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1972 JUN -8 PM 1:46

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

Fee $26.50

I.M.M.

PLAT AND CERTIFICATE FOR H & K SUBDIVISION
TO TRURO, IOWA

STATE OF IOWA, County of Madison, Town of Truro, ss:

We, Orville Fitzgerald and Karen Lytton, mayor and town clerk, respectively, of the town of Truro, Iowa, located in Madison County, Iowa, do hereby certify that the plat to which this certificate is attached is a plat of an addition and subdivision to the town of Truro, Iowa, designated as H & K Subdivision to Truro, Iowa, located in the SE¼ of the SE¼ of the NE¼ of Section 16, Township 74 North, Range 26 West of the 5th P. M., Madison County, Iowa, and more particularly described as follows:

> A part of the SE¼ of the SE¼ of the NE¼ of Section 16, Township 74 North, Range 26 West of the 5th P. M., Iowa described as follows: Beginning at the NW corner of the SE¼ of the SE¼ of the NE¼ of said Section 16, thence N 86°16' E along the North line of the SE¼ of the SE¼ of the NE¼ of said Section 16 a distance of 317.0 feet; thence South 70.0 feet; thence N 86°16' E 60.0 feet; thence South 399.6 feet; thence S 86°16' W 377.0 feet; thence North 469.6 feet to the point of beginning, all in the Town of Truro, Madison County, Iowa.

We do further certify that attached hereto are true and correct copies of the following documents which have been submitted in connection with said plat:

1. Dedication of plat of H & K Subdivision to Truro, Iowa.
2. Certificate of surveyor H & K Subdivision to Truro, Iowa.
3. Attorneys Opinion H & K Subdivision to Truro, Iowa.
4. Certificate of County Treasurer of Madison County, Iowa.
5. Certificate of County Recorder of Madison County, Iowa.
6. Certificate of the Clerk of the District Court of Madison County, Iowa.

IND. ✓
REC. ✓
PAGE ✓

7. Resolution of the Town of Truro, Iowa, approving said plat and accepting said dedication.

All of which is duly certified in accordance with the provisions of Chapter 409 of the 1971 Code of Iowa and all other provisions of law applicable thereto.

Dated and signed at Truro, Iowa, in Madison County, Iowa and sealed with the official seal of the Town of Truro, Iowa, on this 5 day of June, 1972.

Orville Fitzgerald
Mayor of the Town of Truro, Iowa.

Karen Lytton
Clerk of the Town of Truro, Iowa.

STATE OF IOWA, :
:ss
MADISON COUNTY :

On this 5 day of June, 1972, before me, a Notary Public in and for Madison County, Iowa, personally appeared Orville Fitzgerald and Karen Lytton, Mayor and Clerk, respectively, of the Town of Truro, Iowa, a municipal corporation, who being to me known as the identical persons who signed the above and foregoing instrument, and by me duly sworn, each for himself, did say that they are respectively the Mayor and Clerk of the Town of Truro, Iowa, that the seal affixed to said instrument is the seal of the Town of Truro, Iowa, and that said instrument was by them signed and sealed and each of them acknowledged the execution of said instrument to be the voluntary act and deed of each of them, as an official certification in accordance with Chapter 409 of the Code of Iowa.

Witness my hand and notarial seal the day and year last above written.

Notary Public in and for Madison County, Iowa.

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DEDICATION OF PLAT

OF H & K SUBDIVISION

TO

TRURO, IOWA

KNOW ALL MEN BY THESE PRESENTS:

That we, Merrill S. Creger and N. Cleo Creger, husband and wife do hereby certify that we are the sole owners and proprietors of the following described real estate:

> A part of the SE¼ of the SE¼ of the NE¼ of Section 16, Township 74 North, Range 26 West of the 5th P. M., Iowa described as follows: Beginning at the NW corner of the SE¼ of the SE¼ of the NE¼ of said Section 16, thence N 86°16' E along the North line of the SE¼ of the SE¼ of the NE¼ of said Section 16 a distance of 317.0 feet; thence South 70.0 feet; thence N 86°16' E 60.0 feet; thence South 399.6 feet; thence S 86°16' W 377.0 feet; thence North 469.6 feet to the point of beginning, all in the Town of Truro, Madison County, Iowa.

