F. Marion Austin et al
To
The Public

#1573 A

Fee $12.50 J.M.M.
plat 1.50

Filed for record the 27 day of September A.D. 1967 at 2:21 o'clock P. M.

Mary E. Welty, Recorder

PLAT AND CERTIFICATE FOR AUSTIN'S ADDITION TO ST. CHARLES, IOWA

STATE OF IOWA COUNTY OF MADISON) SS

We, George R. Coutts and Carolyn H. Austin, Mayor and Town Clerk, respectively, of the Town of St. Charles, located in Madison County, Iowa, do hereby certify that the plat to which this certificate is attached is a plat of an addition to the Town of St. Charles, Iowa, designated as Austin's Addition of St. Charles, Iowa, which real estate is described as follows, to-wit:

A tract of land lying in the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Twenty-three (23), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P. M., Madison County, Iowa described as follows, to-wit: Commencing at a point 66 feet East and 305 feet North of the Southeast corner of Lot 8, Block 1 of Clanton's Addition of 1888 to the Town of St. Charles, Iowa, thence running East 264 feet, thence North to the North line of said 40 acre tract, thence West on said North line of said 40 acre tract 264 feet, thence South to the place of beginning.

Said tract may be further described as follows: Commencing at the Northeast corner of Section Twenty-three (23), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa; thence S 84° 58'W, 33.13 feet along the North section line of said Section Twenty-three (23), called the place of beginning; thence continueing S 84° 58'W, 265.0 feet; thence due South, 550.0 feet, thence due East, 264.0 feet, thence due North, 573.2 feet to the place of beginning

which plat was filed with the Town Clerk of the Town of St. Charles, Iowa on September 12, 1967, and was approved by the Town Council of the Town of St. Charles, Iowa by a resolution passed and adopted by said Town Council on September 12, 1967, and approved by the Mayor of said Town of St. Charles, Iowa on September 12, 1967, and that a true, correct and complete copy of said resolution is affixed to said plat and is made a part of the certification made by this certificate,and said Mayor and Town Clerk hereby certify said resolution, and that as part of said plat and of this certification is an attached certificate of engineer, executed by L. T. Hibbs, a licensed and registered land surveyor of Creston, Iowa, dated July 22, 1967, with reference to said plat, which explains said plat and also dedication of plat, duly signed and acknowledged on September 12, 1967, by F. Marion Austin, single and Bernal L. Haynes and Mamie Haynes, husband and wife, with reference to said land platted, and also an opinion from Leonard M. Flander, an attorney at law at Winterset, Iowa, showing that the fee title to said platted real estate is in the proprietors, F. Marion Austin and Bernal L. Haynes, and that the land platted is free from encumbrance, and also a certificate of the Clerk of the District Court of the State of Iowa in and for Madison County, dated September 12, 1967, stating that said real estate platted is free from all judgments, attachments, mechanic's liens or other liens as appears by the record in her office, and also a certificate of the County Recorder of Madison County, Iowa, dated September 12, 1967, stating that the title in fee to said real estate platted is in such proprietors, to-wit: F. Marion Austin, single, and Bernal L. Haynes and Mamie Haynes, husband and wife, and that it is free from encumbrance, and also a certificate, or certified statement, from the County Treasurer of Madison County, Iowa, dated September 12, 1967, that said real estate platted is free from taxes, and a deed of restrictions executed by F. Marion Austin, single, and Bernal L. Haynes and Mamie Haynes, husband and wife, on September 12, 1967, with reference to said real estate; all of which is duly certified in accordance with the provisions of Chapter 409 of the Code of Iowa and all other provisions of law applicable thereto.

Dated and signed at St. Charles, at Madison County, Iowa, and sealed with the official seal of the Town of St. Charles, Iowa on the 27th day of September, 1967.

George R. Coutts,
George R. Coutts, Mayor
of the Town of St. Charles, Iowa.

Carolyn H. Austin
Carolyn H. Austin, Town Clerk
of the Town of St. Charles, Iowa.

STATE OF IOWA COUNTY OF MADISON) SS:

On this 27th day of September, 1967, before me, a Notary Public in and for Madison County, Iowa, personally appeared George R. Coutts, and Carolyn H. Austin, Mayor and Town Clerk, respectively, of the Town of St. Charles, 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 Town Clerk of the Town of St. Charles, Iowa, that the seal affixed to said instrument is the seal of the Town of St. Charles, 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.

(NOTARIAL SEAL)

Beth Flander
Beth Flander Notary Public
in and for Madison County, Iowa.

