S.S. McKibben, J.E.Greenwood, W.A.Ory and J.A. Barrett said persons being to me personally known to be the identical persons whose names are subscribed to the foregoing Articles of Incorporation, and each for himself acknowledged the same to be his free and voluntary act and deed for the uses and purposes therein expressed,.

Witness my hand and Notarial seal at Earlham in the County of Madison, State of Iowa, the day and year last above written-.

NOTARIAL Seal

C.B. Johnson
Notary Public.

#373

In The Matter Of The Annexation) Filed For Record July 7" A.D. 1905 at 11:15 o'clock
Of Territory) A.M.
To) E.F. Connoran.
The City of Winterset, Iowa.) Recorder.

: No. 9028, Law.
: Petition.

Comes Now The City Council of the City Of Winterset, Iowa. and respectfully states to the Court:-

That The City of Winterset, Iowa is a City of the second class organized, incorporated and existing under and by virtue of the general incorporation laws of the State of Iowa, and is clothed with all the rights, powers and privileges which are granted to such corporations by the laws of the State of Iowa.

That said City of Winterset is located in Madison County State of Iowa.

That on February 20th 1905, the City Council of the City of Winterset, Iowa, duly and legally passed ordinance No. 39 a copy of which is attached hereto marked "Exhibit A" and the same is made a part of this petition. That said ordinance No. 39 was published on February 23 1905, in the Winterset Reporter, a newspaper which is regularly published in the City of Winterset, Iowa.

That at the annual City election held in the City of Winterset, Iowa March 27th, 1905, the following question was submitted in the manner required by law to the qualified electors of the said City:- " Shall the proposition to annex the territory described in the ordinance of February 20th, 1905, be adopted?" and a majority of all those voting was in favor of it.

That the territory referred to in ordinance No. 39 is unplatted contiguous territory to the City of Winterset, Iowa, on the North of the present corporate boundary line, and that a plat thereof is attached hereto marked " Exhibit B" and the same is made a part of this petition.

That a description of said territory is as follows:-

Commencing at the North East corner of the present corporate limits of the City of Winterset, Iowa and running thence North to the North East corner of the North West Quarter of Section thirty-one in Township Seventy-six North of Range Twenty-seven West of 5th P.M. thence West on the Section line between Sections Thirty and Thirty-one in Township Seventy-six North of Range Twenty-seven West 5th P.M. and between Sections Twenty-five and Thirty-six in Township Seventy-six North of Range Twenty-eight West of 5th P.M. to a point on said Section line Thirty-eight rods West of the North East corner of the North West Quarter of Section Thirty-six in Township Seventy-six North of Range Twenty-eight West of 5th P.M. thence South to the North West corner of the present corporate limits of the City of Winterset, Iowa, thence East on the North corporate line of said City to the place of beginning.

Wherefore the City Council of the City of Winterset, Iowa, applies to this Court for the purpose of having the said territory annexed to the City of Winterset, Iowa in the manner provided by law and prays that the same be done.

Leo Percival
City Solicitor for the
City of Winterset, Iowa.

State of Iowa, Madison County, SS:

I, W.A. Hartman, being first duly sworn do upon my oath say that I am a member of the City Council of the City of Winterset, Iowa, that I have read the foregoing petition and that the same is true and correct as I verily believe.

W.A. Hartman

Subscribed and sworn to before me in my presence by the said W.A. Hartman this 12th day of April 1905.

Leo Percival
Notary Public in & for Madison
County, Iowa.

ORDINANCE No. 39,

An ordinance for the purpose of submitting to the qualified electors of the City of Winterset, Iowa, the proposition of annexing unplatted contiguous territory to the City of Winterset, Iowa.

