

WHEN RECORDED RETURN TO: City of Ankeny, Iowa, Attn: City Clerk, 410 W First Street, Ankeny, IA 50023

Preparer Information: Jake Becker, 1360 NW 121st Street, Clive, Iowa 50325 (515) 964-1229

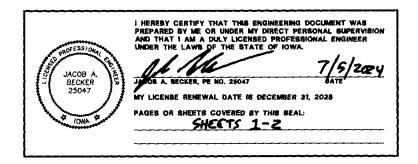
Berwick Estates Plat 1 - Minimum Protection Elevations

LOT#		ADDRESS	MPE
1	3208	SE ELKWOOD COURT	
	3802	SE 30 TH STREET	J
2	3204	SE ELKWOOD COURT	_
3	3106	SE ELKWOOD COURT	-
4	3104	SE ELKWOOD COURT	-
5	3102	SE ELKWOOD COURT	-
6	3100	SE ELKWOOD COURT	-
7	3101	SE ELKWOOD COURT	-
8	3105	SE ELKWOOD COURT	-
9	3107	SE ELKWOOD COURT	-
10	3203	SE ELKWOOD COURT	_
11	3207	SE ELKWOOD COURT	
11	3908	SE 30 TH STREET	
12	3902	SE 30 TH STREET	-
13	3904	SE 30 TH STREET	-
14	3908	SE 30 TH STREET	-
15	4002	SE 30 TH STREET	931.0
16	4004	SE 30 TH STREET	931.0
17	4006	SE 30 TH STREET	931.0
18	4008	SE 30 TH STREET	931.0
19	4100	SE 30 TH STREET	932.0
20	4102	SE 30 TH STREET	933.0
21	4104	SE 30 TH STREET	934.0
22	3209	SE BANNISTER DRIVE	046.0
22	4103	SE 30 TH STREET	946.0
23	3205	SE BANNISTER DRIVE	946.0

LOT#		MPE	
24	3201	SE BANNISTER DRIVE	946.0
25	3309	SE BANNISTER DRIVE	946.0
26	3307	SE BANNISTER DRIVE	946.0
27	3305	SE BANNISTER DRIVE	946.0
28	3303	SE BANNISTER DRIVE	946.0
29	3409	SE BANNISTER DRIVE	946.0
30	3407	SE BANNISTER DRIVE	946.0
31	3403	SE BANNISTER DRIVE	-
32	3401	SE BANNISTER DRIVE	
52	4100	SE 33 RD STREET	-
33	3509	SE BANNISTER DRIVE	056.0
33	4101	SE 33 RD STREET	956.0
34	3508	SE BANNISTER DRIVE	
34	4001	SE 33 RD STREET	~
35	6400	SE BANNISTER DRIVE	
33	4000	SE 33 ^{RO} STREET	_
36	3402	SE BANNISTER DRIVE	-
37	3404	SE BANNISTER DRIVE	-
38	3406	SE BANNISTER DRIVE	-
39	3408	SE BANNISTER DRIVE	-
40	3302	SE BANNISTER DRIVE	-
41	3304	SE BANNISTER DRIVE	-
42	3306	SE BANNISTER DRIVE	-
43	3308	SE BANNISTER DRIVE	-
44	3200	SE BANNISTER DRIVE	-
45	3204	SE BANNISTER DRIVE	939.0

LOT#	•	ADDRESS	MPE
46	3208	SE BANNISTER DRIVE	939.0
	4007	SE 30 TH STREET	939.0
47	4005	SE 30 TH STREET	939.0
48	4003	SE 30 TH STREET	936.0
49	4001	SE 30 TH STREET	936.0
50	3909	SE 30 TH STREET	936.0
51	3905	SE 30 TH STREET	-
52	3901	SE 30 TH STREET	-
53	3809	SE 30 TH STREET	-
54	3805	SE 30 TH STREET	-

LOT#		ADDRESS	MPE
55	3801	SE 30 TH STREET	-
56	7423	NE BERWICK DRIVE	~
57	7383	NE BERWICK DRIVE	-
58	7373	NE BERWICK DRIVE	-
59	7363	NE BERWICK DRIVE	-
60	7583	NE BERWICK DRIVE	-
61	4000	SE 30 TH STREET	931.0



4

RETUEN TO: Prepared By: Ryan L. Haaland, Fredrikson & Byron P.A., 111 E. Grand Ave., Ste. 301, Des Moines, IA 50309; (515) 242-8900

Return To: Same as Above

OWNER'S CONSENT

KNOW ALL PERSONS BY THIS INSTRUMENT:

That **Berwick Holdings**, **LLC**, an Iowa limited liability company, does hereby covenant that it is the lawful owner of the following described real estate situated in Polk County, Iowa, to-wit:

See Exhibit "A"

The undersigned does hereby certify, acknowledge, and declare that the platting of the said real estate to be known as **BERWICK ESTATES PLAT 1**, **ANKENY**, **IOWA**, is with its free consent and in accordance with its desires as proprietor.