RESOLUTION - APPROVING PLAT OF AUSTIN'S ADDITION TO ST. CHARLES, IOWA

WHEREAS, on the 12th day of September, 1967, there was filed in the office of the Town Clerk of the Town of St. Charles, 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 St. Charles, Iowa, owned by F. Marion Austin, and Bernal L. Haynes, to be known as Austin's Addition, which real estate is described as follows, to-wit:

A tract of land lying in the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Twenty-three (23), Township seventy-five (75) North, Range Twenty-six (26) West of the 5th P. M. Madison County, Iowa described as follows, to-wit: Commencing at a point 66 feet East and 305 feet North of the Southeast corner of Lot 8, Block 1 of Clanton's Addition of 1888 to the Town of St. Charles, Iowa, thence running East 264 feet, thence North to the North line of said 40 acre tract, thence West on said North line of said 40 acre tract 264 feet, thence South to the place of beginning.

Said tract may be further described as follows: Commencing at the Northeast corner of Section Twenty-three (23), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P. M., Madison County, Iowa; thence S 84° 58'W, 33.13 feet along the North section line of said Section Twenty-three (23), called the place of beginning; thence continueing S 84° 58' W, 265.0 feet; thence due South, 550.0 feet; thence due East, 264.0 feet; thence due North, 573.2 feet to the place of beginning., and

WHEREAS, there was also filed with said plat, on the 12th day of September, 1967, a correct description of the land involved, and 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, F. Marion Austin, single and Bernal L. Haynes and Mamie Haynes, Husband and wife, signed and acknowledged before an officer authorized to take the acknowledgment of deeds, 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 from the Clerk of the District Court of Madison County, Iowa, that it is free from all judgments, attachments, mechanic's or other liens as appears by the records in her office, and from the Recorder of Madison County, Iowa, that the title in fee to said real estate is in such proprietors, and that

it is free from encumbrances, and

WHEREAS, said plat is accompanied by a certificate of L. T. Hibbs, of Creston, Iowa, a licensed and registered land surveyor, which explains said plat, and,

WHEREAS, this Town Council finds that said plat conforms to the provisions of the laws of the State of Iowa, particularly Chapter 409 of the Code of Iowa as applicable thereto, and the ordinances of the Town of St. Charles, Iowa, and that all provisions of law of the State of Iowa, particularly Chapter 409 of the Code of Iowa applicable thereto, have been complied with, and that said instruments and papers and documents presented in connection therewith should be approved by this Town Council, and that said addition known as Austin's Addition in the Town of St. Charles, Iowa should be approved and accepted by the Town of St. Charles, Iowa, and that the dedication of the portions 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 St. Charles, Iowa, and that all easements provided for the benefit of the public utilities of this Town should be accepted.

Now, Therefore, Be it Resolved by the Town Council of the Town of St. Charles, Iowa;

That said plat for Austin's Addition, in the Town of St. Charles, Iowa, be and the same is hereby approved by the Town Council of the Town of St. Charles, Iowa, and by the Town of St. Charles, Iowa, acting through its Town Council, and that said instruments and papers and documents presented in connection therewith are hereby approved, and that such addition known as Austin's Addition, in the Town of St. Charles, Iowa, be and is hereby approved by this Town Council, for and in behalf of the Town of St. Charles, Iowa, and by the Town of St. Charles, Iowa, acting through its Town Council; and that the Mayor and Town Clerk of the Town of St. Charles, Iowa, be and 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 and papers and documents which should be filed and recorded in connection therewith, and that all things should be done to carry out the provisions of Section 409.2 of the Code of Iowa of 1966, so far as applicable, and to carry out any other provisions of Chapter 409 of the Code of Iowa applicable thereto, or any other provisions of law or ordinances applicable thereto.

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

Raymond Tracy	Yes
Robert Hope	Yes
George Day	Yes
Carl Nehring	Yes

Approved by me this 12 day of Sept. 1967.

George R. Coutts
George R. Coutts, Mayor
of the Town of St. Charles, Iowa.

Attest: Carolyn H. Austin
Town Clerk of the Town of
St. Charles, Iowa

STATE OF IOWA MADISON COUNTY) SS

ENGINEER'S CERTIFICATE

July 22, 1967

I hereby certify that the accompanying plat to the best of my knowledge, is a true and correct representation of a survey I made for "AUSTIN'S ADDITION", to the Town of St. Charles, Iowa, as surveyed on the 22nd day of July, 1967, at the request of F. Marion Austin, Bernal Haynes and Mamie Haynes.

