DEDICATION AND STATEMENT CONCERNING PLAT OF CLEARVIEW FIRST ADDITION TO EARLHAM, IOWA.

FILED NO. 1804A
BOOK 45 PAGE 199
1972 DEC 22 AM 11:22
RECORDER
MADISON COUNTY, IOWA
Fee $18 50 I.M.M.
Plat $4 00 I.M.M.
ENTERED FOR TAXATION
THIS 22 DAY OF Dec 1972
AUDITORS FEE $2 00
AUDITOR
DEPUTY AUDITOR

Clearview Development Corporation

to

Clearview First Addition to Earlham, Iowa,

KNOW ALL MEN BY THESE PRESENTS:

That Clearview Development Corporation of Earlham, Madison County, Iowa does hereby covenant it is the sole and lawful owner of the real estate hereinatter described and in consideration of the enhancement of the value of the real estate when sub-divided into town building lots, do hereby CONVEY and DEDICATE unto the City ot Earlham, Iowa, all of the Streets as shown on the attached Plat of real estate located within the corporate limits of the City of Earlham, Iowa, and described as follows, to-wit:

> Beginning at a point on the North line of the SE¼ of Section 6, 530 feet east of the center of the section, proceed East 790.25 feet to the NE corner of the NW¼ of the SE¼ of Section 6; thence S 00° 12' 30" E 159.44 feet; thence S 89° 45' 30" W 789.91 feet; thence N 00° 19' 30" W 162.77 feet to the point of beginning, all now being in and forming a part of the City of Earlham, Madison County, containing 2.92 acres, more or less, in T77N, R28W of the 5th P. M.

Plat filed Book 1 Page 84

and does hereby acknowledge and declare that the plat, attached hereto, of the above described real estate is to be known as CLEARVIEW FIRST ADDITION to Earlham, Iowa, and which is a tract of land containing nine lots numbered one to nine as designated on said plat, and that said platting is done with the free consent and in accordance with the desire of Clearview Development Corporation as proprietor, and that the above described real estate, being the real estate in the aforesaid plat, is free from all liens and encumbrances of every kind and nature.

IN WITNESS WHEREOF said corporation has caused this instrument to be duly executed this 4th day of December, 1972.

CLEARVIEW DEVELOPMENT CORPORATION

By Roy P. Knight
(Roy P. Knight, President)

By Darold D. Slater
(Darold D. Slater, Secretary)

CLEARVIEW DEVELOPMENT CORPORATION SEAL 1972 STATE OF IOWA

STATE OF IOWA :
: SS
MADISON COUNTY :

On this 4th day of December, A.D., 1972, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Roy P. Knight and Darold D. Slater, to me personally known who, being by me duly sworn, did say that they are the president and secretary respectively, of said corporation; that said instrument was signed on behalf of said corporation by authority of its Board of Directors; and that the said Roy P. Knight and Darold D. Slater, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

H. Claude Peer
(H. Claude Peer)
Notary Public in and for the
State of Iowa.

H. CLAUDE PEER (SEAL) Iowa NOTARIAL SEAL

2

RESOLUTION NO. 15-72

BEING A RESOLUTION APPROVING THE PLAT OF CLEARVIEW FIRST ADDITION TO EARLHAM, IOWA.

WHEREAS, there has been submitted to the City Council of the City of Earlham, Iowa, a Plat of Clearview First Addition to Earlham, Iowa, involving the land hereinafter described; and

WHEREAS, Clearview Development Corporation is the sole owner of all the land hereinafter described to be known as Clearview First Addition to Earlham, Iowa; and

WHEREAS, it now appears that said owner of said real estate has met all conditions as prescribed by Chapter 409 Code of Iowa (1971) with respect to the platting of said addition; and

WHEREAS, said owner of said real estate did on the 4th day of December, 19 72 dedicate and set apart for the perpetual use of the public as a street a part of the said Clearview First Addition of Earlham, Iowa, as shown and designated on the plat thereof now on file with the City Clerk of the City of Earlham, Iowa; and

WHEREAS, in the opinion of the City Council of the City of Earlham, Iowa, it is advisable and in the best interest of the City of Earlham, and of all persons concerned, that said plat be approved and that the dedication of the street designated on said plat be accepted;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Earlham, Iowa, that the aforesaid plat of Clearview First Addition to Earlham, Iowa, involving real estate situated in the City of Earlham, Madison County, Iowa, described as follows, to-wit:

> Beginning at a point on the North line of the SE¼ of Section 6, 530 feet east of the center of the section, proceed East 790.25 feet to the NE corner of the NW¼ of the SE¼ of Section 6; thence S 00° 12' 30" E 159.44 feet; thence S 89°45' 30" W 789.91 feet; thence N 00° 19' 30" W 162.77 feet to the point of beginning, all now being in and forming a part of the City of Earlham, Madison County, Iowa, containing 2.92 acres, more or less, in T77N, R28W of the 5th P. M.

be and the same is hereby approved and accepted; that the dedication of the street designated on said plat be and the same is hereby accepted for and on behalf of the City of Earlham, Iowa; that all acts and deeds of said grantor in the premises be and they are hereby confirmed and approved; and that the Mayor and City Clerk of the City of Earlham, Iowa, be and they are hereby authorized and directed to certify this resolution and affix same to said Plat.

#2. Resolution No. 15-72
Clearview First Addition

Raymond S. Elinn
Raymond S. Elinn
Mayor
City of Earlham, Iowa

(S E A L)

Attest:

Carolyn Treadway
Carolyn Treadway
Clerk
City of Earlham, Iowa

MOVED BY: Councilman Ronald Myers

SECONDED BY: Councilman Claire Jones

That Resolution No. 15-72 be adopted.

