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#06377

MISC. BK #26

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Filed at 1:15 PM

Fee \$57.00

September 26, 2006

INSTR. NO. 06-
NAT BOOK 06377
PAGE 3

06 SEP 26 PM 1:15

JAN BUNTSCHER
RECORDER
QUINCY COUNTY, IOWA
FEE \$ 57.00

Prepared by: James C. Ladegaard 708 Lake Street Spirit Lake (712) 336-1292

PROPRIETOR'S CERTIFICATE
PLAT OF SOUTHERN HILLS SECOND ADDITION

KNOW ALL MEN BY THESE PRESENTS:

That West Okoboji Harbor, Inc., has caused the property described in the attached final plat of Southern Hills Second Addition being that tract of land shown in the Plat known as Southern Hills First Addition, which is hereto attached, to be surveyed, staked and platted as shown and set forth in and by the attached plat and the certificate by Robert V. Bendixen, L.S., Jacobson-Westergard & Associates, Inc., who surveyed, staked and platted the same. This subdivision, as it appears on the attached, is with the free consent and in accordance with the desire of the proprietor, West Okoboji Harbor, Inc.

Pursuant to the authority reserved in the Plat of Southern Hills First Addition, the Protective Covenants of Southern Hills First Addition are incorporated into this Plat of Southern Hills Second Addition. Those covenants shall therefore uniformly apply to Southern Hills First Addition and Southern Hill Second Addition.

All streets, avenues, circles, courts and easements as shown on the plat are hereby dedicated to the public for street and utility purposes.

:

26 659

SEP 26, 2006

RESOLUTION NO. 06-44

A RESOLUTION ADOPTING
PLAT OF SOUTHERN HILLS SECOND ADDITION
CITY OF SPIRIT LAKE, IOWA

WHEREAS, the City of Spirit Lake, State of Iowa, is a duly organized municipal corporation; and

WHEREAS, the Plat of Southern Hills Second Addition, is located in the City of Spirit Lake, Iowa; and

WHEREAS, there has been presented to the City Council by the Planning and Zoning Commission, a recommendation for approval of the final plat of Southern Hills Second Addition, City of Spirit Lake, Iowa; and

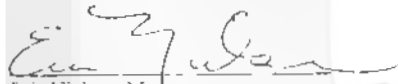
NOW, THEREFORE, IT IS HEREBY RESOLVED that with the above resolution the final plat of Southern Hills Second Addition, City of Spirit Lake, Iowa, be and the same is hereby approved as presented and the Mayor and Clerk are directed to certify the Resolution which shall be affixed to said plat.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Spirit Lake, Iowa this 25th day of July, 2006


AYE: Three, Belm, Herbst, Bice, Thikwa

NAY: NONE

ABSENT:


Eric Nielsen, Mayor

ATTEST:


Peter Hegeman, City Clerk

06-44

I, Peter Hegeman, City Clerk of the City of Spirit Lake, Iowa, hereby certify that the above and foregoing is a true copy of the resolution adopted by the City of Spirit Lake on the date aforesaid, as shown by the records of the City of Spirit Lake, Iowa


Peter Hegeman, City Clerk



CONSENT TO PLAT BY MORTGAGEE

Security State Bank, now known as Central Bank, Spirit Lake, Iowa, Mortgagee named in a certain real estate mortgage being dated March 30, 2001, filed March 30, 2001 and recorded in Mortgage Record 186, Page 183 of the records of the Dickinson County Recorder's office does hereby consent to the platting of the real estate secured by such mortgage as part of the Plat of Southern Hills Second Addition, Dickinson County, Iowa. This plat is prepared with free consent of Central Bank and in accordance with its desire.

CENTRAL BANK

By *Gregory Anderson*

Vice President
Title

STATE OF IOWA, COUNTY OF DICKINSON, ss:

On this *12th* day of *September*, 2006, before me the undersigned, a notary public, in and for said County and State, personally appeared *Gregory Anderson* to me personally known, who being by me duly sworn, did say that he is the *Vice President* of the corporation executing the within and foregoing instrument, that no seal has been procured by the corporation; that the instrument was signed and sealed on behalf of the corporation by authority of its Board of Directors; and that *Gregory Anderson*, as officer acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by him voluntarily executed.