Dated this 2 day of July , 2024.
Berwick Holdings, LLC
2(18)
Bradly Stokesbary, Manager
STATE OF IOWA, COUNTY OF Polk, ss:
This record was acknowledged before me this day of, 2024, by Bradly
Stokesbary, as Manager of Berwick Holdings, LLC, an Iowa limited liability company.
5 blands
Notary Public in and for the State of Iowa ERIC BOHNENKAMP
My commission expires 9/27/25 Commission Number 842585 My Commission Expires

September 27, 2025

Exhibit "A"

A PARCEL OF LAND BEING A PART OF PARCEL 'O' AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 15089, PAGE 430 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA AND ALSO BEING A PART OF OUTLOT 'X' OF DRA ACRES PLAT 1, AN OFFICIAL PLAT, INCLUDED IN AND FORMING A PART OF THE CITY OF ANKENY, COUNTY OF POLK, STATE OF IOWA, AS SHOWN IN BOOK 15393, PAGE 121 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL 'O' THENCE ALONG THE NORTH LINE OF SAID PARCEL 'O' \$89°55'08"E, 160.30 FEET; THENCE CONTINUING ALONG SAID NORTH LINE S89°53'03"E, 1321.27 FEET TO THE SOUTHEAST CORNER OF LOT 2 OF FOURMILE WOODS PLAT 2, AN OFFICIAL PLAT, INCLUDED IN AND FORMING A PART OF THE CITY OF ANKENY, POLK COUNTY, STATE OF IOWA: THENCE CONTINUING ALONG SAID NORTH LINE S89°40'42"E, 273.72 FEET; THENCE DEPARTING SAID NORTH LINE S48°37'54"W, 86.51 FEET; THENCE S17°35'58"E, 110.14 FEET; THENCE S59°31'11"W, 239.94 FEET; THENCE S51°27'24"E, 39.94 FEET; THENCE S29°40'37"W, 43.11 FEET; THENCE S51°51'32"W, 150.55 FEET; THENCE S07°39'25"E, 129.75 FEET; THENCE N90°00'00"E, 41.02 FEET; THENCE \$76°52'28"E, 70.19 FEET; THENCE N90°00'00"E, 75.00 FEET; THENCE \$00°00'00"E, 140.00 FEET; THENCE N90°00'00"E, 54.07 FEET; THENCE S00°00'00"E, 195.00 FEET; THENCE N90°00'00"E, 170.00 FEET; THENCE S00°00'00"E, 234.95 FEET; THENCE S18°02'30"E, 211.53 FEET; THENCE 194.61 FEET ALONG A 660.00 FOOT RADIUS CURVE, CONCAVE SOUTHEAST, WITH A CHORD BEARING S65°14'52"W, AND A CHORD LENGTH OF 193.90 FEET; THENCE S56°48'03"W, 38.83 FEET; THENCE \$33°11'57"E, 195.00 FEET; THENCE \$56°48'03"W, 50.75 FEET; THENCE 63.87 FEET ALONG A 630.00 FOOT RADIUS CURVE, CONCAVE NORTHEAST, WITH A CHORD BEARING S39°17'19"E. AND A CHORD LENGTH OF 63.85 FEET; THENCE S47°48'25"W, 200.00 FEET; THENCE 19.32 FEET ALONG AN 830.00 FOOT RADIUS CURVE, CONCAVE NORTHEAST, WITH A CHORD BEARING N41°31'34"W, AND A CHORD LENGTH OF 19.32 FEET; THENCE S47°07'40"W, 149.89 FEET; THENCE S42°54'11"W, 17.00 FEET TO THE WESTERLY LINE OF SAID OUTLOT 'X' OF DRA ACRES PLAT 1, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF SE BERWICK DRIVE; THENCE ALONG SAID WESTERLY LINE 15.69 FEET ALONG A 283.00 FOOT RADIUS CURVE, CONCAVE SOUTHWEST, WITH A CHORD BEARING N48°41'05"W, AND A CHORD LENGTH OF 15.68 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE N50°14'05"W, 39.79 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE 67.29 FEET ALONG A 2033.00 FOOT RADIUS CURVE, CONCAVE SOUTHWEST, WITH A CHORD BEARING N51°06'34"W, AND A CHORD LENGTH OF 67.29 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE N51°59'32"W, 130.76 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE 65.18 FEET ALONG A 1967.00 FOOT RADIUS CURVE, CONCAVE NORTHEAST, WITH A CHORD BEARING N51°05'13"W, AND A CHORD LENGTH OF 65.18 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE N49°56'53"W, 58.49 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE 309.96 FEET ALONG A 2967.00 FOOT RADIUS CURVE, CONCAVE NORTHEAST, WITH A CHORD BEARING N47°12'13"W, WITH A CHORD LENGTH OF 309.82 FEET; THENCE CONTINUING ALONG SAID WEST LINE N43°56'07"W, 55.40 FEET; THENCE DEPARTING SAID WESTERLY LINE AND ALONG THE LINE CONGRUENT BETWEEN SAID OUTLOT 'X' AND LOT 2 OF SAID DRA ACRES PLAT I N45°51'34"E, 415.00 FEET; THENCE CONTINUING ALONG SAID CONGRUENT LINE N04°38'12"E, 228.29 FEET TO THE MOST NORTHERLY CORNER OF SAID LOT 2; THENCE ALONG THE NORTH LINE OF LOT 1 OF SAID DRA ACRES PLAT 1, SAID NORTH LINE BEING CONGRUENT WITH SAID PARCEL 'O', N89°36'54"W, 312.53 FEET; THENCE ALONG THE LINE CONGRUENT WITH SAID LOT 1 AND SAID PARCEL 'O' S30°57'41"W, 228.09 FEET; THENCE CONTINUING ALONG SAID CONGRUENT LINE \$39°09'08"W, 178.08 FEET; THENCE DEPARTING SAID CONGRUENT LINE AND ALONG THE WESTERLY LINE OF SAID PARCEL 'O' N39°43'08"W, 652.19 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE 587.94 FEET ALONG A 1246.09 FOOT RADIUS CURVE, CONCAVE NORTHEAST, WITH A CHORD BEARING N26°13'45"W, AND A CHORD LENGTH OF 582.50 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE N12°43'06"W, 245.69 FEET TO THE POINT OF BEGINNING.

