

RETURN TO:

**KREYKES LAW OFFICE
ATTORNEYS AND COUNSELORS AT LAW
700 MAIN STREET, SUITE 201
PELLA, IA 50219**

*Fred J. Kreykes
Wesley A. Chaplin*

**Telephone (641) 628-2383
Facsimile (641)628-9082
email: fred@kreykeslaw.com**

PLATTING TITLE OPINION

November 16, 2011

Larry E. De Vries
1703 W. Third Street
Pella, IA 50219

RE: Meadow Brook North Plat No. 19

Dear Larry:

At your request, I have examined the abstract of title and pencil notes which were prepared by Iowa Title Company which cover the chain of title through and including the 3rd day of August, 2010, at 3:30 P.M., as to the following described real estate, to wit:

See attached Exhibit A.

I find title to be in:

Larry E. De Vries

Title is good, clear and merchantable under the Forty Year Marketable Title Act, which is part of the Law of Iowa, and under the Iowa Land Title Standards, subject to the following comments and requirements:

1. There are no mortgages, judgments or other liens against the real estate.
2. The Final Plat of Meadow Brook North Plat No. 8 is shown for reference at Entry No. 29 of the Pencil Notes, filed July 3, 1995, in Book 7221, page 726.
3. The Final Plat of Meadow Brook North Plat No. 11 is shown at Entry No. 47 of the Pencil Notes, filed January 18, 2007, in Book 12037, page 979.

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4. The Final Plat of Meadow Brook North Plat No. 16 is shown at Entry No. 48 of the Pencil Notes, filed January 19, 2005, in Book 10907, page 22.

5. The Final Plat of Meadow Brook North Plat No. 17 is shown for reference at Entry No. 49 of the Pencil Notes, recorded October 9, 2006, in Book 11893, page 191.

5. The Final Plat of Meadow Brook North Plat No. 18 is shown at Entry No. 50 of the Pencil Notes, recorded July 11, 2007, in Book 12280, page 663.

6. Entry No. 51 of the Pencil Notes refers to an Easement for Water Main to the City of Bondurant, Iowa, dated November 17, 2006, recorded January 18, 2007, in Book 12037, page 994.

7. Entry No. 52 of the Pencil Notes refers to a Drainage Easement to the City of Bondurant, Iowa, dated November 17, 2006, recorded January 18, 2007, in Book 12038, page 1.

8. Entry No. 53 of the Pencil Notes refers to an Easement for Sanitary Sewer to the City of Bondurant, Iowa, dated November 17, 2006, recorded January 18, 2007, in Book 12038, page 6.

9. Entry No. 54 of the Pencil Notes refers to an Easement for Storm Sewer and Overland Flowage to the City of Bondurant, Iowa, dated November 17, 2006, recorded January 18, 2007, in Book 12038, page 11.

10. Real estate taxes are paid in full, including taxes for the fiscal year July 1, 2009, to June 30, 2010.

11. Personal lien searches are shown as to the title holder, Larry E. De Vries. No personal liens are shown against said name.

12. You should be aware of certain details which you must ascertain for yourself for the reason that they are matters which cannot be made to appear upon an abstract of title. These matters are:

- a. What right may be held or claimed by any person or persons who may be in physical possession of all or any part of the property.
- b. Whether or not any person may claim a lien for labor or material furnished upon the premises within the past ninety days.

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- c. Resolutions for special assessments against the real estate which have not become a matter of record in the county courthouse.
- d. Zoning ordinances of the City of Bondurant, Iowa as they may affect the property.
- e. Whether any solid wastes, hazardous substances, pollutants, above or below ground storage tanks, drainage wells, water wells, landfill sites or other environmentally regulated conditions exist on the property. Such conditions are not ordinarily shown in the abstract, but they may result injunctions, fines, required cleanup, or other remedial actions under federal, state or local laws. These laws may impose liens against the property and personal liability against the owner, even though the owner did nothing to create the condition, and acquired the property without knowing about it.