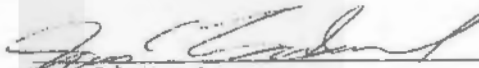
Patty Delaney
Notary Public, State of Iowa



ATTORNEY'S ABSTRACT OPINION

I, James C. Ladegaard, of the firm of Ladegaard, Maahs & Owens, 708 Lake Street, Box AK, Spirit Lake, Iowa, pursuant to the provisions of Section 354.11 of the 2001 Code of Iowa hereby certify that I am an attorney at law admitted to practice in the State of Iowa; that I have examined the abstract of title to the real property included in the Plat of Southern Hills First Addition, Dickinson County, Iowa, which property is legally described in the Proprietor's Certificate to which this opinion is attached and that I am of the opinion that fee simple title to the above described property is owned and vested in West Okoboji Harbor, Inc., subject to a Mortgage by West Okoboji Harbor, Inc., to Security State Bank, dated and filed March 30, 2001 in Mortgage Record 186, Page 183.

This examination is based upon an abstract of title containing 40 entries numbered one through 40, inclusive, prepared in accordance with the provisions of Chapter 614.29 through 614.38 of the Code of Iowa, Chapter 11 of the Iowa Land Title Examination Standards and the abstracting standards of the Iowa Land Title Association and last certified by Cornell Abstract Company to September 20, 2006 at 1:15 pm, P. 14.



James C. Ladegaard
Attorney at Law
Ladegaard, Maahs & Owens
708 Lake Street, Box AK
Spirit Lake, IA 51360

26-663

IN WITNESS WHEREOF, West Okoboji Harbor, Inc., the owner and proprietor of the land described in the attached plat does hereby execute this Proprietor's Certificate.

WEST OKOBOJI HARBOR, INC.

By: *August R. Scheppmann*
August R. Scheppmann, President

STATE OF IOWA, COUNTY OF DICKINSON, ss:

On this 12th day of September, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared August R. Scheppmann, to me personally known, who being by me duly sworn, did say that he is the President of the corporation executing the within and foregoing instrument to which this is attached, that no seal has been procured by the corporation; that the instrument was signed on behalf of the corporation by authority of its Board of Directors; and that August R. Scheppmann as an officer acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by him voluntarily executed.



Becky J. Hummel
Notary Public - State of Iowa



ASSESSOR'S CERTIFICATE

I, **Patricia Dodds**, Dickinson County Assessor, do hereby certify that a copy of the Southern Hills Second Addition, Dickinson County, Iowa, has been duly filed in my office this date as required by law.

Dated this 26 day of September, 2006.

P. Dodds Beg MS
Patricia Dodds, Dickinson County Assessor



TREASURER'S CERTIFICATE

I, **Linda Voss**, Dickinson County Treasurer, do hereby certify that there are no unpaid taxes, certified special assessments nor tax liens of record in my office against any of the property platted as Southern Hills Second Addition, Dickinson County, Iowa, as shown on the Plat attached hereto.

Dated this 26 day of September, 2006.