Prepared By: Ryan L. Haaland, Fredrikson & Byron P.A., 111 E. Grand Ave., Ste. 301, Des Moines, IA 50309; (515) 242-8900

Return To: Same As Above

MORTGAGEE'S CONSENT TO PLAT

KNOW ALL MEN BY THESE PRESENTS:

The undersigned hereby states, acknowledges and certifies that it is the holder of the Mortgage by Berwick Holdings, LLC to Home State Bank, dated May 26, 2023, filed June 3, 2023 in Book 19493, Page 989 in the amount of \$3,780,000, and covering real estate legally described as:

See Exhibit "A"

which is to be platted as **Berwick Estates Plat 1**, **Ankeny**, **Iowa**, and that said platting is done with the free consent and in accordance with the desire of said Mortgagee.

nec consent and in acco	idance with the des	ire or said wrongage	ee.	
Dated this day of	July	, 2024.		
Home State Bank By Cooper - How Name: Clayton H	evveld	_		
	nkec			EREMY J. ARENDS promission Number 845811 My Commission Expires February 8, 2026
STATE OF IOWA)			160,000,70,
COUNTY OF <u>Polk</u>) ss:)			
This record was acknow	ledged before me th	nis / day of	20'	24 by
Slayton Hurreld as	Rusiness Barker	for Home State Ba	ank , 20	24 <i>0</i> y
	_	Jours O	2/ Ents	
	_	Notary Public in a	nd for the State of	Iowa

Exhibit "A"

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Fredrikson & Byron, P.A.