Be it ordained by the City Council of the City of Winterset, Iowa,

Section 1.- That at the coming annual City election the following proposition shall be submitted to the qualified electors of the City of Winterset, Iowa:-

Shall the following described unplatted contiguous territory be annexed to the City of Winterset, Iowa:

Commencing at the North East corner of the present corporate limits of the City of Winterset, Iowa, and running thence North to the North East corner of the North West Quarter of Section Thirty-one in Township Seventy-six North of Range Twenty seven West 5th P.M. thence West on the Section line between Sections Thirty and Thirty-one in Township Seventy-six North of Range Twenty-seven West 5th P.M. and between Sections Twenty-five and Thirty-six in Township Seventy-six North of Range Twenty-eight West 5th P.M. to a point on said Section line Thirty-eight rods West of the North East corner of the North West Quarter of Section Thirty-six in Township Seventy-six North of Range Twenty-eight West 5th P.M. thence South to the North West corner of the present corporate limits of Winterset, Iowa, thence East on the North corporate line of said City to the place of beginning.

John McAndrew,
Mayor.

Attest: W.O.Lucas, City Clerk.

" Exhibit A "

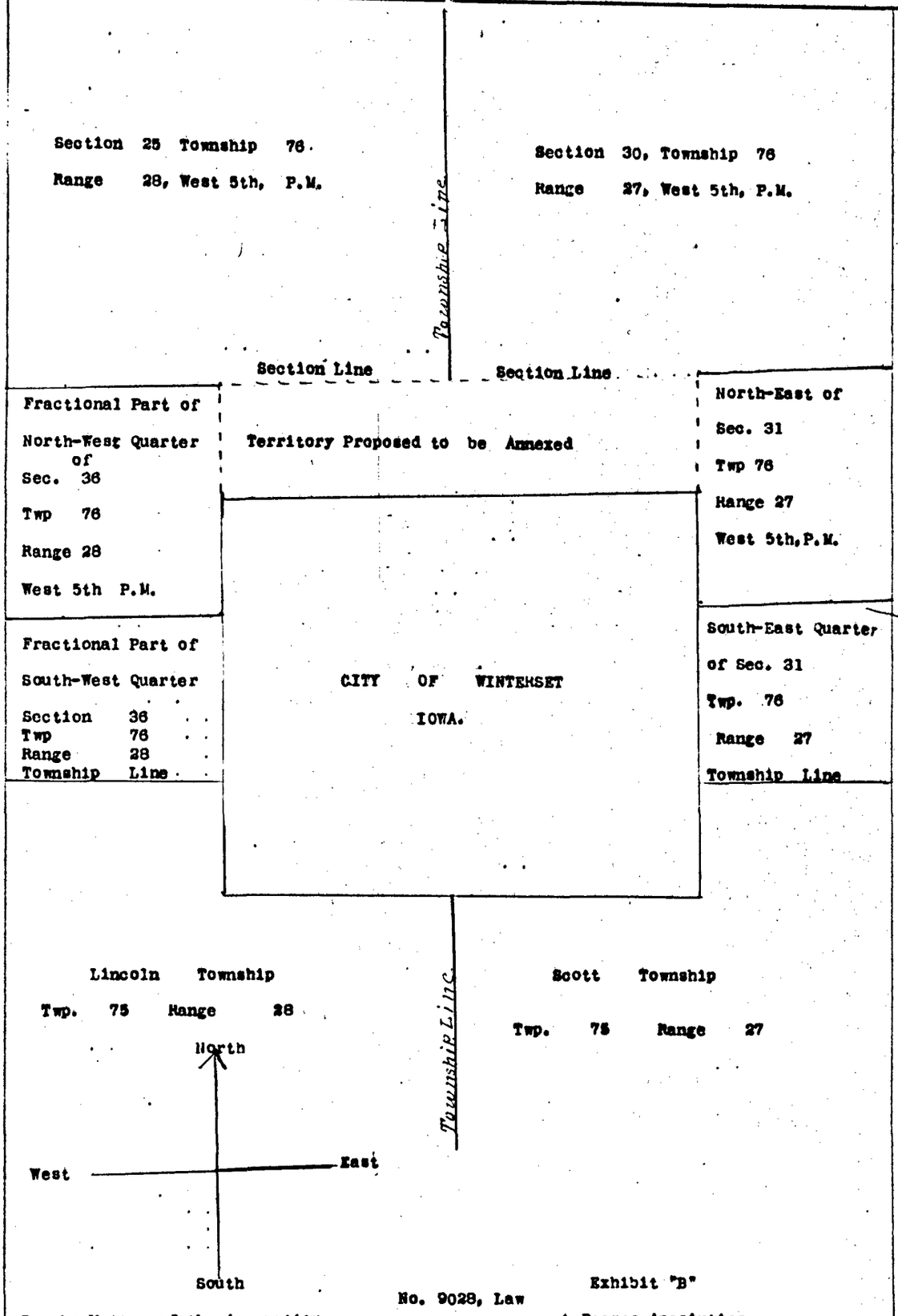


Exhibit "B"

No. 9028, Law

In the Matter of the Annexation of Territory to The City of Winterset, Iowa. : Decree Appointing Commissioners.

Be it Remembered that on this 20th day of May 1905, it being one of the Judicial days of the May Term 1905 of the District Court of Madison County, Iowa, this matter coming on to be heard on the petition of the City Council of the City of Winterset, Iowa, said Council appearing by Leo C. Percival, City Solicitor, and it appearing to the Court that said petition is proper in form and is properly presented to this Court and that said petition described the territory to be annexed and has attached thereto an accurate plat of the said territory and it appearing to the Court that the prayer of said petition should be granted:

It is therefore ordered that B.F.Bare, C.T. Koser, F.C. Ratliff, A.H. Retsloff and L. Williams be and the same are hereby appointed as commissioners and they are hereby directed to at once give notice of an election for such annexation of territory to