Linda M. Voss
Linda Voss, Dickinson County Treasurer

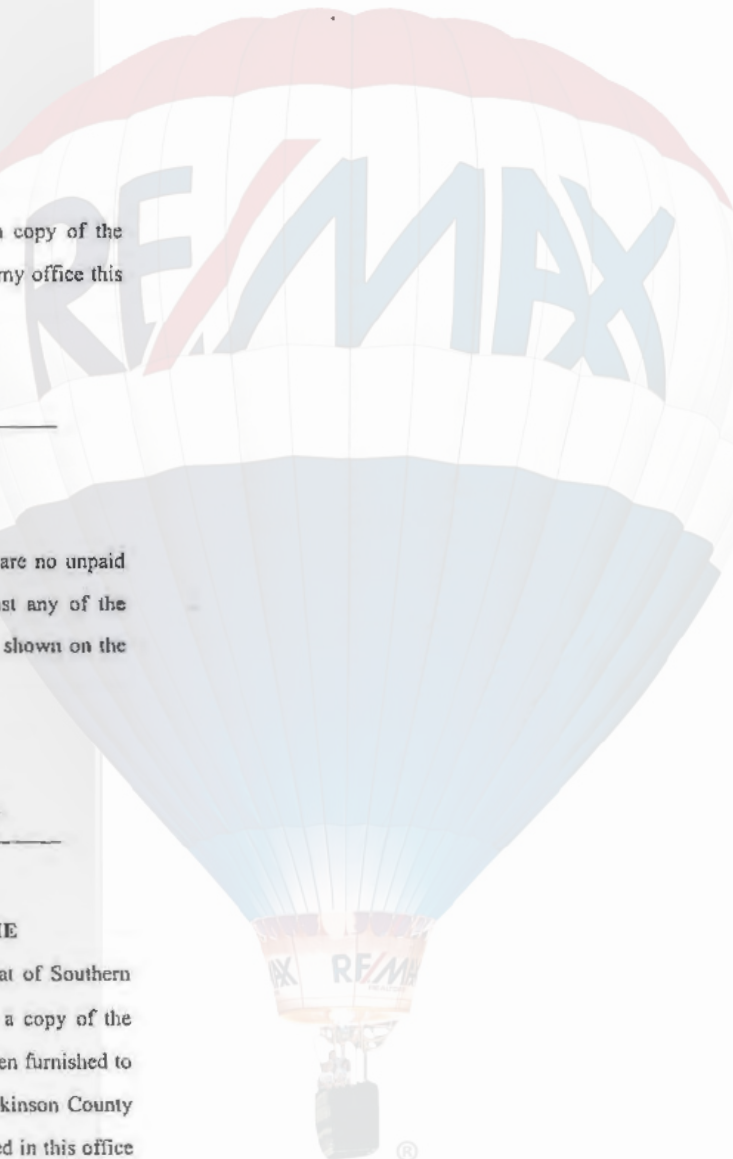
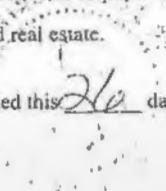


AUDITOR'S CERTIFICATE AND APPROVAL OF PLAT NAME

I, **Nancy Reiman**, Dickinson County Auditor, do hereby certify that Plat of Southern Hills Second Addition is approved as the name for the Plat attached and that a copy of the attached Plat of Southern Hills Second Addition, Dickinson County, Iowa, has been furnished to the Dickinson County Auditor's Office, and a copy has been filed with the Dickinson County Auditor's Office, as required by law. I further state that there are no liens recorded in this office against said real estate.

Dated this 26 day of Sept, 2006.

Nancy Reiman Deputy
Nancy Reiman, Dickinson County Auditor

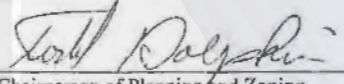


2.10-665

APPROVAL OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF SPIRIT LAKE, IOWA

The undersigned being the Chairperson of the Planning and Zoning Commission of the City of Spirit Lake, does hereby certify that the Plat of Southern Hills Second Addition, City of Spirit Lake, Dickinson County, Iowa, has been submitted to said Planning and Zoning Commission of the City of Spirit Lake for its approval; that the plat has been found to be in conformity with the laws of the State of Iowa and the ordinances of the City of Spirit Lake and that therefore said Planning and Zoning Commission has approved said Plat on the 21 day of March, 2006, and has recommended approval of same by the City Council of the City of Spirit Lake, Iowa.

Dated this 9th day of August, 2006.