Very truly yours,



Fred J. Kreykes

FJK:jn

TITLE11.086.DEVRIES.LARRY.10.11

EXHIBIT A

AN IRREGULAR SHAPED PORTION OF THE WEST HALF OF THE NORTHEAST QUARTER AND PART OF THE EAST HALF OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 31, TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE 5th P.M., BONDURANT, POLK COUNTY, IOWA DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF OUTLOT "X" IN MEADOW BROOK NORTH PLAT No. 18, AN OFFICIAL PLAT, BONDURANT, POLK COUNTY, IOWA; THENCE S00°04'43"W (PLATTED BEARING) ALONG THE WESTERLY LINE OF SAID OUTLOT "X", A DISTANCE OF 105.01 FEET TO THE SOUTHWEST CORNER OF SAID OUTLOT "X" AND TO THE NORTHERLY LINE OF LOT "A" IN SAID MEADOW BROOK NORTH PLAT No. 18; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT "A" AND ALONG A 60.00 FEET RADIUS CURVE CONCAVE SOUTHERLY, A DISTANCE OF 35.52 FEET, SAID CURVE HAVING A CHORD BEARING OF S71°56'28"W AND A CHORD LENGTH OF 35.00 FEET; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT "A" AND ALONG A 50.00 FEET RADIUS CURVE CONCAVE NORTHERLY, A DISTANCE OF 30.63 FEET, SAID CURVE HAVING A CHORD BEARING OF S72°31'49"W AND A CHORD LENGTH OF 30.15 FEET TO THE NORTHWEST CORNER OF SAID LOT "A"; THENCE S00°04'43"W ALONG THE WESTERLY LINE OF SAID LOT "A", A DISTANCE OF 60.00 FEET; THENCE S89°55'17"E ALONG THE WESTERLY LINE OF SAID LOT "A", A DISTANCE OF 28.25 FEET; THENCE SOUTHEASTERLY ALONG THE WESTERLY LINE OF SAID LOT "A" AND ALONG A 15.00 FEET RADIUS CURVE CONCAVE SOUTHWESTERLY, A DISTANCE OF 23.56 FEET, SAID CURVE HAVING A CHORD BEARING OF S44°55'17"E AND A CHORD LENGTH OF 21.21 FEET; THENCE S00°04'43"W, A DISTANCE OF 311.03 FEET; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOT "A" AND ALONG A 360.00 FEET RADIUS CURVE CONCAVE EASTERLY, A DISTANCE OF 95.42 FEET, SAID CURVE HAVING A CHORD BEARING OF S07°30'52"E AND A CHORD LENGTH OF 95.14 FEET TO THE NORTHEAST CORNER OF LOT 3 IN SAID MEADOW BROOK NORTH PLAT No. 18; THENCE S89°51'32"W ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 206.44 FEET TO THE NORTHEAST CORNER OF LOT 10 IN MEADOW BROOK NORTH PLAT No. 17, AN OFFICIAL PLAT, BONDURANT, POLK COUNTY, IOWA; THENCE S89°51'32"W ALONG THE NORTH LINE OF SAID LOT 10, A DISTANCE OF 158.25 FEET TO THE NORTHEAST CORNER OF LOT A IN SAID MEADOW BROOK NORTH PLAT No. 17; THENCE S84°58'41"W ALONG THE NORTHERLY LINE OF LOT A IN SAID MEADOW BROOK NORTH PLAT No. 17, A DISTANCE OF 60.21 FEET TO THE NORTHEAST CORNER OF LOT 9 IN SAID MEADOW BROOK NORTH PLAT No. 17; THENCE S89°51'32"W ALONG THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 95.00 FEET; THENCE S78°23'08"W ALONG THE NORTHERLY LINE OF SAID LOT 9, A DISTANCE OF 71.43 FEET TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE S02°05'06"E ALONG THE WESTERLY LINE OF LOTS 9 AND 8 IN SAID MEADOW BROOK NORTH PLAT No. 17, A DISTANCE OF 92.81 FEET; THENCE S46°50'30"E ALONG THE WESTERLY LINE OF SAID LOT 8, A DISTANCE OF 65.00 FEET TO THE MOST NORTHERLY CORNER OF LOT 9 IN MEADOW BROOK NORTH PLAT No. 16, AN OFFICIAL PLAT, BONDURANT, POLK COUNTY, IOWA; THENCE S43°09'30"W ALONG THE NORTHWESTERLY LINE OF LOTS 9, C, AND 8 IN SAID MEADOW BROOK NORTH PLAT No. 16, A DISTANCE OF 300.00 FEET TO THE MOST EASTERLY CORNER OF LOT 8 IN MEADOW BROOK NORTH PLAT No. 11, AN OFFICIAL PLAT, BONDURANT, POLK COUNTY, IOWA; THENCE N46°51'34"W ALONG THE NORTHEASTERLY LINE OF LOTS 18, 17, 16, 15 AND 14 IN SAID MEADOW BROOK NORTH PLAT No. 11, A DISTANCE OF 283.98 FEET; THENCE N11°50'51"W ALONG THE EASTERLY LINE OF LOTS 14, 13 AND 12 IN SAID MEADOW BROOK NORTH PLAT No. 11, A DISTANCE OF 88.63 FEET; THENCE N00°08'28"W ALONG THE EAST LINE OF LOTS 12 THRU 5 INCLUSIVE IN SAID MEADOW BROOK NORTH PLAT No. 11, A DISTANCE OF 512.72 FEET TO THE NORTHEAST CORNER OF SAID LOT 5 AND TO THE SOUTH LINE OF LOT "A" IN SAID MEADOW BROOK NORTH PLAT No. 11; THENCE S89°54'51"E ALONG THE SOUTH LINE OF LOT "A" IN SAID MEADOW BROOK NORTH PLAT No. 11, A DISTANCE OF 2.38 FEET TO THE SOUTHEAST CORNER OF LOT "A" IN SAID MEADOW BROOK NORTH PLAT No. 11; THENCE N00°05'23"E ALONG THE EAST LINE OF LOTS "A" AND 4 IN SAID MEADOW BROOK NORTH PLAT No. 11, A DISTANCE OF 189.59 FEET TO THE SOUTHWEST CORNER OF LOT 17 IN MEADOW BROOK NORTH PLAT No. 8, AN OFFICIAL PLAT, BONDURANT, POLK COUNTY, IOWA; THENCE S89°56'13"E ALONG THE SOUTH LINE OF SAID MEADOW BROOK NORTH PLAT No. 8, A DISTANCE OF 975.05 FEET TO THE SOUTH EAST CORNER OF LOT 3 IN SAID MEADOW BROOK NORTH PLAT No. 8 AND TO THE POINT OF BEGINNING.