the City of Winterset, Iowa, as provided by Section Six Hundred and Six Hundred and One of the code of 1897 as amended so far as the same is applicable, and that at said election to allow the electors of the City of Winterset, Iowa, as proposed to be enlarged vote; and they are directed to report the result of the said election to this Court at the next Term thereof or to a Judge thereof in vacation.
And the Clerk of this Court is hereby directed to deliver at once by mail or otherwise, to said commissioners, a certified copy of this decree which shall be their authority for proceeding to call said election.

J.H. Applegate Judge.

Notice of Special Election for the Annexation of Territory to the City of Winterset, Iowa.

To the legal voters of the City of Winterset, Iowa, and also to the legal voters of the proposed territory to be annexed to the City of Winterset, Iowa as described below.

You are hereby notified that on Monday the 19th day of June, 1905 in the Board of Supervisors room of the Court House located in the City of Winterset Iowa, between the hours of 8 o'clock A.M. and 7 o'clock P.M. a special election will be held at which you are entitled to vote on the question of the annexation of the territory described below to the City of Winterset, Iowa, and there is now and has been since the 20th day of May, 1905, a plat and a description of the limits of the territory proposed to be annexed on file in the office of the Clerk of the District Court of Madison County, Iowa, That a description of the territory proposed to be annexed to the City of Winterset, Iowa, is as follows:-

Commencing at the North East corner of the present corporate limits of the City of Winterset, Iowa, and running thence North to the North East corner of the North West Quarter of Section Thirty-one in Township Seventy-six North of Range Twenty-seven West 5th P.M. thence West on the Section line between Sections Thirty and Thirty-one in Township Seventy-six North of Range Twenty-seven West 5th P.M. and between Sections Twenty-five and Thirty-six in Township Seventy-six North of Range Twenty-eight West 5th P.M. to a point on said Section line Thirty-eight rods west of the North East corner of the North West Quarter of Section Thirty-six in Township Seventy-six North of Range Twenty-eight West 5th P.M. thence South to the North West corner of the present corporate limits of the City of Winterset, Iowa, thence East on the North corporate line of said City to the place of beginning.

Dated this 23rd day of May, 1905, at the City of Winterset, Iowa.

(Signed) Chas. T. Koser
B.F. Bare
A.H. Retsloff
L. Williams
F. G.Ratliff.

Commissioners appointed by the District Court of Madison County Iowa.