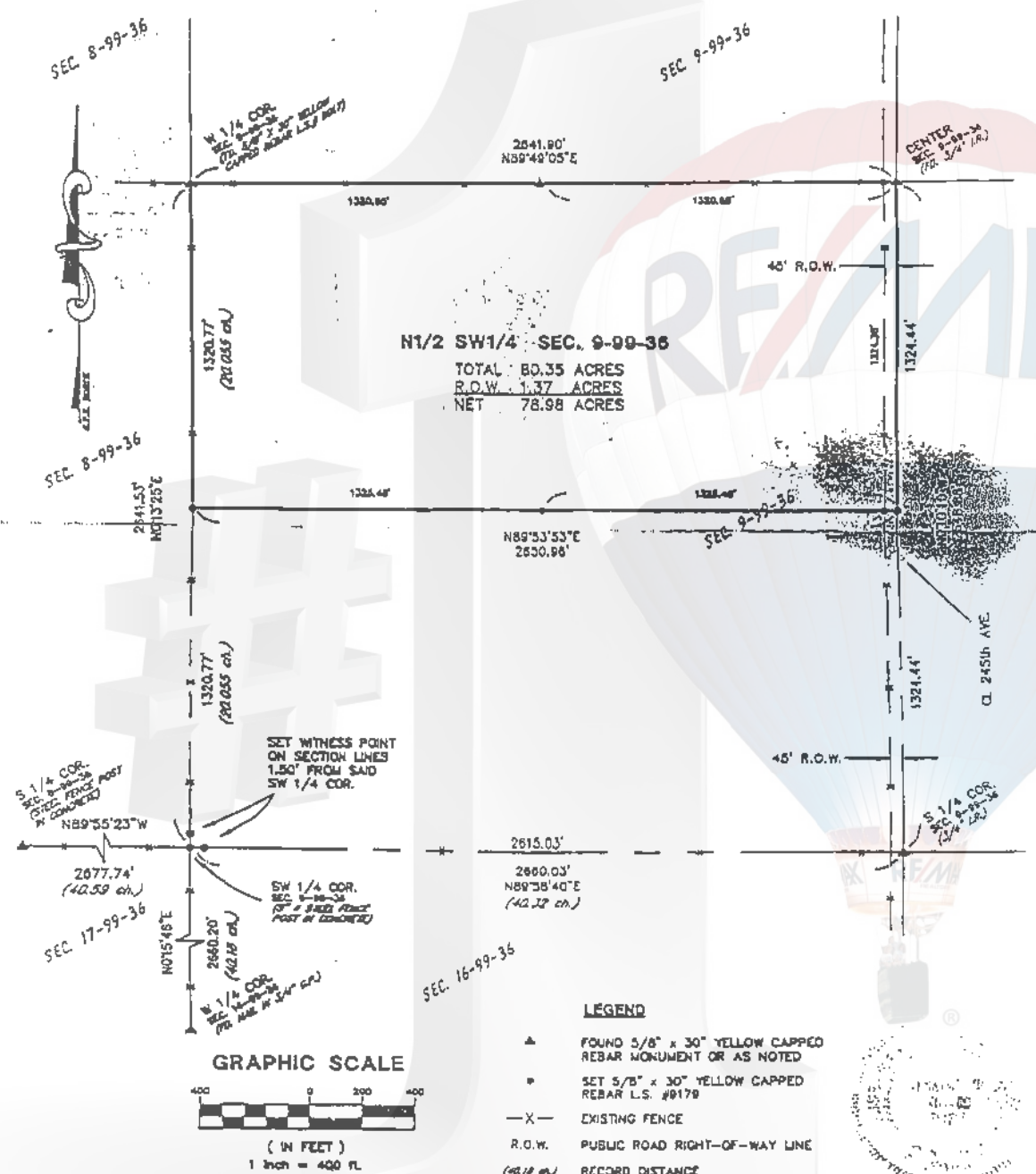

Chairperson of Planning and Zoning
Commission of the City of Spirit Lake, Iowa

206-6667

Jacobson-Westergard & ASSOC., INC. 105 S 6th ESTHERVILLE, IOWA 51334 FEE(\$12) 352-264

