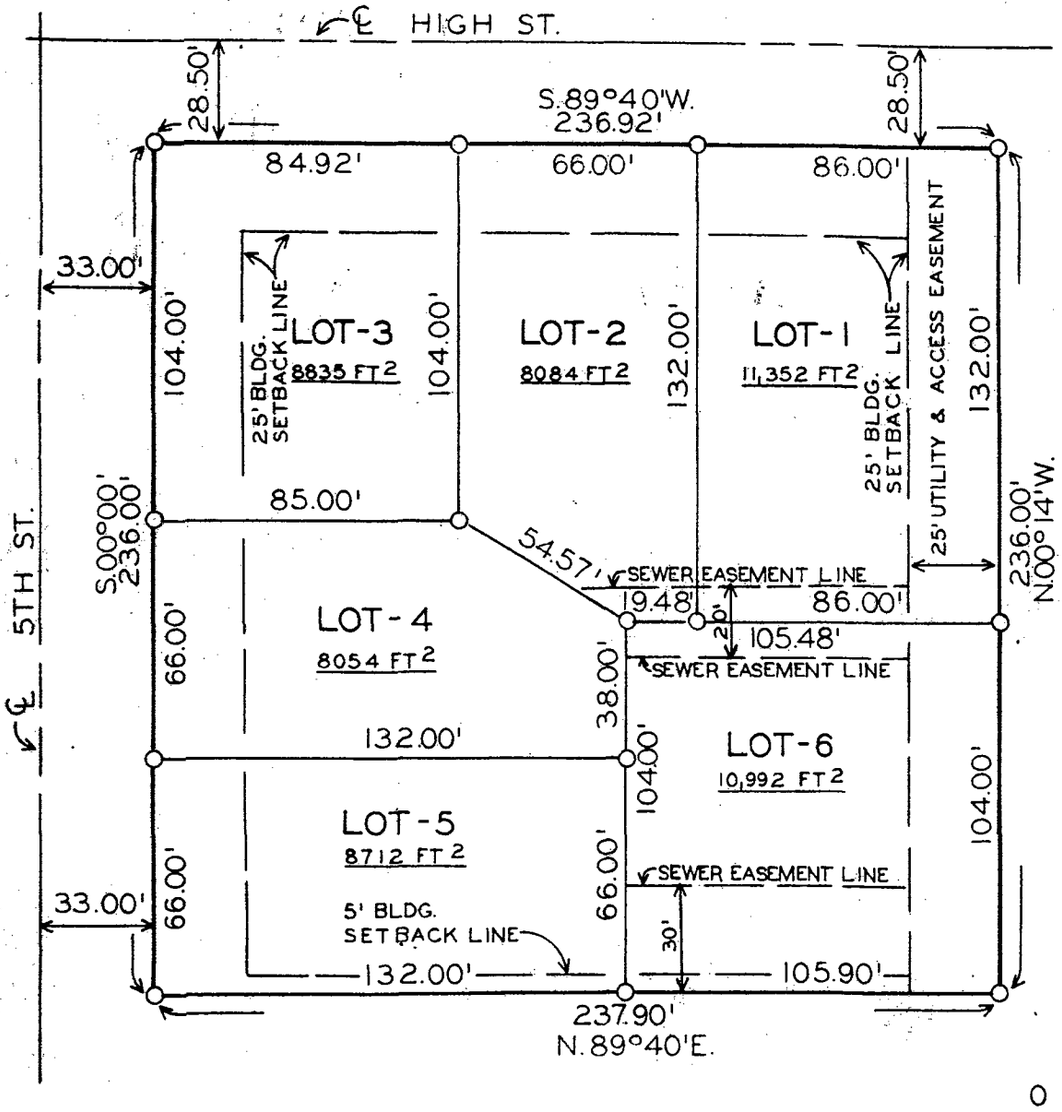
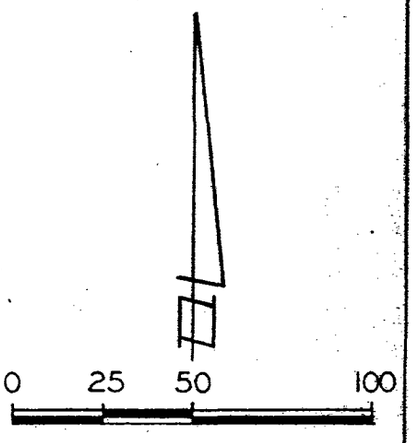
REPLATTING OF LOT - 10 OF ORIGINAL OUTLOTS EAST

WINTERSET, IOWA





SCALE IN FEET

½" Iron Bars W/Caps Set

DESCRIPTION:
Lot - 10, of Original Outlots East, Winterset, Iowa.