REPORT OF COMMISSIONERS--- IN VACATION.

To the Honorable J.H. Applegate, Judge of the 5th Judicial District of Iowa;-

We, the undersigned commissioners appointed by the District Court of Madison County, Iowa, at the May Term of said Court, do hereby report to you that in pursuance of a decree entered in the above entitled matter we gave notice of an election for the annexation of the territory described in the petition filed in the above entitled matter, for three successive weeks, by posting notices in three public places within the City as thus proposed to be enlarged, and also by having the same published for three successive weeks preceeding the election in the Winterset News, a newspaper published in the City of Winterset, Iowa, a copy of which notice is hereto attached marked "Exhibit A" and made a part of this report, and that pursuant to said notice on Monday, June 19th, 1905 between the hours of 8 O'clock A.M. and 7 o'clock P.M. an election was held by the undersigned and the following proposition was submitted to a vote of the electors:- " Shall the Proposition to annex the territory described in the ordinance of February 20th, 1905 be adopted?". That prior to the holding of the said election we qualified before the Clerk of the District Court of Madison County, Iowa, That a canvass of the vote at said election shows that there were cast at said election 118 votes of which 108 votes were in favor of the proposition and 8 votes were against said proposition and two spoiled ballots.

Chas T. Koser
B.F. Bare
L. Williams
A.H. Retsloff.
Commissioners.

ORDER CONFIRMING ELECTION.

Now on this 21 day of June, 1905, this matter coming on to be heard on the report of the commissioners as to the election held by them by them in the above entitled matter and it appearing that the said commisioners pursuant to the previous order of the District Court of Madison County, Iowa and as provided by law, held an election on the 19th day of June, 1905, within the City of Winterset, Iowa, as proposed to be enlarged and that at said election there were cast One Hundred and Eighteen votes of which One Hundred and Eight votes were in favor of the said annexation and of which Eight votes were against said annexation and there were Two spoiled ballots.

It is therefore ordered, adjudged and decreed that said report of said commissioners and the said election be and the same is hereby confirmed and approved and that the following described territory be and the same is hereby declared to be duly and legally annexed to the City of Winterset, Iowa, and is a part of the same:-

Commencing at the North East corner of the present corporate limits of the City of Winterset, Iowa, and running thence North to the North East corner of the North West Quarter of Section Thirty-one in Township Seventy-six North of Range Twenty-seven West 5th P.M. thence West on the Section line between Sections Thirty

and Thirty-one in Township Seventy-six North of Range Twenty-seven West 5th P.M. and between Sections Twenty-five and Thirty-six in Township Seventy-six North of Range Twenty-eight West 5th P.M. to a point on said Section line Thirty-eight rods West of the North East corner of the North West Quarter of Section Thirty-six in Township Seventy-six North of Range Twenty-eight West 5th P.M. thence South to the North West corner of the present corporate limits of the City of Winterset, Iowa, thence East on the North corporate line of said City to the place of beginning.

And it is hereby further ordered that the costs of this proceeding including an attorney's fee of Twenty-five Dollars in favor of Leo C. Percival, City Solicitor, be paid by the City of Winterset, Iowa; for all of which execution is hereby awarded.

J.H. Applegate
Judge of the 5th Judicial District of
the State of Iowa.

State of Iowa, Madison County,) SS:

I, J. A. Way, Clerk of the District Court of the State of Iowa, within and for Madison County, hereby certify that the above and foregoing is a full, true and complete copy of all the instruments filed in the above entitled cause, to-wit:

Petition, Decree appointing Commissioners, Notice of Special Election, Report of Commissioners and Order Confirming Election, as full true and complete as the original entries remain of record in District Court Records "O" at pages "590", ----"591" and "592" of the Records, in the office of the undersigned Clerk of the District Court in and for said County and State.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Court at Winterset in the County of Madison and State of Iowa this 6th day of July A.D. 1905

J. A. Way
Clerk of District Court in and for
Madison County, Iowa.

Madison County
District Court
Seal