consent and in accordance with its desire.

The Farmers Savings Bank hereby releases from its mortgage referred to above all streets, easements, and other areas conveyed or dedicated to the City of Walford, Benton County Iowa, in connection with the subdivision and platting of the real estate described above.

This Consent to Platting shall not be construed to require Farmers Savings Bank to perform any terms and conditions otherwise required to be performed by the proprietor of the subject plat.

This Consent to Platting and release of mortgage is given pursuant to and for the purposes of Section 354.11 of the 1993 Code of Iowa, as well as the ordinances of the City of Walford, Benton County, Iowa.

Signed this 14th day of October, 1995

FARMERS SAVINGS BANK

By: R.C. Brusha
R.C. Brusha, President

By: Gary T. Lovik
Gary T. Lovik, Cashier



FOR THE LEGAL EFFECT OF THE USE
OF THIS FORM, CONSULT YOUR LAWYER

STATE OF Iowa, COUNTY OF Benton, ss:

On this 11th day of October, A.D. 1995, before me, the undersigned, a Notary

Public in and for the said state, personally appeared R. C. Erusha

and Gary T. Lovik, to me personally known, who being by me duly sworn, did

say that they are the President and Cashier
respectively, of the corporation executing the within and foregoing instrument to which this is attached, that ~~the~~
~~seal has been procured by the~~ (the seal affixed thereto is the seal of the) corporation; that the instrument was

signed (and sealed) on behalf of the corporation by authority of its Board of Directors; and that

R. C. Erusha and Gary T. Lovik as officers
acknowledged the execution of the foregoing instrument to the voluntary act and deed of the corporation, by it and
by them voluntarily executed.



Cindy L. Arp
Cindy L. Arp

, Notary Public in and for said state.

THE IOWA STATE BAR ASSOCIATION
Official Form No. 172
Revised April, 1992
This Printing April, 1992

Acknowledgment: For use in case of corporations

(Section 558.39 and 558.39, Code of Iowa)

RESTRICTIVE COVENANTS

The Grantors, being the Owners in fee of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 of HIMMELSBACH FIFTH ADDITION TO THE CITY OF WALFORD, BENTON COUNTY, IOWA, in order to establish and maintain the residential character of each of said lots, do hereby covenant and agree with persons who may hereafter purchase any of said lots or who may hereafter own said lots or any one of several of said lots, or any right, title or interest therein of any nature whatsoever, regardless of the manner by which such ownership or interest was acquired, that the use of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 are restricted and the sale of said lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 are subject to the following covenants:

1. All of said lots shall be known, described and used solely as residential lots, and no structures shall be erected on any lot other than: One detached single family dwelling not to exceed two stories in height and a one, two or three-car attached garage, provided, however, that the restrictions of this and subsequent paragraphs shall not prohibit the erection or development of a contemporary styled tri-level (split level) dwelling, a church, park or a public or private school on any of said lots. Further the owner of said lot may erect, in addition to the above, one storage building, having a width no more than thirteen (13) feet nor a length no more than sixteen (16) feet on said lot, subject to the setback restrictions as described herein. It is the intention and purpose of these Covenants to assure that all dwellings will be of high quality, design, workmanship and materials approved by the owners herein.

2. No building shall be erected on any residential building lot nearer than twenty-five (25) feet to, nor farther than forty (40) feet from the front or rear lot line, nor nearer than five (5) feet to any side lot line. On corner lots no structure shall be permitted nearer than twenty-five (25) feet to the side street line. Minimum sideline lot requirements shall be five (5) feet for a total minimum of fourteen (14) feet and front setbacks twenty-five (25) feet. Building lines shown on the plat dated the 18th day of September, 1995, shall control if different from the foregoing.

3. No such lot shall be subdivided into building plots having less than twelve thousand (12,000) square feet of area or an average width of less than ninety (90) feet each, nor shall

any building be erected on any residential building plot having an area of less than twelve thousand (12,000) square feet.