FILED NO. 87
BOOK 1 PAGE 246
TOWN PLAT
1979 JUL 11 PM 1:54

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

For Dedication, Certificates & Resolutions see Town Deed Record 49 - 215

I hereby certify that this plat map is true and correct as made 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

Signed J. M. Hochstetler Date May 18 1979

J. M. Hochstetler, P.E., L.S. Iowa Reg. No. 6808

REPLATTING OF LOT - 10
OF ORIGINAL OUTLOTS EAST
WINTERSET, IOWA

OWNER & DEVELOPER:
MIKE CARLTON
R. RT. 3
WINTERSET, IOWA

VANCE & HOCHSTETLER, P.C.
CONSULTING ENGINEERS
WINTERSET, IOWA

ENTERED FOR TAXATION
THIS 11 DAY OF July 197
AUDITORS FEE $ 1.00
Dwight T. Hawkins
AUDITOR

DEPUTY AUDITOR

FILED NO. 87
BOOK 49 PAGE 215
1979 JUL 11 PM 1:54
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
For Plat see Town Plat
Record 1, page 246
Fee $33.00

DEDICATION OF PLAT

OUT LOT 10 OF THE EAST ADDITION OF
OUT LOTS ON THE EAST SIDE OF THE TOWN OF WINTERSET, IOWA

Compared

KNOW ALL MEN BY THESE PRESENTS:

That we, Michael J. Carlton and Betty Jane Carlton, of Winterset, Iowa, do hereby certify that we are the sole owners and proprietors of the following-decribed real estate:

Out Lot Ten (10) of the East Addition
of Out Lots on the East Side of the Town
of Winterset, Madison County, Iowa,

That the subdivision of said land as shown by the annexed plat and survey certificate is with our free consent and in accordance with our desire, and we dedicate to the public for use as public utility and sewer easement so much of the above-described land as is by said plat set apart and designated for such purposes:

We further dedicate to the public any improvements which have been constructed in said lots consisting of sanitary sewers, storm sewers, water mains, and electric poles, wires and apparatus necessary for the transmission of electricity.

IN WITNESS WHEREOF, we have hereunto set our hands this 18th day of June 1979, at Winterset, Iowa.

PROPRIETORS:

Michael J. Carlton

Michael J. Carlton

Betty Jane Carlton

Betty Jane Carlton

STATE OF IOWA)
)ss
MADISON COUNTY)

On this 18th day of June, 1979, before me, the undersigned a Notary Public in and for said County, in said State, personally appeared Michael J. Carlton and Betty Jane Carlton to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Ruth Flanders

NOTARY PUBLIC

Flander and Casper
ATTORNEYS AT LAW
223 EAST COURT AVENUE
WINTERSET, IOWA 50273

LEONARD M. FLANDER
JOHN E. CASPER

AREA CODE 515
TELEPHONE 462-4912

June 18, 1979

Michael J. Carlton and
Betty Jane Carlton
Winterset, Iowa 50273

Re: Title Opinion
6/79 C-1

Dear Mike and Betty:

Pursuant to your request, I have examined the title to the premises legally described as:

> Out Lot Ten (10) of the East Addition of Out Lots on the East Side of the Town of Winterset, Madison County, Iowa,

as disclosed by an abstract of title, being abstract number 21704, originally prepared by the Security Loan and Abstract Company of Winterset, Iowa, and last certified to by the Security Loan and Abstract Company of Winterset, Iowa, covering the period from the date of original entry to and including the 21st day of May, 1979 at 8:00 o'clock a.m. and containing sixty-five (65) entries to the last continuation.

On the date and time last mentioned above, I find marketable title pursuant to the Forty Year Marketable Title Act of the State of Iowa to be in:

MICHAEL J. CARLTON AND/OR BETTY JANE CARLTON

subject to the following comments and objections:

1. Entry number fifty-six (56) discloses condemnation proceedings for a permanent easement right-of-way for sanitary sewer on behalf of the City of Winterset, Iowa, which proceedings were filed on January 2, 1970 in Deed Record Book 100 at page 55. The easement is twenty (20) feet in width along a center line fifteen (15) feet west of the east property line of the said lot and running in a north-south direction.

2. Entry number fifty-eight (58) discloses an ordinance of the City of Winterset, Iowa, establishing the Fire Zone regulations for the premises under examination, which ordinance was adopted on March 4, 1968 and filed for record on March 6, 1968 in Town Lot Deed Record 39 at page 95. The map accompanying this ordinance shows the premises under examination to be located in Fire Zone number three (3). For the exact effect of this ordinance upon the premises under examination, you should consult either the instrument of record or the City Building Official.

