Town Lot Deed Record, No. 39

Catherine Ann Croft et al To	#1893 A	Filed for record the 28 day of November A.D. 1967 at 4:47 o'clock P. M.
The Public	Fee $13.50 Plat 1.50 J.M.M.	Mary E. Welty, Recorder

PLAT Record 1 - Page 206

PLAT AND CERTIFICATE FOR KINGERY COURT ADDITION TO WINTERSET, IOWA

STATE OF IOWA MADISON COUNTY) SS

We, Wayne Newton and O. D. Simmons, Mayor and City Clerk, respectively, of the City of Winterset, 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 City of Winterset, Iowa, designated as Kingery Court Addition to Winterset, Iowa, which real estate is described as follows, to-wit:

> A tract of land commencing at the Northeast corner of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28), West of the 5th P.M. running thence West 653.5 feet, thence South 3°47 minutes East 138.90 feet, thence due South 60 feet, thence East 637 feet, thence North 198 feet to the point of Beginning,

which plat was filed with the City Clerk of the City of Winterset, Iowa, on November 24, 1967, and was approved by the City Council, of the City of Winterset, Iowa, by a resolution

passed and adopted by the said City Council on November 24, 1967, and approved by the Mayor of said City of Winterset, Iowa, on November 24,1967, 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 City Clerk hereby certify said resolution, and that as part of said plat and of this certification is an attached certificate of engineer, executed by Gene Hardy, a licensed and registered land surveyor of Adel, Iowa, dated November 17, 1967, with reference to said plat, which explains said plat and also dedication of plat, duly signed and acknowledged on September 29, 1967, by Catherine Ann Croft and Stanley Croft, wife and husband, Eugene H. Kingery and Maxine Kingery, husband and wife, Richard Kingery and Merle Kingery, husband and wife, Ruth Thomas, widow, Harlan G. Denton and Gertrude Denton, husband and wife, and Lee Banks and Mildred Banks, 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, named above and who signed the dedication, 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 November 20th, 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 November 20th, 1967, stating that thetitle in fee to said real estate platted is in such proprietors, to-wit: as stated above, and that it is free from encumbrance, and also a certificate or certified statement, from the County Treasurer of Madison County, Iowa, dated November 20th, 1967, that said real estate platted is free from taxes, and 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 Winterset, in Madison County, Iowa, and sealed with theofficial seal of the City of Winterset, Iowa, on the 27 day of November, 1967.

(CITY OF WINTERSET SEAL)

Wayne Newton
Wayne Newton Mayor
of the City of Winterset, Iowa.
O. D. Simmons
O. D. Simmons City Clerk
of the City of Winterset, Iowa.

STATE OF IOWA MADISON COUNTY) SS

On this 27 day of November, 1967, before me, a Notary Public in and for Madison County, Iowa, personally appeared Wayne Newton and O. D. Simmons, Mayor and City Clerk, respectively, of the City of Winterset, 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 City Clerk of the City of Winterset, Iowa, that the seal affixed to 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)

Martha K. Paton Notary Public
in and for Madison County, Iowa.

RESOLUTION - APPROVING PLAT OF
KINGERY COURT ADDITION TO WINTERSET, IOWA

WHEREAS, on the 24 day of November, 1967, there was filed in the office of the City Clerk of the City of Winterset, Iowa, a registered land surveyor's plat of the proposed addition to be platted of real estate within the corporate limits of the City of Winterset,

Iowa, owned by Catherine Ann Croft, and Stanley Croft, wife and husband, Eugene H. Kingery and Maxine Kingery, husband and wife, Richard Kingery and Merle Kingery, husband and wife Ruth Thomas, widow, Harlan G. Denton and Gertrude Denton, husband and wife and Lee Banks and Mildred Banks, husband and wife, to be known as Kingery Court Addition which real estate is described as follows, to-wit:

> A tract of land commencing at the Northeast corner of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eighy (28), West of the 5th P.M. running thence West 653.5 feet, thence South 3°47 minutes East 138.90 feet, thence due South 60 feet, thence East 637 feet, thence North 198 feet to the point of beginning,

WHEREAS, there was also filed with said plat, on the 24 day of November, 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 owners and the proprietors, as named above, 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, mechanics' 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 Gene Hardy of Adel, Iowa, a licensed and registered land surveyor, which explains said plat, and,

WHEREAS, said plat has been approved by the City Planning and Zoning Commission of the City of Winterset, Iowa, and,

WHEREAS, this City 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 City of Winterset, Iowa, and that all provisions of law of the State of Iowa, particularly Chapter 409 of the Code of Iowa applicable thereto, and of the ordinances of the City of Winterset, Iowa, have been complied with, and that said instruments and papers and documents presented in connection therewith should be approved by this City Council, and that said addition known as Kingery Court in the City of Winterset, Iowa, should be approved, and accepted by the City of Winterset, Iowa.