Legal Description:

A tract of land lying in the Northeast Quarter of the Northeast Quarter of Section 23, T75N - R26W of the 5th P.M., Madison County, Iowa, described as follows, to-wit: Commencing at a point 66 feet East and 305 feet North of the Southeast corner of Lot 8, Block 1 of Clanton's Addition of 1888 to the Town of St. Charles, Iowa, thence running East 264 feet, thence North to the North line of said 40 acre tract, thence West on said North line of said 40 acre tract 264 feet, thence South to the place of beginning.

Said tract may be further described as follows: Commencing at the Northeast corner of Section 23, T75N - R26 W of the 5th P.M., Madison County, Iowa; thence S 84° 58'W, 33.13 feet along the North section line of said Section 23, called the place of beginning; thence continueing S 84°58'W, 265.0 feet; thence due South, 550.0 feet; thence due East, 264.0 feet; thence due North, 573.2 feet to the place of beginning.

All Lot corners are marked with double iron pipe, one driven on top of the other as indicated on the above plat by small circles. All U. S. Government section corners found, angles turned and measurements taken and recorded are as indicated on the above plat.

By L. T. Hibbs
L. T. Hibbs Registered Professional
Civil Engineer and Land Surveyor
Iowa License No. 5031
Creston, Iowa P.S. B-4 pp 25-29

(SURVEYOR'S SEAL)

FOR PLAT SEE TOWN PLAT BOOK 1, PAGE 158.

AUSTIN'S ADDITION
TO
ST. CHARLES, IOWA

F. MARION AUSTIN, BERNAL L. HAYNES, and MAMIE HAYNES To THE PUBLIC : DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENTS: That we, F. Marion Austin, single, and Bernal L. Haynes and Mamie Haynes, husband and wife do hereby certify that we are the sole owners and proprietors of the following described real estate, to-wit:

A tract of land lying in the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Twenty-three (23), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P. M., Madison County, Iowa described as follows, to-wit: Commencing at a point 66 feet East and 305 feet North of the Southeast corner of Lot 8, Block 1 of Clanton's Addition of 1888 to the Town of St. Charles, Iowa, thence running East 264 feet, thence North to the North line of said 40 acre tract, thence West on said North line of said 40 acre tract 264 feet, thence South to the place of beginning.

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That the disposition of said land as shown by the annexed plat and Engineer's Certificate is with our free consent and in accordance with our desires and we dedicate to the public for use as public streets so much of the above described land as is by said plat set apart and designated as Sharon Circle, and we, F. Marion Austin, single, and Bernal L. Haynes and Mamie Haynes, husband and wife relinquish our right of dower therein, to-wit: SHARON CIRCLE

IN WITNESS WHEREOF, we have hereunto set our hands this 12th day of September, 1967.

F. Marion Austin
F. Marion Austin
Bernal L. Haynes
Bernal L. Haynes
Mamie Haynes
Mamie Haynes

STATE OF IOWA MADISON COUNTY) SS

On this 12th day of September, 1967, before me, the undersigned, a Notary Public in and for Madison County, Iowa, personally appeared F. Marion Austin, Bernal L. Haynes, and

Mamie Haynes 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.

(NOTARIAL SEAL)

Leonard M. Flander
Leonard M. Flander Notary Public
in and for Madison County, Iowa.

CERTIFICATE OF THE CLERK OF THE DISTRICT COURT OF
THE STATE OF IOWA IN AND FOR MADISON COUNTY

I, Marguerite Morrissey, hereby certify that I am the duly elected and acting Clerk of the District Court of the State of Iowa in and for Madison County; that the following described real estate situated in Madison County, Iowa, to-wit:

A tract of land lying in the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Twenty-three (23), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P. M., Madison County, Iowa described as follows, to-wit: Commencing at a point 66 feet East and 305 feet North of the Southeast corner of Lot 8, Block 1 of Clanton's Addition of 1888 to the Town of St. Charles, Iowa, thence running East 264 feet, thence North to the North line of said 40 acre tract, thence West on said North line of said 40 acre tract 264 feet, thence South to the place of beginning.

Said tract may be further described as follows: Commencing at the Northeast corner of Section Twenty-three (23), Township Seventy-five (75) North, Range Twenty six (26) West of the 5th P.M., Madison County, Iowa; thence S84° 58'W, 33.13 feet along the North section line of said Section Twenty three (23), called the place of beginning; thence continueing S 84° 58' W, 265.0 feet; thence due South, 550.0 feet; thence due East, 264.0 feet; thence due North, 573.2 feet to the place of beginning.

belonging to F. Marion Austin and Bernal L. Haynes and Mamie Haynes, husband and wife, is free from all judgments, attachments, mechanic's liens or other liens as the same appears of record in my office.