3. Entry number fifty-nine (59) discloses the zoning ordinance of the City of Winterset, Iowa, which is filed for record on April 1, 1971 in Miscellaneous Record Book 29 at pages 146 through 217. This Ordinance shows the premises under examination to be located in the Multi-Family Residential Zoning district. For the exact effect of this Ordinance upon the premises under examination, you should consult either the instrument of record or the Zoning Administrator for the City of Winterset, Iowa.

4. Entry number sixty-four (64) discloses that the property taxes upon the premises under examination payable in the fiscal year commencing July 1, 1978 are paid in full.

5. Since the following cannot be determined by an examination of the abstract, your attention is called to the fact that you are required to take notice of all the rights for the parties in possession of the real estate under examination other than the owners, any facts that would be disclosed by a survey, the right of persons furnishing materials and labor for improvements placed upon the premises to file mechanic liens within ninety (90) days from and after the furnishing of the last item of material or labor thereon, any visible easements such as overhanging wires, underground drains, and the restrictions on the rights of access to and from highways and roadways which may be designated as "controlled facilities" by State and local authorities.

I find nothing further to report.

Respectfully submitted,

FLANDER AND CASPER

John E. Casper

John E. Casper
JEC:sd

CERTIFICATE OF THE COUNTY RECORDER

OF MADISON COUNTY, IOWA

I, Mary E. Welty, hereby certify that I am the duly elected and acting Recorder of Madison County, Iowa; that Michael J. Carlton and/or Betty Jane Carlton are now the fee simple owners and record titleholders of the following described real estate, to-wit:

Out Lot Ten (10) of the East Addition of Out Lots on the East Side of the Town of Winterset, Madison County, Iowa,

and said real estate is free from encumbrances as appears by the records in my office.

Dated at Winterset, Iowa this 18 day of June, 1979.

Mary E. Welty
Mary E. Welty, County Recorder
of Madison County, Iowa

By Shirley G. Henry
Deputy

CERTIFICATE OF THE CLERK OF THE DISTRICT COURT

OF MADISON COUNTY, IOWA

I, Margaret Wheeler, do hereby certify that I am the duly elected and acting Clerk of the District Court of Madison County, Iowa; that I have examined the records in my office and that the following-described real estate, to-wit:

Out Lot Ten (10) of the East Addition of
Out Lots on the East Side of the Town of
Winterset, Madison County, Iowa,

is free from all judgments, attachments, mechanic's or other liens as appears by the record in my office.

Dated at Winterset, Iowa this 18 day of June, 1979.

SEAL OF THE DISTRICT COURT MADISON COUNTY IOWA

Margaret Wheeler

Margaret Wheeler,
Clerk of the District Court
of Madison County, Iowa

CERTIFICATE OF COUNTY TREASURER

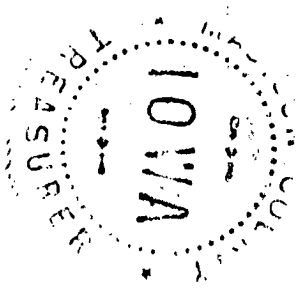
OF MADISON COUNTY, IOWA

I, Esther J. Frank, do hereby certify that I am the duly elected and acting Treasurer of Madison County, Iowa; that I have examined the records in my office and there are no unpaid taxes against the following-described real estate which are now payable and delinquent April 1, 1979:

Out Lot Ten (10) of the East Addition of
Out Lots on the East Side of the Town of
Winterset, Madison County, Iowa,

Dated at Winterset, Iowa this 14th day of June, 1979.

Esther J. Frank
Esther J. Frank,
Treasurer of Madison County, Iowa



CERTIFICATE OF APPROVAL OF PLAT

OUT LOT 10 OF THE EAST ADDITION OF
OUT LOTS ON THE EAST SIDE OF THE TOWN OF WINTERSET, IOWA

We, Bernard Morrissey and Mark J. Nitchals, Mayor and City Clerk, respectively, of the City of Winterset, Iowa, do hereby certify that the plat to which this certificate is attached is a final plat of a subdivision of a lot within an addition to the City of Winterset, Iowa, designated as Out Lot 10 of the East Addition of Out Lots on the East Side of the Town of Winterset, Iowa of Winterset, Iowa, and the real estate comprising said final plat is described as follows:

Out Lot Ten (10) of the East Addition
of Out Lots on the East Side of the Town
of Winterset, Madison County, Iowa

Said plat was approved by the City Council of the City of Winterset by resolution passed by the City Council on the 9th day of July, 1979, and approved by the Mayor of the City of Winterset, Iowa, on said date, and that a true and correct copy of said resolution is affixed to said final plat and made a part of this certification and the mayor and city clerk do hereby certify that said resolution is part of said final plat.