Now, Therefore, Be it Resolved by the City Council of the City of Winterset, Iowa:

That said plat for Kingery Court Addition, in the City of Winterset, Iowa, be and the same is hereby approved by the City Council of the City of Winterset, Iowa, and by the City of Winterset, Iowa, acting through its City Council, and that said instruments and papers and documents presented in connection therewith are hereby approved, and that such addition know as Kingery Court, in the City of Winterset, Iowa, be and is hereby approved by this City Council, for and in behalf of the City of Winterset, Iowa, and by the City of Winterset, Iowa, acting through its City Council; and that the Mayor and City Clerk of the City of Winterset, 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 City Council voted as follows:

Wayne Estell	Yes
A. J. Henrichs	Yes
Kenneth Kirkpatrick	Yes
Earl Brown	Yes

Approved by me this 24 day of November, 1967:

(CITY OF WINTERSET SEAL)

Wayne Newton
Wayne Newton, Mayor
of the City of Winterset, Iowa.

Attest: O. D. Simmons
O. D. Simmons, City Clerk
of the City of Winterset, Iowa.

KINGERY COURT OF WINTERSET, IOWA

CERTIFICATE OF ENGINEER

I, Gene R. Hardy, a registered professional Civil Engineer and land surveyor do hereby certify that at the request of Catherine Ann Croft and Stanley Croft, wife and husband, Eugene H. Kingery and Maxine Kingery, husband and wife, Richard Kingery and Merle Kingery, husband and wife, Ruth Thomas, widow, Harlan G. Denton and Gertrude Denton, husband and wife, and Lee Banks and Mildred Banks, husband and wife, I have surveyed and set iron stakes at the corners of the lots as shown on the attached plat of Kingery Court. That the distances marked on said plat are correct and are marked in feet; that said Kingery Court is described as follows, to-wit:

A tract of land commencing at the Northeast corner of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28), West of the 5th P. M. running thence West 653.5 feet, thence South 3°47 minutes East 138.90 feet, thence due South 60 feet, thence East 637 feet thence North 198 Feet to the point of beginning.

That the plat is divided into four (4) lots.

(REGISTERED LAND SURVEYOR SEAL)

Gene R. Hardy PE&LS #3374
Gene R. Hardy, Registered Land Surveyor.

Subscribed and sworn to before me by Gene R. Hardy, this 17th day of November, 1967.

(NOTARIAL SEAL)

Leonard M. Flander
Notary Public

FOR PLAT SEE TOWN PLAT RECORD
NO. 1 PAGE 206

KINGERY COURT OF WINTERSET, IOWA

STANLEY CROFT, CATHERINE ANN CROFT, EUGENE H. KINGERY, MAXINE KINGERY, HARLAN G. DENTON, GERTRUDE DENTON, RICHARD KINGERY, MERLE KINGERY, RUTH THOMAS AND LEE BANKS AND MILDRED BANKS,
TO
THE PUBLIC

DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENTS: That we, Catherine Ann Croft and Stanley Croft, wife and husband, Eugene H. Kingery and Maxine Kingery, husband and wife, Richard Kingery and Merle Kingery, husband and wife, Ruth Thomas, widow, and Harlan G. Denton and Gertrude Denton, husband and wife, and Lee Banks and Mildred Banks, 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 commencing at the Northeast corner of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28), West of the 5th P. M. running thence West 653.5 feet, thence South 3°47 minutes East 138.90 feet, thence due South 60 feet, thence East 637 feet thence North 198 feet to the point of beginning.

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.

IN WITNESS WHEREOF, we have hereunto set out hands this 29th day of September, 1967.

Stanley Croft
Stanley Croft
Catherine Ann Croft
Catherine Ann Croft
Eugene H. Kingery
Eugene H. Kingery
Maxine Kingery
Maxine Kingery
Harlan G. Denton
Harlan G. Denton
Gertrude E. Denton
Gertrude E. Denton
Richard Kingery
Richard Kingery
Merle Kingery
Merle Kingery
Ruth Thomas
Ruth Thomas
Lee Banks
Lee Banks
Mildred Banks
Mildred Banks

STATE OF IOWA MADISON COUNTY) SS

On this 29th day of September, 1967, before me, the undersigned, a Notary Public in and for Madison County, Iowa, personally appeared, Stanley Croft, Catherine Ann Croft, Eugene H. Kingery, Maxine Kingery, Harlan G. Denton, Gertrude E. Denton, and Ruth Thomas to me known to be the identical persons named in and who executed the foregoing instrument and acknowledge 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

STATE OF COLORADO LARIMER COUNTY) SS

On this 25th day of September, 1967, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Richard Kingery and Merle Kingery to me known to be the identical persons named in and who executed the foregoing instrument and acknowledge that they executed the same as their voluntary act and deed.