PLAT OF SURVEY

N1/2 SW 1/4, SECTION 9, TOWNSHIP 99 NORTH, RANGE 36 WEST OF THE 5th P.M., DICKINSON COUNTY, IOWA



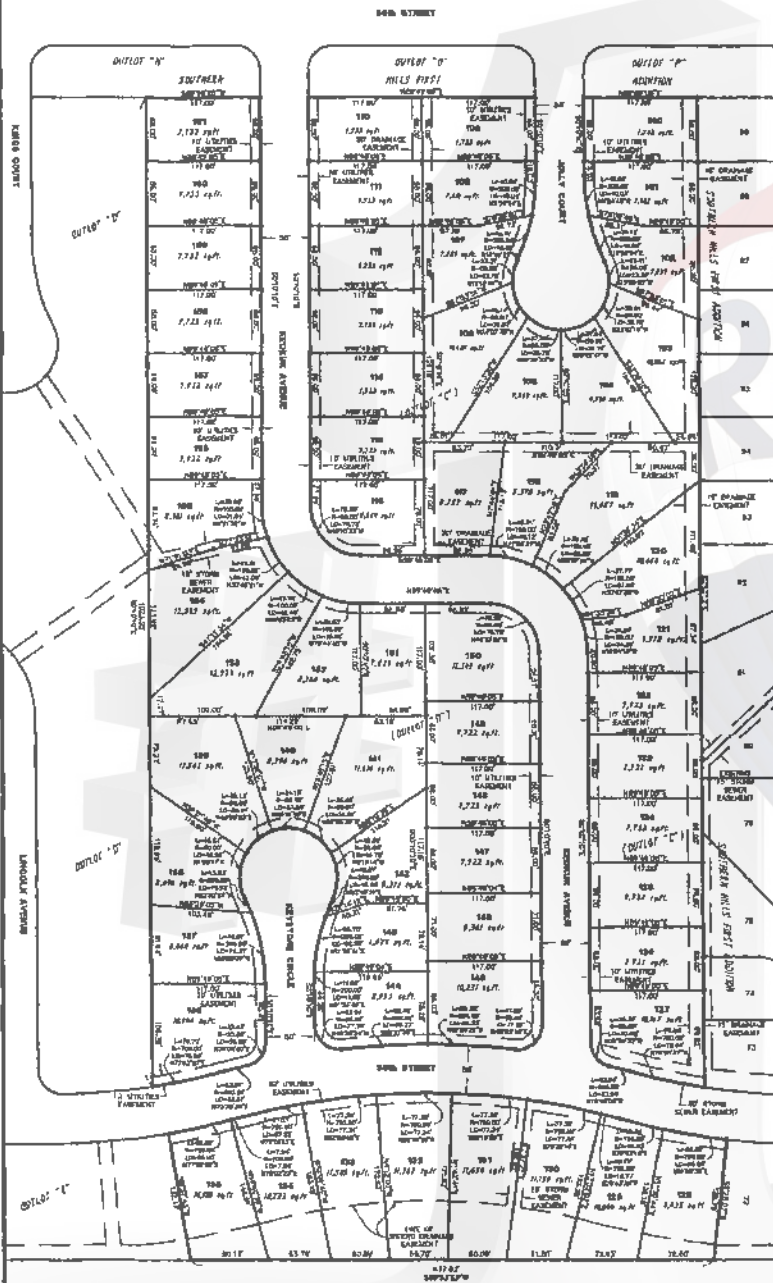
S PROJECTS R2\S00276\DWG\00276-A.dwg

Drawn	Checked By	WEST OKOBOJI HARBOR, INC. c/o AUGUST R. SCHEPPMANN P.O. BOX 364 SPIRIT LAKE, IOWA	I hereby certify that this plat, map, survey or report was made 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. Signed <i>James R. Blum</i> 2-12-01 Date James R. Blum, L.S. Lic. No. 9179 License renewal date 12/31/2006
2-12-2001 By J.A.D.			
Survey Notes	Project No.		
ok JW 175 Page 30	S00276		

152

Extension of Entry #30

2:22 PM
Mar. 2, 01



**PLAT OF
 SOUTHERN HILLS SECOND ADDITION
 TO SPIRIT LAKE, DICKINSON
 COUNTY, IOWA**

BEING A SUBDIVISION OF PLAT "A" OF THE PLAT OF SOUTHERN HILLS FIRST ADDITION TO SPIRIT LAKE, DICKINSON COUNTY, IOWA.