4. No trailer, basement, tent, shack, garage, barn, storage or other out building erected on said lots shall at any time be used as a residence temporarily or permanently, nor shall any residence of a temporary character be permitted.

5. No building shall be erected on any lots unless the design and location is in harmony with existing structures and locations in the tract and does not violate any restrictive covenants. In any case, no dwelling shall be permitted on any lot described herein having a foundation square foot area of less than:

A. One Thousand Three Hundred (1,300) square feet in the case of a two-bedroom, one-story ranch, split level or split foyer structure, unless the first floor is cantilevered to provide a total improved area of One Thousand Three Hundred (1,300) square feet;

6. The titleholder of each of said lots, vacant or improved, shall keep his or her lot or lots free of weeds and debris.

7. No noxious or offensive trade shall be carried on upon any of said lots, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

8. No trucks, larger than a three-quarter ton pickup truck shall be maintained, parked or kept overnight for any purpose in said addition.

9. A perpetual easement is reserved over the rear lot lines and along side lot lines of said lots as shown by the recorded plat for utility installation and maintenance and/or sidewalks. There shall be no fences, buildings, large plantings or other obstructions upon or under the property covered by these easements, so that access is available to any equipment necessary for construction, reconstruction or maintenance of utilities and/or sidewalks located on said easements.

10. These covenants are to run with the land and shall be binding upon all parties and all persons claiming under them until October 31, 2015, at which time said covenants shall be automatically extended for successive periods of ten (10) years unless by a vote of majority of the then owners of said lots it is agreed to charge the said covenants in whole or in part.

11. If the Grantors or their heirs, successors or assigns shall violate any of the covenants or restrictions herein, it shall be lawful for any other person or persons owning any other of said lots to prosecute any proceedings at law or in equity against the person or persons violating or attempting to

violate any such covenants or restrictions and whether to prevent such party from so doing or to recover damages or other dues for such violation.

12. Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

Dated at Walford, Iowa, this 12th day of October, 1995.

OWNERS:

Bernard H. Himmelsbach

BERNARD H. HIMMELSBACH

Janet L. Himmelsbach

JANET L. HIMMELSBACH

STATE OF IOWA)

) SS:

COUNTY OF BENTON)

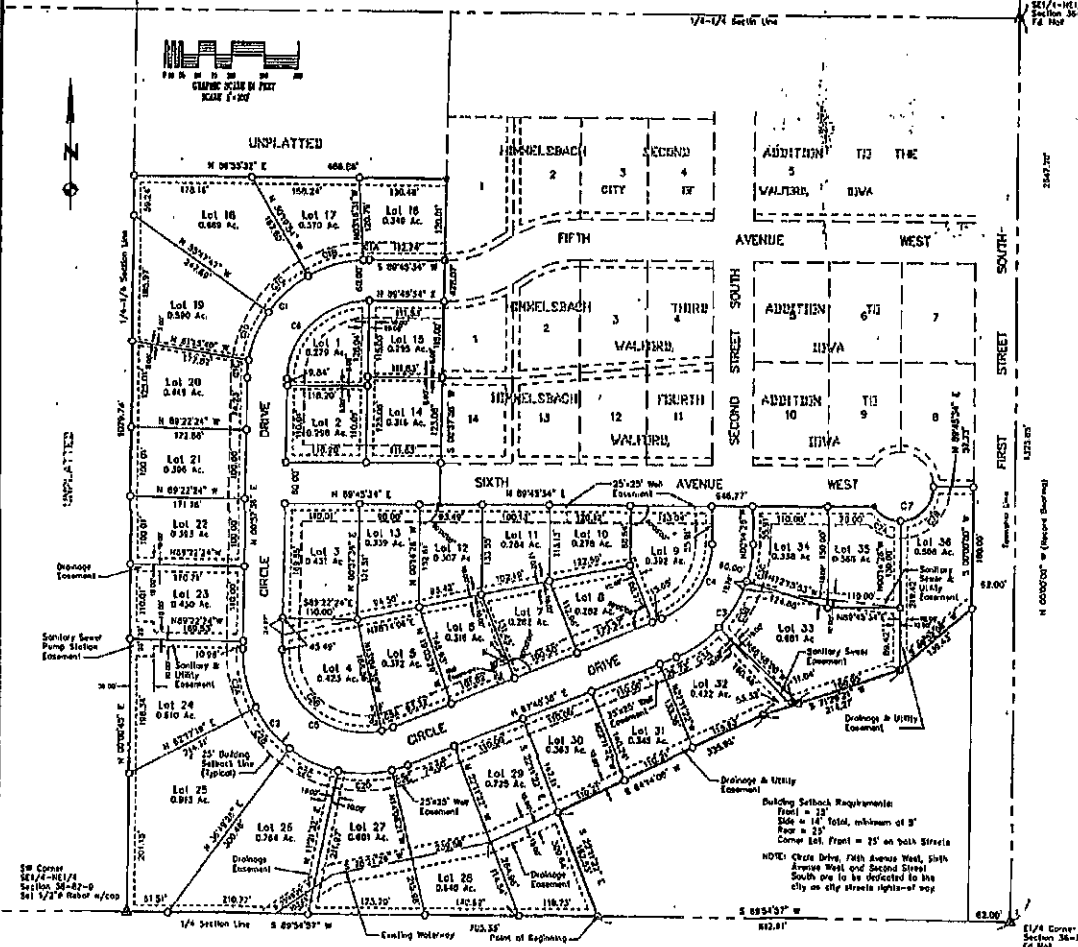
On this 12th day of October, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared Bernard L. Himmelsbach and Janet L. Himmelsbach, husband and wife, to me known to be the identical persons named in and who executed the within and foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.