Dated at Winterset, Iowa, this 12 day of Sept. 1967.

(DISTRICT COURT SEAL)

Marguerite Morrissey
Marguerite Morrissey
Clerk of the District Court of Iowa
in and for Madison County.

CERTIFICATE OF 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 F. Marion Austin, single, and Bernal L. Haynes and Mamie Haynes, husband and wife, are now the fee simple owners and record title holders of the following described real estate, to-wit:

A tract of land lying in the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Twenty-three (23), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P. M., Madison County, Iowa described as follows, to-wit: Commencing at a point 66 feet East and 305 feet North of the Southeast corner of Lot 8, Block 1 of Clanton's Addition of 1888 to the Town of St. Charles, Iowa, thence running East 264 feet, thence North to the North line of said 40 acre tract, thence West on said North line of said 40 acre tract 264 feet, thence South to the place of beginning.

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and that the same is free from encumbrance.

Dated at Winterset, Iowa, the 12 day of September, 1967.

(RECORDER'S SEAL)

Mary E. Welty, Recorder
By Shirley G. Henry, Deputy
Mary E. Welty, County Recorder
of Madison County, Iowa.

CERTIFICATE OF COUNTY TREASURER OF MADISON COUNTY, IOWA

I, Earl B. Frey, hereby certify that I am the duly elected and acting County 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 tract of land lying in the Northeast Quarter (NE)¼ of the Northeast Quarter (NE)¼ of Section Twenty three (23), Township Seventy five (75) North, Range Twenty six (26) West of the 5th P. M., Madison County, Iowa described as follows, to-wit: Commencing at a point 66 feet East and 305 feet North of the Southeast corner of Lot 8, Block 1 of Clanton's Addition of 1888 to the Town of St. Charles, Iowa, thence running East 264 feet, thence North to the North line of said 40 acre tract, thence West on said North line of said 40 acre tract 264 feet, thence South to the place of beginning.

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Dated at Winterset, Iowa, this 12 day of September, 1967.

(TREASURER'S SEAL)

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

LEONARD M. FLANDER
Attorney At Law
Gallery Building
104 West Court Ave.
Winterset, Iowa 50273
Area Code 515 Phone 462-4912

F. Marion Austin
Bernal L. Haynes
Mamie Haynes
Town Council of St. Charles, Iowa
To The Public

September 12, 1967

TO WHOM IT MAY CONCERN:

I have examined the title to the real estate legally described as:

A tract of land lying in the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Twenty-three (23), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P. M., Madison County, Iowa described as follows, to-wit: Commencing at a point 66 feet East and 305 feet North of the Southeast corner of Lot 8, Block 1 of Clanton's Addition of 1888 to the Town of St. Charles, Iowa, thence running East 264 feet, thence North to the North line of said 40 acre tract, thence West on said North line of said 40 acre tract 264 feet, thence South to the place of beginning.

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as disclosed by an abstract of title being abstract No. 10187 of the Madison County Land & Title Company of Winterset, Iowa and continuations thereto, containing in all 44 entries, numbered 1 to 44 inclusive, covering the period from the date of the original entry to and including the 18th day of July, 1967 at 8:00 o'clock A.M. and last certified to by the Security Loan and Abstract Company of Winterset, Iowa.

On the date and time last mentioned above, I find title to be in, BERNAL L. HAYNES AND F. MARION AUSTIN.

I hereby certify that the fee simple title to the above described real estate is held by Bernal L. Haynes and F. Marion Austin and that there are no other encumbrances of any kind within the meaning of Chapter 409 of the Code of Iowa, 1966.

Respectfully submitted,
Leonard M. Flander
Leonard M. Flander LMF/bf

RECEIPT FOR ABSTRACT OF TITLE

Received of Carolyn H. Austin, Town Clerk of the Town of St. Charles, Iowa abstract of title covering real estate platted as the addition known as Austin's Addition to St. Charles, Iowa, which abstract is referred to in the Attorney's Opinion by Leonard M. Flander, attorney, dated September 12, 1967, which is part of the certification made to the office of the County Recorder of Madison County, Iowa, September 27, 1967, by the Mayor and Town Clerk of the Town of St. Charles, Iowa, for said Austin's Addition to St. Charles, Iowa.

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

RECEIPT FOR ABSTRACT OF TITLE

Received of Mary E. Welty, Madison County Recorder, abstract covering real estate platted as the addition known as Austin's Addition to St. Charles, Iowa, owned by F. Marion Austin and Bernal L. Haynes and Mamie Haynes.

Dated September 27, 1967.

Leonard M. Flander
COMPARED Leonard M. Flander, Attorney