VOTING AYE: Neil Schardein, Lloyd Love, Gene Conrad

Ronald Myers, Claire Jones

VOTING NAY: None

ABSENT: None

The Mayor declared Resolution No. 15-72 adopted.

We, Carolyn Treadway, the duly appointed, qualified and acting City Clerk of the City of Earlham, Iowa, and Raymond S. Flinn, the duly elected, qualified and acting Mayor of the City of Earlham, Iowa, do hereby certify that the above and foregoing Resolution No. 15-72 is a true and exact copy of said resolution, that said resolution was passed and adopted by the City Council of the City of Earlham, Iowa, at regular meeting thereof on the 4th day of December, 1972.

Dated this 4th day of December, 1972.

Raymond S. Flinn
Raymond S. Flinn
Mayor
City of Earlham, Iowa

TOWN SEAL
EARLHAM IOWA
TOWN SEAL
Attest:

Carolyn Treadway
Carolyn Treadway
Clerk
City of Earlham, Iowa

3

H. CLAUDE PEER
DEAN R. NELSON
Phone (515) 758 2267
Attorneys-At-Law
EARLHAM, IOWA 50072

December 4, 1972

Mr. Roy P. Knight, President
Clearview Development Corporation
Earlham, Iowa 50072

Dear Mr. Knight:

I have this day examined abstract of title from the date of government entry until the 4th day of December, 1972 at 8:00 A.M. to the following described real property, to-wit:

A tract of land commencing 530 feet East of the Northwest corner of the Northwest Quarter (¼) of the Southeast Quarter (¼) of Section Six (6) in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, thence East 790.25 feet to the Northeast corner of said 40-acre tract, thence South, 00° 12' 30" East, 159.44 feet, thence South, 89° 45' 30" West, 789.91 feet, thence North, 00° 19' 30" West, 162.77 feet to the point of beginning and containing 2.92 acres, more or less.

and I find legal title of record to be held by : Clearview Development Corporation subject to the following:

1. There are no mortgages of record.
2. There are no judgments of record.
3. There are no liens for old age assistance or no insane liens.
4. There are no bankruptcy proceedings shown.
5. There are no special assessments unpaid as shown by abstract.

#2.

6. There are no suits or notices against the above named owner.

7. There are no claims for income tax or sales tax liens.

8. Taxes for the year 1971, due and payable in 1972, and previous years are paid.

9. That Clearview Development Corporation holds good and merchantable title of record.

Respectfully submitted,

PEER & NELSON

BY Dean R. Nelson
DEAN R. NELSON
Attorneys at Law
Earlham, Iowa 50072
Phone 758-2300

4

CLERK'S CERTIFICATE

STATE OF IOWA :
: SS
MADISON COUNTY :

I, MARGARET WHEELER, Clerk of the District Court of Iowa, in and for Madison County, do hereby certify that according to the records in said office, there are no judgments, attachments, mechanic's liens or other liens of record against Clearview Development Corporation or against the following described real estate, to-wit:

> Beginning at a point on the North line of the SE¼ of Section 6, 530 feet east of the center of the section, proceed East 790.25 feet to the NE corner of the NW¼ of the SE¼ of Section 6; thence S 00° 12' 30" E 159.44 feet; thence S 89° 45' 30" W 789.91 feet; thence N 00° 19' 30" W 162.77 feet to the point of beginning, all now being in and forming a part of the City of Earlham, Madison County, Iowa, containing 2.92 acres, more or less, in T77N, R28W of the 5th P. M.

Dated at Winterset, Iowa, this 14 day of December, 1972.

SEAL OF THE DISTRICT COURT MADISON COUNTY IOWA (SEAL)

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

RECORDER'S CERTIFICATE

STATE OF IOWA :
: SS
MADISON COUNTY :

I, MARY E. WELTY, Recorder of Madison County, Iowa, do hereby certify that according to the records in my office, that Clearview Development Corporation is the owner of the legal title, which ownership is in fee simple, free and clear of all liens and encumbrances, of the following described real estate, to-wit:

Beginning at a point on the North line of the SE¼ of Section 6, 530 feet east of the center of the Section, proceed East 790.25 feet to the NE corner of the NW¼ of the SE¼ of Section 6; thence S 00° 12' 30" E 159.44 feet; thence S 89° 45' 30" W 789.91 feet; thence N 00° 19' 30" W 162.77 feet to the point of beginning, all now being in and forming a part of the City of Earlham, Madison County, Iowa, containing 2.92 acres, more or less, in T77N, R28W of the 5th P. M.

Dated at Winterset, Iowa, this 4 day of December, 1972.

RECORDER'S SEAL IOWA (SEAL)

Mary E. Welty
Recorder of Madison County, Iowa

TREASURER'S CERTIFICATE

STATE OF IOWA :
: SS
MADISON COUNTY :

I, EARL B. FREY, Treasurer of Madison County, Iowa, do hereby certify that according to the records in my office, there are no personal taxes against Clearview Development Corporation, and there are no property taxes against the following described real estate to-wit:

> Beginning at a point on the North line of the SE ¼ of Section 6, 530 feet east of the center of the section, proceed East 790.25 feet to the NE corner of the NW¼ of the SE¼ of Section 6; thence S 00° 12' 30" E 159.44 feet; thence S 89° 45' 30" W 789.91 feet; thence N 00° 19' 30" W 162.77 feet to the point of beginning, all now being in and forming a part of the City of Earlham, Madison County, Iowa, containing 2.92 acres, more or less, in T77N, R28W of the 5th P. M.

Dated at Winterset, Iowa, this 4 day of December, 1972.

Earl B. Frey
Treasurer, Madison County, Iowa.

MADISON COUNTY IOWA TREASURER