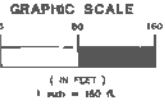
AND OF
 THAT PART OF OUTLOT "B" OF SAID PLAT OF SOUTHERN HILLS FIRST ADDITION LATER CANCELED BY THE FOLLOWING DESCRIBED LINE, COMMENCING AT THE SOUTHWEST CORNER OF SAID OUTLOT "B", THENCE SOUTH 89°00'00" WEST 128.79 FEET TO THE SOUTHWEST CORNER OF SAID OUTLOT "B", THENCE SOUTH 89°00'00" WEST 84.50 FEET ALONG THE SOUTHWEST LINE OF SAID OUTLOT "B", THENCE SOUTH 89°00'00" WEST 128.79 FEET TO THE SOUTHWEST CORNER OF SAID OUTLOT "B", THENCE SOUTH 89°00'00" WEST 84.50 FEET ALONG THE SOUTHWEST LINE OF SAID OUTLOT "B", THENCE SOUTH 89°00'00" WEST 128.79 FEET TO THE POINT OF BEGINNING, CONTAINING 1.00 ACRES, MORE OR LESS, AS SHOWN BY THE SURVEY.

AND OF
 THAT PART OF OUTLOT "C" OF SAID PLAT OF SOUTHERN HILLS FIRST ADDITION DESCRIBED AS FOLLOWS, COMMENCING AT THE SOUTHWEST CORNER OF SAID OUTLOT "C", THENCE SOUTH 89°00'00" WEST 128.79 FEET TO THE SOUTHWEST CORNER OF SAID OUTLOT "C", THENCE SOUTH 89°00'00" WEST 84.50 FEET ALONG THE SOUTHWEST LINE OF SAID OUTLOT "C", THENCE SOUTH 89°00'00" WEST 128.79 FEET TO THE POINT OF BEGINNING, CONTAINING 1.00 ACRES, MORE OR LESS, AS SHOWN BY THE SURVEY.

- NOTES:
- 1) CHANGE BASELINES LOCATED HERE ON MAP BECAUSE OF THE CHANGE IN THE POSITION OF THE POINTS OF BEGINNING.
 - 2) ALL LOTS ARE 100 FEET WIDE UNLESS OTHERWISE NOTED.

LEGEND

- ▲ FOUND 3/4" YELLOW CAPPED REBAR L&P 9017 OR AS NOTED
- SET 1/4" YELLOW CAPPED REBAR 1/4-1/8" (AS RESPECTIVE SIZE IMPROVEMENTS ARE COMPLETED)



I hereby certify that this land surveying document was prepared 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.
 R.V. BENDIXEN, L.S.
 License number 9017
 My Kansas Renewal Date is December 31, 2008
 Paper or prints covered by this seal.

LAND PROJECT'S 3/2004/LS04194/110/04194-FINAL.DWG

Project Number SO4194	Date 1-30-08
Drawn by JWR	Checked by JYS
Sheet 1 OF 1	

**FINAL PLAT
 OF
 SOUTHERN HILLS SECOND ADDITION
 TO SPIRIT LAKE, IOWA**

OWNER/DEVELOPER:
**WEST OKOBOJI HARBOR, INC.
 P.O. BOX 364
 SPIRIT LAKE, IOWA**

JACOBSON-WESTERGARD & ASSOCIATES, INC.
 105 & SIXTH ST. ESTHERVILLE, IOWA
 CONSULTING ENGINEERS LAND SURVEYING