That the disposition 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 a public street so much of the above described land as is by said plat set apart and designated as McKinley Street, and we, Merrill S. Creger and N. Cleo Creger, hereby relinquish our right of dower therein, to-wit:

> Commencing at the NW corner of the SE¼ of the SE¼ of the NE¼ of Section 16, Township 74 North, Range 26 W of the 5th P. M., thence N 86°16' East 227 feet to the place of beginning, thence South 469.6 feet, thence S 86°16' West 50 feet, thence North 469.6 feet, thence N 86°16' East 50 feet to the place of beginning.

IN WITNESS WHEREOF, we have hereunto set our hands this 1st day of June, 1972.

Merrill S. Creger

Merrill S. Creger

N. Cleo Creger

N. Cleo Creger

STATE OF IOWA :
:ss
MADISON COUNTY :

On this 3rd day of June, 1972, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Merrill S. Creger and N. Cleo Creger 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.

HAZEL HUSTON
Iowa
NOTARIAL SEAL

Hazel Huston

Notary Public in and for Madison County.

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CERTIFICATE OF SURVEYOR

H & K SUBDIVISION

TO

TRURO, IOWA

I, John R. Barker, a licensed surveyor residing in Indianola, Warren County, Iowa, do hereby certify that at the request of Merrill S. Creger and N. Cleo Creger, I have surveyed and set iron stakes at the corners of the lots as shown on the attached plat of H & K Subdivision to Truro, Iowa; that the distances marked on said plat are correct and are marked in feet; that the location and width of the street is as shown on said plat; that H & K Subdivision to Truro, Iowa, comprises real estate located in the Southeast Quarter (SE¼) of the Southeast Quarter (¼) of the Northeast Quarter (NE¼) of Section Sixteen (16), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P. M., Madison County, Iowa, and is more particularly described as follows:

A part of the SE¼ of the SE¼ of the NE¼ of Section 16, Township 74 North, Range 26 West of the 5th P. M., Iowa, described as follows: Beginning at the Northwest corner of the SE¼ of the SE¼ of the NE¼ of said Section 16, thence N 86°16' E along the North line of the SE¼ of the SE¼ of the NE¼ of said Section 16 a distance of 317.0 feet; thence South 70.0 feet; thence N 86°16' E 60.0 feet; thence South 399.6 feet; thence S86°16' W 377.0 feet; thence North 469.6 feet to the point of beginning, all in the Town of Truro, Madison County, Iowa.

I further certify that the following described real estate shown in said plat is dedicated to the public use for a public street, to-wit:

Commencing at the NW corner of the SE¼ of the SE¼ of the NE¼ of Section 16, Township 74 North, Range 26 West of the 5th P. M., thence N 86°16' East 227 feet to the place of beginning, thence South 469.6 feet, thence S 86°16' West 50 feet, thence North 469.6 feet, thence N 86°16' East 50 feet to the place of beginning.

I further certify that in addition to the portion of the plat previously described as being dedicated to the public for public use as a public street, the remaining area of the real estate shown on said plat is subdivided into lots numbered one through ten, as shown on said plat and that the description of lots is shown as follows:

Lot 1 is described as follows:

Commencing at the Northwest Corner of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section Sixteen (16), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P. M., and running thence North 86°16' East 227 feet to the place of beginning, thence North 86°16' East 90 feet, thence South 70 feet, thence North 86°16' East 60 feet, thence South 30 feet, thence South 86°16' West 150 feet, thence North 100 feet to the place of beginning.

Lots 2, 3, and 4 are each 150 feet east and west and 93 feet north and south. (Note: The east and west line on the north and south side of lots bears North 86°16' East).

Lot 5 is 150 feet east and west and 90.6 feet north and south. (Note: The east and west line on the north and south side of lot bears North 86°16' East).

Lot 6 is 177 feet east and west and 90.6 feet north and south. (Note: The east and west line on the north and south side of lot bears North 86°16' East.)

Lots 7, 8 and 9 are each 177 feet east and west and 93 feet north and south. (Note: The east and west line on the north and south side of lots bears North 86°16' East).