The Mayor and City Clerk do hereby further certify as a part of said platting procedure, the following:

1. Dedication of plat.
2. Attorney's title opinion.
3. Abstract of title.
4. Certificate of the Clerk of the District Court.
5. Certificate of the Treasurer.
6. Certificate of the Recorder.

Dated this 9th day of July, 1979, at Winterset, Iowa.

Bernard Morrissey
Mayor
City of Winterset, Iowa

CITY SEAL WINTERSET

ATTEST:

Mark J. Nitchals, City Clerk

STATE OF IOWA)
) ss
MADISON COUNTY)

On this 9th day of July, 1979, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Bernard Morrissey and Mark J. Nitchals, to me personally known, who, being by me duly sworn, did say that they are the Mayor and Clerk, respectively, of the City of Winterset, Iowa, a municipal corporation; that the seal affixed thereto is the seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its City Council; and that the said Bernard Morrissey and Mark J. Nitchals acknowledged the execution of said instrument to be their voluntary act and deed as such officers of said corporation, by it and by them voluntarily executed.

NOTARIAL SEAL IOWA GORDON K. DARLING, JR.

Gordon K. Darling, Jr.
Notary Public in and for the State of Iowa

RESOLUTION APPROVING FINAL PLAT OF

OUT LOT 10 OF THE EAST ADDITION OF
OUT LOTS ON THE EAST SIDE OF THE TOWN OF WINTERSET, IOWA

WHEREAS, Michael J. Carlton and Betty Jane Carlton of Winterset, Iowa, have filed in the office of the City Clerk of the City of Winterset, Iowa, on June 18, 1979, a final plat subdividing the following-described real estate:

Out Lot Ten (10) of the East Addition
of Out Lots on the East Side of the Town
of Winterset, Madison County, Iowa,

which real estate is within the corporate limits of the City of Winterset, Iowa.

WHEREAS, this final plat is known and designated as Out Lot 10 of the East Addition of Out Lots on the East Side of the Town of Winterset, Iowa.

WHEREAS, said final plat is accompanied by the following, in accordance with the subdivision ordinance of the City of Winterset, Iowa, and Chapter 409 of the Code of Iowa:

1. Attorney's title opinion.
2. Abstract of title.
3. Consent of subdividers and dedication of public easements.
4. Certificate of Madison County Treasurer.
5. Certificate of Clerk of Court.
6. Certificate of Madison County Recorder.

WHEREAS, the plat is accompanied by a statement of a licensed and registered land surveyor of Winterset, Iowa, certifying his preparation of said final plat.

WHEREAS, the City Engineer has approved said final plat.

WHEREAS, the City Planning and Zoning Commission have approved the preliminary plat thereof prepared pursuant to the subdivision ordinance of the City of Winterset, Iowa, and Chapter 409 of the Code of Iowa.

WHEREAS, the City Council finds that said final plat is in conformity with the subdivision ordinance of the City of Winterset, Iowa, and Chapter 409 of the Code of Iowa.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Winterset, Iowa, that the final plat of Out Lot 10 of the East Addition of Out Lots on the East Side of the Town of Winterset, Iowa be and is hereby approved and accepted, and the City of Winterset hereby accepts the dedication to it of the public easements on said plat and the dedication of it of any existing improvements for sanitary sewers, storm sewers, watermains, and electric poles, wires and apparatus necessary for the transmission of electricity located within said easements.

IT IS FURTHER RESOLVED that the Mayor and Clerk are hereby authorized and directed to certify this Resolution, which shall be affixed to the final plat, to the Recorder of Madison County, Iowa and attend to the filing and recording of all instruments and documents which should be filed and recorded in connection herewith and that all things shall be done to carry out the provisions of Chapter 409 of the Code of Iowa and the ordinances of the City of Winterset, Iowa.

On roll call the members of the City Council voted as follows:

Dorrell Aye

Jordan Aye

McNamara Abstained

Mitchell Aye

Cole Aye

Passed and approved this 9th day of July, 1979.