(NOTARIAL SEAL)

Anna H. Trindle
Anna H. Trindle Notary Public
My commission expires May 4, 1969.

STATE OF IOWA MADISON COUNTY) SS

On this 17th day of November, 1967, before me, the undersigned, a Notary Public in and for Madison County, Iowa, personally appeared Lee Banks and Mildred Banks to me known to be the identical persons named in and who executed the foregoing instrument and acknowledge 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.

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

November 20, 1967

City of Winterset
To Whom it may concern

Re: Title Opinion 11/67 F2

Gentlemen:

The following is my certification of the estate of the title to the property described to the body herein:

I have examined the title to the premises legally described as:

A tract of land commencing at the Northeast corner of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eighy (28), West of the 5th P.M. running thence West 653.5 feet, thence South 3°47minutes East 138.90 feet, thence due South 60 feet, thence East 637 feet, thence North 198 feet to the point of beginning,

as disclosed by an abstract of title being Abstract No. 7086 of the office of C. M. Condit, abstractor, and continuations thereto covering the period from the date of the original

entry to and including November 7, 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: Catherine Ann Croft, Eugene H. Kingery, Richard Kingery, Ruth Thomas, Harlan G. Denton and Gertrude E. Denton, Husband and wife and Lee Banks and Mildred Banks, Husband and wife.

The examination of this abstract discloses the fee title above described real estate to be in the proprietors named above and that the land described above and being platted is free from any and all encumberances on the premises within the meaning of Chapter 409 of the Code of Iowa, 1966.

Respectively submitted,
Leonard M. Flander
Leonard M. Flander

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 commencing at the Northeast corner of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M. running thence West 653.5 feet, thence South 3° 47 minutes East 138.90 feet, thence due South 60 feet, thence East 637 feet thence North, 198 feet to the point of beginning,

belonging to Catherine Ann Croft and Stanley Croft, wife and husband, Eugene H. Kingery and Maxine Kingery, husband and wife, Richard Kingery and Merle Kingery, husband and wife, Ruth Thomas, widow, Harlan G. Denton and Gertrude Denton, husband and wife, and Lee Banks and Mildred Banks, 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 20 day of November, 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 Catherine Ann Croft and Stanley Croft, wife and husband, Eugene H. Kingery and Maxine Kingery, husband and wife, Richard Kingery and Merle Kingery, husband and wife, Ruth Thomas, widow, Harlan G. Denton and Gertrude Denton, husband and wife, and Lee Banks and Mildred Banks, 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 commencing at the Northeast corner of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28), West of the 5th P.M. running thence West 653.5 feet, thence South 3°47 minutes East 138.90 feet, thence due South 60 feet, thence East 637 feet, thence North 198 feet to the point of beginning,

and that the same is free from encumbrance.

Dated at Winterset, Iowa, this 20 day of November, 1967.

(RECORDER'S SEAL)

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

CERTIFICATE OF COUNTY TREASURER OF MADISON COUNTY, IOWA

I, Earl B. Frey, do hereby certify that I am theduly 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 commencing at the Northeast corner of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28), West of the 5th P.M. running thence West 653.5 feet, thence South 3° 47 minutes East 138.90 feet, thence due South 60 feet, thence East 637 feet, thence North 198 feet to the point of beginning,

Dated at Winterset, Iowa, this 20th day of November, 1967.

(TREASURER'S SEAL)

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

RECEIPT FOR ABSTRACT OF TITLE

Received of O. D. Simmons, City Clerk of the City of Winterset, Iowa, abstract of title covering real estate platted as the addition known as Kingery Court Addition to Winterset, Iowa, which abstract is referred to in the Attorney's Opinion by Leonard M. Flander, attorney, dated November 20, 1967, which is part of the certification made to the office of the County Recorder of Madison County, Iowa, November 28, 1967, by the Mayor and Town Clerk of the City of Winterset, Iowa, for said Kingery Court Addition to Winterset, 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 Kingery Court Addition to Winterset, Iowa, owned by Catherine Croft, et al.

Dated November 28, 1967.

COMPARED

Leonard M. Flander
Leonard M. Flander, Attorney