MEADOW BROOK NORTH PLAT NO. 19

OWNER'S CONSENT TO PLAT

WHEREAS, the undersigned, Larry E. De Vries, is the owner in fee simple of the following described real estate situated in POLK COUNTY, IOWA, to-wit:

Property in the West ½ of the NE¼ and part of the East ½ the NW fri ¼ of Section 31, Township 80 North, Range 22 West of the 5th P.M., more fully described on Exhibit A attached hereto.

and

WHEREAS, Larry E. De Vries (hereinafter referred to as "the Owner") has had said premises surveyed and divided into lots and platted as Meadow Brook North Plat No. 19, which is a subdivision in Bondurant, Polk County, Iowa, as shown by the Final Plat to which this Consent is attached: and

WHEREAS, the Final Plat of Meadow Brook North Plat No. 19 has been prepared with the free consent and in accordance with the desire of the undersigned; and

WHEREAS, the Owner desires to record said Final Plat.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That the undersigned hereby acknowledge that the subdivision and platting of the property is with their consent and in accordance with their desires as proprietors, and

That the Owner hereby dedicates the streets which are shown on the Final Plat to be used as public streets, and

That all lots in Meadow Brook North Plat No. 19 shall be subject to the following restrictive covenants, to wit:

RESTRICTIVE COVENANTS

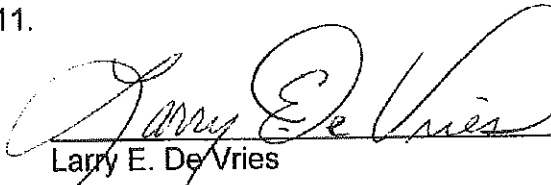
1. The subject lots in MEADOW BROOK NORTH PLAT NO. 19 shall be known and described as residential lots and shall not be improved, used, or occupied for other than residential purposes.
2. No dwelling shall be constructed or permitted to remain upon any lot in this subdivision unless it meets the requirements of the then Building Code and Zoning Ordinance of the City of Bondurant.