himmcov5.z

Cindy L. Arr
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

FINAL PLAT HIMMELSBACH FIFTH ADDITION TO WALFORD, IOWA



Survey: Raymond H. & Janet L. Himmelsbach
RR 1, Box 1040
Ames, Iowa 50010
Phone (515) 277-2500
Surveyor: Corp. L. Condy
Address & Phone below

Boundary Description: Part of the Southwest Quarter of the Northwest Quarter of Section 36, Township 82 North, Range 8 West of the 5th P.M., Benton County, Iowa, and more particularly described as follows:

Commencing at the East Corner of said Section 36, thence S 89° 54' 37" W, 612.31 feet along the East-West Quarter Section line to the point of beginning; thence southeasterly along said Quarter Section line S 89° 54' 37" W, 105.13 feet to the Southeast Corner of said Quarter-Quarter Section; thence S 89° 54' 37" W, 1070.74 feet along the west line of said Quarter-Quarter Section to the south line of the north 242.00 feet of said Quarter-Quarter Section; thence S 89° 54' 37" W, 408.26 feet along said south line to the west line of Himmelsbach Second Addition to the City of Walford, Iowa; thence S 89° 54' 37" W, 478.07 feet along the west line of Himmelsbach Second, Himmelsbach Third and Himmelsbach Fourth Additions to Walford, Iowa to the westerly line of said Himmelsbach Fifth Addition; thence S 89° 54' 37" W, 146.77 feet; thence northeasterly 124.50 feet along the arc of a 50.00 foot radius curve, center northeasterly; the chord bears N 71° 19' 28" E, 34.67 feet; thence S 89° 54' 37" W, 57.73 feet along said westerly line to the west right-of-way line of the county road; thence S 89° 54' 37" W, 210.37 feet; thence S 89° 54' 37" W, 325.85 feet; thence S 89° 54' 37" W, 187.53 feet to the point of beginning. Said parcel contains 10.455 acres, subject to easements and restrictions of record.