Lot 10 is 177 feet east and west and 100 feet north and south. (Note: The east and west line on the north and south side of lot bears North 86°16' East).

M. S. CREGER
Iowa
NOTARIAL SEAL

John R. Barker

Subscribed and sworn to before me by John R. Barker this 1st day of May, 1972.

M. S. Creger
Notary Public in and for said County.

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May 26, 1972

ATTORNEYS OPINION

H & K SUBDIVISION

TO TRURO, IOWA

Town Council of Truro
Truro
Iowa 50257

Gentlemen:

We have this day examined an abstract of title in one part purporting to show the chain of title to the following described real estate, to-wit:

> A part of the SE¼ of the SE¼ of the NE¼ of Section 16, Township 74 North, Range 26 West of the 5th P. M., Iowa described as follows: Beginning at the NW corner of the SE¼ of the SE¼ of the NE¼ of said Section 16, thence N 86°16' E along the North line of the SE¼ of the SE¼ of the NE¼ of said Section 16 a distance of 317.0 feet; thence South 70.0 feet; thence N 86°16' E 60.0 feet; thence South 399.6 feet; thence S 86°16' W 377.0 feet; thence North 469.6 feet to the point of beginning, all in the Town of Truro, Madison County, Iowa,

from the root of title, August 5, 1927, a deed to W. Doyle Roby to May 8, 1972 at 8:00 A. M.

In connection with this examination , it is our opinion that this constitutes a complete abstract of title to the above described real estate and that said abstract shows merchantable fee simple title in said real estate to be in Merrill S. Creger and N. Cleo Creger, as joint tenants with full right of survivorship and not as tenants in common as of date of last continuation, thereof and also said real estate to be free of all encumbrances.

Respectfully submitted,

WEBSTER, JORDAN & OLIVER

By Jerold B. Oliver

JBO:pa

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CERTIFICATE OF COUNTY TREASURER

OF MADISON COUNTY, IOWA

I, Earl B. Frey, 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, to-wit:

A part of the SE¼ of the SE¼ of the NE¼ of Section 16, Township 74 North, Range 26 West of the 5th P. M., Iowa described as follows: Beginning at the NW corner of the SE¼ of the SE¼ of the NE¼ of said Section 16, thence N 86°16' E along the North line of the SE¼ of the SE¼ of the NE¼ of said Section 16 a distance of 317.0 feet; thence South 70.0 feet; thence N 86°16' E 60.0 feet; thence South 399.6 feet; thence S 86°16' W 377.0 feet; thence North 469.6 feet to the point of beginning, all in the Town of Truro, Madison County, Iowa.

Dated at Winterset, Iowa, this 31st day of May, 1972.

Earl B. Frey

Earl B. Frey, Treasurer of Madison County, Iowa.

4

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 Merrill S. Creger and N. Cleo Creger, husband and wife are now the fee simple owners and record title holders of the following described real estate, to-wit:

A part of the SE¼ of the SE¼ of the NE¼ of Section 16, Township 74 North, Range 26 West of the 5th P. M., Iowa described as follows: Beginning at the NW corner of the SE¼ of the SE¼ of the NE¼ of said Section 16, thence N 86°16' E along the North line of the SE¼ of the SE¼ of the NE¼ of said Section 16 a distance of 317.0 feet; thence South 70.0 feet; thence N 86°16' E 60.0 feet; thence South 399.6 feet; thence S 86°16' W 377.0 feet; thence North 469.6 feet to the point of beginning, all in the Town of Truro, Madison County, Iowa.

Dated at Winterset, Iowa, this 31st day of May, 1972.

Mary E. Welty

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

7

CERTIFICATE OF THE CLERK OF THE DISTRICT COURT

OF MADISON COUNTY, IOWA

I, Margaret Wheeler, to 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:

> A part of the SE¼ of the SE¼ of the NE¼ of Section 16, Township 74 North, Range 26 West of the 5th P. M., Iowa described as follows: Beginning at the NW corner of the SE¼ of the SE¼ of the NE¼ of said Section 16, thence N 86°16' E along the North line of the SE¼ of the SE¼ of the NE¼ of said Section 16 a distance of 317.0 feet; thence South 70.0 feet; thence N 86°16' E 60.0 feet; thence South 399.6 feet; thence S 86°16' W 377.0 feet; thence North 469.6 feet to the point of beginning, all in the Town of Truro, Madison County, Iowa,

is free from all judgments, attachments, mechanics' or other liens.