3. No mobile home or manufactured homes as defined in the Code of Iowa shall be placed on or erected on any lot.
4. No building or structure shall be constructed, altered, or maintained on any lot unless it has a driveway running from a street to the dwelling.
5. All dwellings shall be of a design and in a location in harmony with the existing structures in the plat.
6. All building structures or improvements of any kind must be completed within 12 months of the commencement date of construction.
7. No building or structure of a temporary character and no trailer, basement, tent, shack, garage, or outbuilding shall be used at any time as a residential dwelling on any lot, either temporarily or permanently.
8. No noxious or offensive activity or odors shall be permitted on or to escape from any lot, nor shall anything be done thereon which is or may become an annoyance or nuisance, either temporarily or permanently.
9. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats, and other common household pets may be kept so long as they are not kept, bred, or maintained for commercial purposes.
10. Certain perpetual easements are reserved as shown on the recorded plat. The owner or occupant of a lot shall, at his own expense, keep and preserve that portion of the easement within his property in good repair and condition and shall neither erect nor permit erection of any building, structure, or fences of any kind within the easement that might interfere in any way with the use of such easement.
11. The owner or person in possession of each lot, whether vacant or improved, shall keep the same free of debris and agrees that after written notice given by certified mail to such owner or person in possession by the Grantor so long as Grantor owns any Lot in these or any subsequent plat of Meadow Brook North, such weeds shall be cut and such debris shall be removed within 15 days, failing which the Grantor may enter upon the property to cut or cause to be cut such weeds, or to remove or cause to be removed such debris, and shall have a right of action against the owner of such lot for collection of the cost thereof, plus 30% of such costs within 30 days from the completion of such work.
12. These covenants are to run with the land and shall be binding upon all parties and all persons claiming under them until November 1, 2031, at which time said covenants shall be automatically extended for an additional period of 10 years unless a majority of the owners of the lots in said plat, by a written agreement


filed in the office of the Recorder of Polk County, Iowa, amend said restrictions in whole or in part.

- 13. If the owner or person in possession of any lot violates or attempts to violate any of the covenants or restrictions herein established before said restrictions or covenants expire or have been removed, as provided herein, it shall be lawful for any person or persons owning any other lots in said plat to prosecute any proceedings in law or in equity against the person or persons.

Dated this 16th day of November, 2011.



 Larry E. De Vries



 Rosemary De Vries

STATE OF IOWA

COUNTY OF MARION

This instrument was acknowledged before me on November 16, 2011, by Larry E. De Vries and Rosemary De Vries, husband and wife.

 **DIANE VAN VARK**
 Iowa Notarial Seal

 Diane Van Vark
 Commission # 194052 Expires 12-22-12

Notary Public in and for the State of Iowa

EXHIBIT A

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Resolution: #11-111

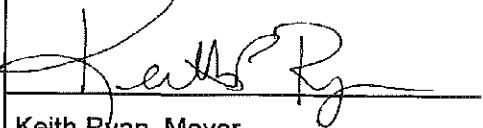
Agenda Item: #13

Date: August 15, 2011

BE IT RESOLVED, by the City Council of the City of Bondurant, Polk County, Iowa:

That the Final Plat for Meadow Brook North Plat 19, is hereby approved as presented.

Moved by Boatwright Second by Bogaards to adopt.

Council Action	Yeas	Nays	Abstain	Absent
Boatwright	✓			
Bogaards	✓			
Fischer	✓			
Johnson	✓			
Sullivan	✓			
Motion carried				
				
Keith Ryan, Mayor				

CERTIFICATE

I, Mark J. Arentsen, City Administrator of said City, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.