UNPLATTED

Lot	Area	Owner
1	0.370 Ac.	Himmelsbach
2	0.370 Ac.	Himmelsbach
3	0.370 Ac.	Himmelsbach
4	0.370 Ac.	Himmelsbach
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97	0.370 Ac.	Himmelsbach
98	0.370 Ac.	Himmelsbach
99	0.370 Ac.	Himmelsbach
100	0.370 Ac.	Himmelsbach

LEGEND

- FOUND 1/2" REBAR
- △ SECTION CORNER
- SET 1/2" REBAR W/CAP
- SUSPENSION BOUNDARY
- 10' UTILITY, WATER AND SEWER EASEMENT
- 25' BUILDING SETBACK LINE

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



FINAL PLAT Project Title: HIMMELSBACH FIFTH ADDITION TO WALFORD, IOWA		HALL AND HALL ENGINEERS, INC. 309 10TH STREET N.E. EDMUND, MINN. 55101 Phone 432-4542
Surveyed by: [Signature] Platted by: [Signature]	Recorded by: [Signature] Filed for Record: [Signature]	Witness: [Signature] Notary Public: [Signature]

HIMMELSBACH FIFTH ADDITION TO WALFORD, IOWA

SURVEYOR'S CERTIFICATE

HIMMELSBACH FIFTH ADDITION TO WALFORD, IOWA, which is located on and includes a part of the Southeast Quarter of the Northeast Quarter of Section 36, Township 82 North, Range 9 West of the 5th P.M., Benton County, Iowa described as follows:

Commencing at the East Quarter Corner of said Section 36; thence S89°54'57"W, 612.91 feet along the East-West Quarter Section line of said Section to the point of beginning; thence continuing along said Quarter Section line S89°54'57"W, 705.33 feet to the Southwest Corner of said Quarter-Quarter Section; thence N00°00'45"E, 1079.74 feet along the west line of said Quarter-Quarter Section to the south line of the north 242.00 feet of said Quarter-Quarter Section; thence N89°55'32"E, 466.86 feet along said south line to the west line of Himmelsbach Second Addition to the City of Walford, Iowa; thence S00°37'36"W, 478.07 feet along the west line of Himmelsbach Second, Himmelsbach Third and Himmelsbach Fourth Additions to Walford, Iowa to the southerly line of said Himmelsbach Fourth Addition; thence N89°45'34"E, 646.77 feet; thence northeasterly 124.90 feet along the arc of a 50.00 foot radius curve, concave northwesterly, (the chord bears N71°19'28"E, 94.87 feet); thence N89°45'34"E, 57.73 feet all along said southerly line to the west right-of-way line of the county road; thence S00°00'00"W, 180.00 feet along said west line; thence S49°52'08"W, 139.43 feet; thence S71°26'21"W, 214.27 feet; thence S64°14'08"W, 335.96 feet; thence S22°11'22"E, 162.53 feet to the point of beginning,

except all legal highways and for a more definite location, reference is made to a Plat dated September 18, 1995, hereto attached and made a part hereof.

HIMMELSBACH FIFTH ADDITION TO WALFORD, IOWA, is divided into Thirty-six (36) lots, numbered consecutively from One (1) to Thirty-six (36) all inclusive. The number of each lot is designated on said Plat by figures near the center of the lot. The dimensions of the lots, the width of the streets and the distances from the lines and corners of the United States public land survey system and/or recorded subdivisions, are as shown in feet and decimals thereof on said Plat. Said parcel contains 18.495 acres, subject to easements and restrictions of record.

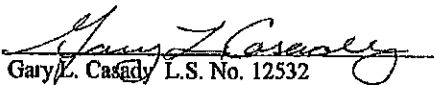
Iron monuments are driven at all points marked with a small circle, thus -o- on said Plat.

Circle Drive, Fifth Avenue West, Sixth Avenue West and Second Street South are 60 feet wide, all as shown on the plat.

I, Gary L. Casady, do hereby certify that this survey and plat were prepared by me or under my direct supervision, and that I am a duly Registered Land Surveyor under the laws of the State of Iowa.

Executed at Cedar Rapids, Iowa, this 19th day of September, 1995.




Gary L. Casady L.S. No. 12532
My registration renewal date is Dec. 31, 1996