Dated at Winterset, Iowa, this 31 day of May, 1972.

SEAL OF THE DISTRICT COURT MADISON COUNTY IOWA

Margaret Wheeler

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

8

RESOLUTION: Approving Plat of H & K Subdivision to Truro, Iowa

WHEREAS, there was filed in the office of the Town Clerk of the Town of Truro, Iowa, a registered land surveyor's plat of the proposed addition to be platted of real estate within the Corporate Limits of the Town of Truro, Iowa, owned by Merrill S. Creger and N. Cleo Creger, to be known as H & K Subdivision to Truro, Iowa, which real estate is situated in the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section Sixteen (16), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P. M., and the land comprising said plat is more specifically described as follows, to-wit:

> A part of the SE¼ of the SE¼ of the NE¼ of Section 16, Township 74 North, Range 26 West of the 5th P. M., Iowa, described as follows: Beginning at the NW Corner of the SE¼ of the SE¼ of the NE¼ of said Section 16, thence N 86°16' E along the North line of the SE¼ of the SE¼ of the NE¼ of said Section 16 a distance of 317.0 feet; thence South 70.0 feet; thence N 86°16' E 60.0 feet; thence South 399.6 feet; thence S 86°16' W 377.0 feet; thence North 469.6 feet to the point of beginning, all in the Town of Truro, Madison County, Iowa, and,

WHEREAS, there was also filed with said plat a dedication of plat containing a statement to the effect that the subdivision as it appears on the plat is with the free consent and in accordance with the desire of the proprietors, Merrill S. Creger and N. Cleo Creger, and,

WHEREAS, said plat was accompanied by a complete abstract of title and an opinion from an attorney at law showing that the fee title is in said proprietors and that the platted land is free from encumbrance, and a certified statement from the Treasurer of Madison County, Iowa, that said platted land is free from taxes, and the Clerk of the District Court of Madison County, Iowa, that it is free from all judgments, attachments, mechanics' or other

liens as appears by the record in her office, and from the Recorder of Madison County, Iowa, that the title in fee is in said proprietors and that it is free from encumbrance, and,

WHEREAS, said plat is accompanied by a certificate of John R. Barker, a licensed and registered land surveyor, of Indianola, Iowa, which explains said plat, and,

WHEREAS, this Town Council finds that said plat conforms to the provisions of the law of the State of Iowa, particularly Chapter 409 of the Code of Iowa as applicable thereto, and the ordinances of the Town of Truro, Iowa, and that all provisions of law of the State of Iowa,particularly of Chapter 409 of the Code of Iowa applicable thereto, and of the ordinances of the Town of Truro, Iowa, as applicable thereto, have been complied with and that plat and said instruments and papers and documents presented in connection therewith should be approved by the Town Council, and that said addition be known as H & K Subdivision to Truro, Iowa, should be approved and accepted by the Town of Truro, Iowa, and that the dedication of the portion therein dedicated to the public for use for public street purposes should be accepted by this Town Council for and in behalf of the Town of Truro, Iowa.

NOW THEREFORE, BE IT RESOLVED by the town council of the town of Truro, Iowa:

That said plat for H & K Subdivision to Truro, Iowa, be and the same is hereby approved by the Town Council of the Town of Truro, Iowa, and all of said instruments, papers and documents prepared in connection therewith are hereby approved and that said addition known as H & K Subdivision to Truro be and is hereby approved and accepted by the Town of Truro, Iowa.

The mayor and town clerk are hereby directed to certify this resolution which shall be affixed to said plat to the county recorder of Madison County, Iowa, and attend to the filing and recording of all instruments, papers and documents which should be filed and recorded in connection therewith.

Approved on this 5 day of June, 1972.

Orville Fitzgerald
Orville Fitzgerald
Mayor of the Town of Truro, Iowa

ATTEST:
Karen Lytton
Karen Lytton
Clerk of the Town of Truro, Iowa