Mark J. Arentsen, City Administrator

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:

MEADOW BROOK NORTH PLAT NO. 19 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

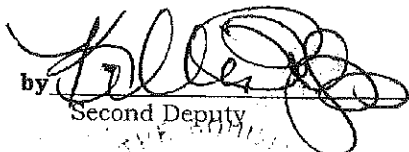
LARRY E. DE VRIES,

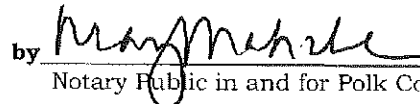
who is(are) the record title holder(s) of said real estate.

Dated at Des Moines, IA , Monday, November 21, 2011 .

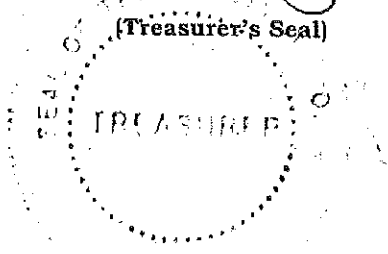
MARY MALONEY
POLK COUNTY TREASURER

Subscribed and sworn to before me on this
21st day of November, 2011.

by 
Second Deputy
(Treasurer's Seal)

by 
Notary Public in and for Polk County, IA

(Notary Seal)



PREPARED BY: Rebecca Lawrence, Property Description Specialist

EXHIBIT A

AN IRREGULAR SHAPED PORTION OF THE WEST HALF OF THE NORTHEAST QUARTER AND PART OF THE EAST HALF OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 31, TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE 5th P.M., BONDURANT, POLK COUNTY, IOWA DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF OUTLOT "X" IN MEADOW BROOK NORTH PLAT No. 18, AN OFFICIAL PLAT, BONDURANT, POLK COUNTY, IOWA; THENCE S00°04'43"W (PLATTED BEARING) ALONG THE WESTERLY LINE OF SAID OUTLOT "X", A DISTANCE OF 105.01 FEET TO THE SOUTHWEST CORNER OF SAID OUTLOT "X" AND TO THE NORTHERLY LINE OF LOT "A" IN SAID MEADOW BROOK NORTH PLAT No. 18; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT "A" AND ALONG A 60.00 FEET RADIUS CURVE CONCAVE SOUTHERLY, A DISTANCE OF 35.52 FEET, SAID CURVE HAVING A CHORD BEARING OF S71°56'28"W AND A CHORD LENGTH OF 35.00 FEET; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT "A" AND ALONG A 50.00 FEET RADIUS CURVE CONCAVE NORTHERLY, A DISTANCE OF 30.63 FEET, SAID CURVE HAVING A CHORD BEARING OF S72°31'49"W AND A CHORD LENGTH OF 30.15 FEET TO THE NORTHWEST CORNER OF SAID LOT "A"; THENCE S00°04'43"W ALONG THE WESTERLY LINE OF SAID LOT "A", A DISTANCE OF 60.00 FEET; THENCE S89°55'17"E ALONG THE WESTERLY LINE OF SAID LOT "A", A DISTANCE OF 28.25 FEET; THENCE SOUTHEASTERLY ALONG THE WESTERLY LINE OF SAID LOT "A" AND ALONG A 15.00 FEET RADIUS CURVE CONCAVE SOUTHWESTERLY, A DISTANCE OF 23.56 FEET, SAID CURVE HAVING A CHORD BEARING OF S44°55'17"E AND A CHORD LENGTH OF 21.21 FEET; THENCE S00°04'43"W, A DISTANCE OF 311.03 FEET; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOT "A" AND ALONG A 360.00 FEET RADIUS CURVE CONCAVE EASTERLY, A DISTANCE OF 95.42 FEET, SAID CURVE HAVING A CHORD BEARING OF S07°30'52"E AND A CHORD LENGTH OF 95.14 FEET TO THE NORTHEAST CORNER OF LOT 3 IN SAID