Attorneys and Advisors

1601 Golden Aspen Drive, Suite 108 Ames, IA 50010-8024 Main: 515.242.8900 fredlaw.com

June 20, 2024

City of Ankeny

Cc: Berwick Holdings, LLC

RE: Platting Opinion - Berwick Estates Plat 1, Ankeny, Iowa

I, Ryan L. Haaland, hereby state that I am an Attorney at Law, duly admitted to practice law in the State of Iowa, and an attorney with Fredrikson and Byron, P.A., with offices at 111 E. Grand Avenue, Suite 301, Des Moines, Iowa 50309. I further state that I have examined the Abstract of Title from Iowa Title Company, covering the real estate described in the attached Exhibit A, (the "Real Estate") from root of title thereof, down to and including the June 1, 2023, last certified to 6:00 a.m. of the aforesaid date. The Real Estate has now been subdivided and is now known as **BERWICK ESTATES PLAT 1, ANKENY, IOWA.**

Based upon information within the said Abstracts of Title, it is my opinion that the fee simple title to the Real Estate is vested in **Berwick Holdings**, **LLC**. The Real Estate is free from encumbrances, excepting, however, that the Real Estate is subject to the following:

- 1. Mortgage by Berwick Holdings, LLC to Home State Bank, dated May 26, 2023, filed June 3, 2023 in Book 19493, Page 989 in the amount of \$3,780,000.
- 2. Easements of record and to zoning ordinances of record for the City of Huxley, Iowa.

This opinion given in compliance with Iowa Code Section 354.11, and may be relied upon for such purposes as stated therein.

Dated this 20th day of June 2024.

Sincerely,

Ryan L. Haaland

Direct Dial: 515.242.8969 Email: rhaaland@fredlaw.com

RLH



Exhibit A

A PARCEL OF LAND BEING A PART OF PARCEL 'O' AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 15089, PAGE 430 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA AND ALSO BEING A PART OF OUTLOT 'X' OF DRA ACRES PLAT 1, AN OFFICIAL PLAT, INCLUDED IN AND FORMING A PART OF THE CITY OF ANKENY, COUNTY OF POLK, STATE OF IOWA, AS SHOWN IN BOOK 15393, PAGE 121 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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WHEN RECORDED RETURN TO:

City Clerk 410 W. 1st Street Ankeny, Iowa 50023

Preparer Information: Ryan Kirschman, City of Ankeny, Iowa. 1210 NW Prairie Ridge Dr., Ankeny, IA 50023

Phone: 515-963-3556

RESOLUTION 2024-313

RESOLUTION ACCEPTING FINAL PLAT, LETTER OF CREDIT FOR SEEDING AND EROSION CONTROL, PERFORMANCE AND MAINTENANCE BONDS FOR PAVING SUBGRADE AND UNDERGROUND IMPROVEMENTS, PLATTED EASEMENTS, PARK SITE DEDICATION AGREEMENT, WARRANTY DEED FOR STREETS, AND AUTHORIZING COST-PARTICIPATION FOR SIDEWALK INSTALLATION AND EXTENSION OF UTILITY SERVICE TO EXISTING DEVELOPED LOTS, FOR BERWICK ESTATES PLAT 1

WHEREAS, the Plan and Zoning Commission of the City of Ankeny, Iowa, recommended approval of the final plat for Berwick Estates Plat 1 on the 2nd day of July 2024; and

WHEREAS, the attorney's title opinion, performance bonds for paving, subgrade, and underground improvements, public easement documents, park site dedication agreement, warranty deed to streets, have been submitted and approved by the City Engineer and the Director of Community Development of the City of Ankeny, Iowa.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANKENY, IOWA:

- 1. That final plat for Berwick Estates Plat 1 is hereby approved; and
- 2. That the performance and maintenance bonds for paving, subgrade, and underground improvements are hereby accepted; and
- 3. That the Public Gas, Public Utility, Public Storm Sewer, Public Sanitary Sewer, Public Sanitary Storm Sewer and Drainage, Public Drainage, Public Storm Sewer and Drainage, Sanitary Sewer Access and Stormwater Detention Access, Electric, Landscape Buffer, Temporary Turnaround and Utility Easements, Stormwater Management Facility Maintenance Covenant and Permanent Easement Agreement, are hereby accepted; and
- 4. That warranty deed for streets is hereby accepted; and
- 5. That the off-site Public Gas and Public Utility Easements are hereby accepted; and
- 6. That the park site dedication agreement is hereby accepted; and
- 7. That cost participation for sidewalk installation and extension of utility services to existing developed lots be authorized in an amount estimated to be \$112,684.00 is hereby approved.

PASSED AND APPROVED this 5th day of August 2024.

ATTEST:

DocuSigned by:

Michelle Yuska, City Clerk

Docusigned by:

Mark E. Holm, Mayor

ANK ENY

ANK ENY

ANK ENY

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:

BERWICK ESTATES PLAT 1

Junie Fitzgerald, Polk County Auditor

June 27, 2024

Date

By: Karl Althaus

Gertificate of treasurer of Polk County, Iowa

STATE OF IOWA)	
) ss:	
COUNTY OF POLK)	

I, Mary L. Wells, 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:

BERWICK ESTATES PLAT 1

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

BERWICK HOLDINGS, LLC,

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

Dated at Des Moines, IA, Thursday, September 12, 2024.