Bernard Morrissey, Mayor

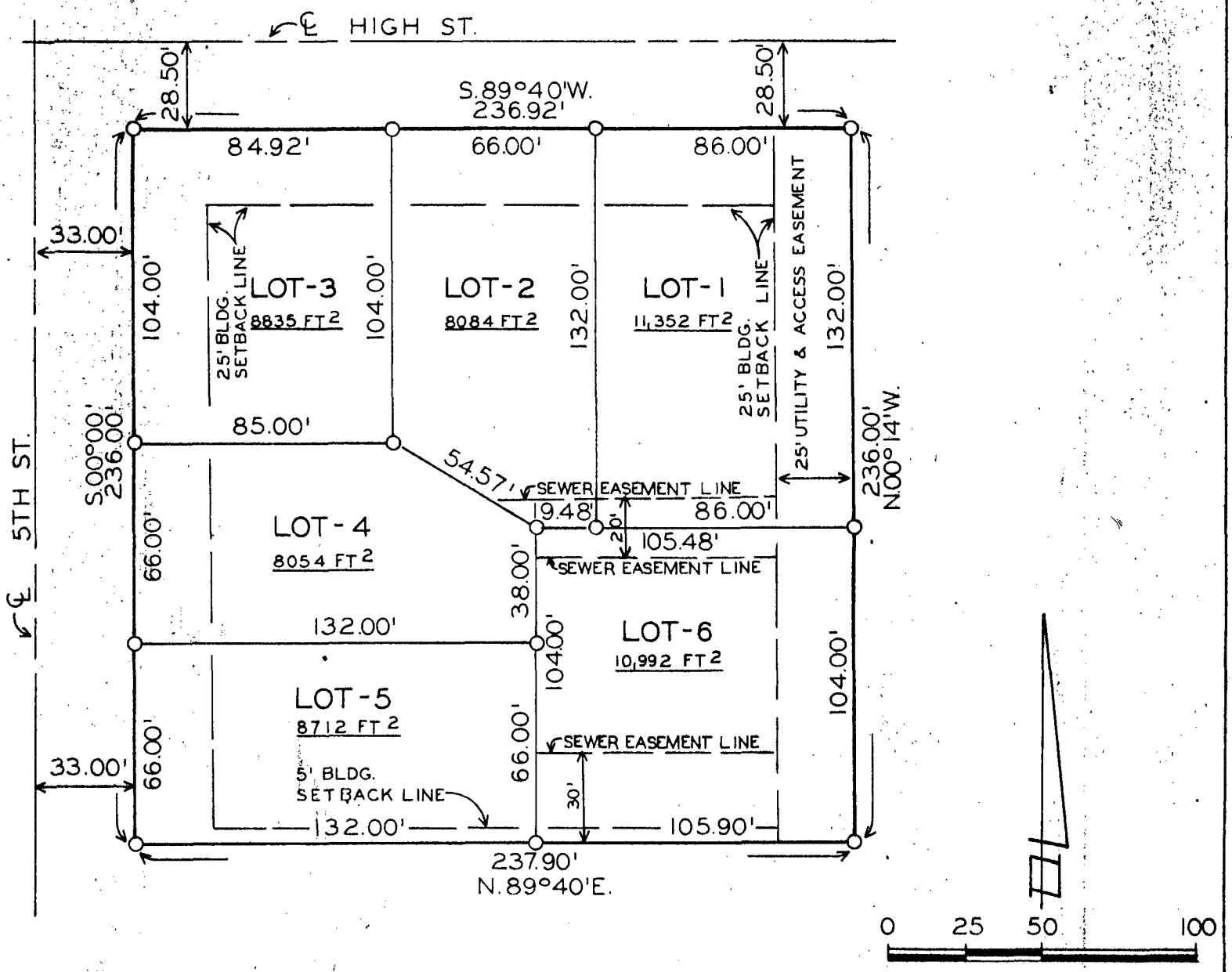
ATTEST:

Mark J. Nitchals, City Clerk

CITY SEAL WINTERSET

REPLATTING OF LOT - 10 OF ORIGINAL OUTLOTS EAST

WINTERSET, IOWA



DESCRIPTION:
Lot - 10, of Original Outlots East, Winterset, Iowa.

FILED NO. 87
BOOK 1 PAGE 246
TOWN PLAT
1979 JUL 11 PM 1:54

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA.

For Dedication, Certificate & Resolutions see Town Deed Rec. 49-215

I hereby certify that this plat of survey or report was made 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.

Signed J. M. Hochstetler
J.M. Hochstetler, P.E., L.S. Iowa Reg. No. 6808

Date May 18 1979

REPLATTING OF LOT - 10 OF ORIGINAL OUTLOTS EAST WINTERSET, IOWA
OWNER & DEVELOPER: MIKE CARLTON R.R.T. 3 WINTERSET, IOWA
VANCE & HOCHSTETLER, P.C. CONSULTING ENGINEERS WINTERSET, IOWA