MEADOW BROOK NORTH PLAT No. 18; THENCE S89°51'32"W ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 206.44 FEET TO THE NORTHEAST CORNER OF LOT 10 IN MEADOW BROOK NORTH PLAT No. 17, AN OFFICIAL PLAT, BONDURANT, POLK COUNTY, IOWA; THENCE S89°51'32"W ALONG THE NORTH LINE OF SAID LOT 10, A DISTANCE OF 158.25 FEET TO THE NORTHEAST CORNER OF LOT A IN SAID MEADOW BROOK NORTH PLAT No. 17; THENCE S84°58'41"W ALONG THE NORTHERLY LINE OF LOT A IN SAID MEADOW BROOK NORTH PLAT No. 17, A DISTANCE OF 60.21 FEET TO THE NORTHEAST CORNER OF LOT 9 IN SAID MEADOW BROOK NORTH PLAT No. 17; THENCE S89°51'32"W ALONG THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 95.00 FEET; THENCE S78°23'08"W ALONG THE NORTHERLY LINE OF SAID LOT 9, A DISTANCE OF 71.43 FEET TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE S02°05'06"E ALONG THE WESTERLY LINE OF LOTS 9 AND 8 IN SAID MEADOW BROOK NORTH PLAT No. 17, A DISTANCE OF 92.81 FEET; THENCE S46°50'30"E ALONG THE WESTERLY LINE OF SAID LOT 8, A DISTANCE OF 65.00 FEET TO THE MOST NORTHERLY CORNER OF LOT 9 IN MEADOW BROOK NORTH PLAT No. 16, AN OFFICIAL PLAT, BONDURANT, POLK COUNTY, IOWA; THENCE S43°09'30"W ALONG THE NORTHWESTERLY LINE OF LOTS 9, C, AND 8 IN SAID MEADOW BROOK NORTH PLAT No. 16, A DISTANCE OF 300.00 FEET TO THE MOST EASTERLY CORNER OF LOT 8 IN MEADOW BROOK NORTH PLAT No. 11, AN OFFICIAL PLAT, BONDURANT, POLK COUNTY, IOWA; THENCE N46°51'34"W ALONG THE NORTHEASTERLY LINE OF LOTS 18, 17, 16, 15 AND 14 IN SAID MEADOW BROOK NORTH PLAT No. 11, A DISTANCE OF 283.98 FEET; THENCE N11°50'51"W ALONG THE EASTERLY LINE OF LOTS 14, 13 AND 12 IN SAID MEADOW BROOK NORTH PLAT No. 11, A DISTANCE OF 88.63 FEET; THENCE N00°08'28"W ALONG THE EAST LINE OF LOTS 12 THRU 5 INCLUSIVE IN SAID MEADOW BROOK NORTH PLAT No. 11, A DISTANCE OF 512.72 FEET TO THE NORTHEAST CORNER OF SAID LOT 5 AND TO THE SOUTH LINE OF LOT "A" IN SAID MEADOW BROOK NORTH PLAT No. 11; THENCE S89°54'51"E ALONG THE SOUTH LINE OF LOT "A" IN SAID MEADOW BROOK NORTH PLAT No. 11, A DISTANCE OF 2.38 FEET TO THE SOUTHEAST CORNER OF LOT "A" IN SAID MEADOW BROOK NORTH PLAT No. 11; THENCE N00°05'23"E ALONG THE EAST LINE OF LOTS "A" AND 4 IN SAID MEADOW BROOK NORTH PLAT No. 11, A DISTANCE OF 189.59 FEET TO THE SOUTHWEST CORNER OF LOT 17 IN MEADOW BROOK NORTH PLAT No. 8, AN OFFICIAL PLAT, BONDURANT, POLK COUNTY, IOWA; THENCE S89°56'13"E ALONG THE SOUTH LINE OF SAID MEADOW BROOK NORTH PLAT No. 8, A DISTANCE OF 975.05 FEET TO THE SOUTH EAST CORNER OF LOT 3 IN SAID MEADOW BROOK NORTH PLAT No. 8 AND TO THE POINT OF BEGINNING.