MARY L. WELLS, POLK COUNTY TREASURER

(Treasurer's Seal)

Notary Public in and for Polk County, IA

(Notary Seal)



PREPARED BY: JODI SPENCER, PROPERTY DESCRIPTION SPECIALIST

EXHIBIT A

A PARCEL OF LAND BEING A PART OF PARCEL 'O' AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 15089, PAGE 430 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA AND ALSO BEING A PART OF OUTLOT 'X' OF DRA ACRES PLAT 1, AN OFFICIAL PLAT, INCLUDED IN AND FORMING A PART OF THE CITY OF ANKENY, COUNTY OF POLK, STATE OF IOWA, AS SHOWN IN BOOK 15393, PAGE 121 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL 'O' THENCE ALONG THE NORTH LINE OF SAID PARCEL 'O' S89°55'08"E, 160.30 FEET; THENCE CONTINUING ALONG SAID NORTH LINE S89°53'03"E, 1321.27 FEET TO THE SOUTHEAST CORNER OF LOT 2 OF FOURMILE WOODS PLAT 2, AN OFFICIAL PLAT. INCLUDED IN AND FORMING A PART OF THE CITY OF ANKENY, POLK COUNTY, STATE OF IOWA; THENCE CONTINUING ALONG SAID NORTH LINE S89°40'42"E, 273.72 FEET; THENCE DEPARTING SAID NORTH LINE \$48°37'54"W, 86.51 FEET; THENCE S17°35'58"E, 110.14 FEET; THENCE S59°31'11"W, 239.94 FEET; THENCE S51°27'24"E, 39.94 FEET; THENCE S29°40'37"W, 43.11 FEET; THENCE S51°51'32"W, 150.55 FEET; THENCE S07°39'25"E, 129.75 FEET; THENCE N90°00'00"E, 41.02 FEET; THENCE S76°52'28"E, 70.19 FEET; THENCE N90°00'00"E, 75.00 FEET; THENCE S00°00'00"E, 140.00 FEET; THENCE N90°00'00"E, 54.07 FEET; THENCE S00°00'00"E. 195.00 FEET; THENCE N90°00'00"E, 170.00 FEET; THENCE S00°00'00"E, 234.95 FEET; THENCE \$18°02'30"E, 211.53 FEET; THENCE 194.61 FEET ALONG A 660.00 FOOT RADIUS CURVE, CONCAVE SOUTHEAST, WITH A CHORD BEARING \$65°14'52"W, AND A CHORD LENGTH OF 193.90 FEET; THENCE \$56°48'03"W, 38.83 FEET; THENCE \$33°11'57"E, 195.00 FEET; THENCE \$56°48'03"W, 50.75 FEET; THENCE 63.87 FEET ALONG A 630.00 FOOT RADIUS CURVE, CONCAVE NORTHEAST, WITH A CHORD BEARING S39°17'19"E, AND A CHORD LENGTH OF 63.85 FEET: THENCE S47°48'25"W. 200.00 FEET; THENCE 19.32 FEET ALONG AN 830.00 FOOT RADIUS CURVE. CONCAVE NORTHEAST, WITH A CHORD BEARING N41°31'34"W, AND A CHORD LENGTH OF 19.32 FEET; THENCE S47°07'40"W, 149.89 FEET; THENCE S42°54'11"W, 17.00 FEET TO THE WESTERLY LINE OF SAID OUTLOT 'X' OF DRA ACRES PLAT 1. ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF SE BERWICK DRIVE: THENCE ALONG SAID WESTERLY LINE 15.69 FEET ALONG A 283.00 FOOT RADIUS CURVE, CONCAVE SOUTHWEST, WITH A CHORD BEARING N48°41'05"W, AND A CHORD LENGTH OF 15.68 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE N50°14'05"W, 39.79 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE 67.29 FEET ALONG A 2033.00 FOOT RADIUS CURVE, CONCAVE SOUTHWEST. WITH A CHORD BEARING N51°06'34"W, AND A CHORD LENGTH OF 67.29 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE N51°59'32"W, 130.76 FEET: THENCE CONTINUING ALONG SAID WESTERLY LINE 65.18 FEET ALONG A 1967.00