FIDLAR & CHAMBERS CO., DAVENPORT, IOWA 52804

FOR PLAT AND CERTIFICATION SEE TOWN PLAT 1 - 80

Chester K. Ledlie
To
The Public

#1758A

Fee $13.50
Plat $1.50 I.M.M.

Filed for record the 30 day of December A.D. 1968 at 1:57 o'clock P. M.

Mary E. Welty, Recorder

DEDICATION AND STATEMENT CONCERNING PLAT OF
C. K. LEDLIE'S SUB-DIVISION, DIVISION NO. 1
TO EARLHAM, MADISON COUNTY, IOWA

KNOW ALL MEN BY THESE PRESENTS: That I, Chester K. Ledlie, a single person, in consideration of the enchancement of the value of the real estate when sub-divided into town building lots, do hereby CONVEY and DEDICATE unto the Town of Earlham, Iowa, all of the Streets as shown on the attached Plat of real estate located within the corporate limits of the Town of Earlham, Iowa, and described as follows, to-wit:

> Beginning at the center of Section Six (6), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, Thence East 320 Feet; thence South 627 Feet; thence East 40 Feet; to the true point of beginning; Thence South 673 Feet; thence East 170 feet; thence North 673 Feet; thence West 170 Feet to the true point of beginning, being within the corporate limits of and comprising a part of the Town of Earlham, Madison County, Iowa.

That the foregoing real estate has been platted and is known as C. K. Ledlie's Sub-Division, Division No. 1, to Earlham, Madison County, Iowa and contains six (6) lots numbered from 1 to 6 inclusive. That this sub-division and platting of the above described real estate as shown by the aforesaid Plat attached hereto, is with the free consent and in accordance with the desire of the above named proprietor.

I hereby certify 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 and that I hold title in fee simple to said above described real estate.

Dated at Earlham, Iowa, this December 23, 1968.

Chester K. Ledlie
(Chester K. Ledlie)

STATE OF IOWA MADISON COUNTY : SS

On this December 23, 1968, before me, the undersigned Notary Public, in and for Madison County, Iowa, personally appeared Chester K. Ledlie, to me personally known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed for the purpose therein expressed.

(NOTARIAL SEAL)

H. Claude Peer
(H. Claude Peer) Notary Public
in and for Madison County, Iowa.

RESTRICTIVE COVENANTS CONCERNING C. K. LEDLIE'S SUB-DIVISION,
DIVISION NO. 1 TO EARLHAM, IOWA

KNOW ALL MEN BY THESE PRESENTS: That C. K. Ledlie, a single person, being the owner of all of the real estate included within the Plat of C. K. Ledlie's Sub-Division, Division No. 1 to Earlham, Iowa, as the same is described by said Plat, and the Dedication thereof to which these Restrictive Covenants are to be attached, and in order to maintain the character of each of said lots, do hereby covenant and agree with all persons who may hereafter purchase such lots that the use of such lots is restricted and the sale of said lots is subject to the covenants running with the land as hereinafter enumerated:

FIDLAR & CHAMBERS CO., DAVENPORT, IOWA 52804

(a) All Lots described herein shall be known, described and used solely as residential lots, and no structure shall be erected on any building plot other than one detached single family dwelling not to exceed 2 stories in height and a family garage which may or may not be attached to the said dwelling.

(b) No building shall be erected on a residential building plot, nearer than 25 feet to nor farther than 30 feet from any front lot line, nor nearer than 8 feet to any side plot line. Side line restriction shall not apply to any garage located on the rear quarter of a lot, except no portion of the building shall be within two (2) feet of any lot line, except on corner lots no structure shall be within 15 feet of the side street line.

(c) No trailer, basement, tent, shack, garage, barn or any other outbuilding erected in the tract, shall at any time be used as a residence temporarily or permanently, neither shall any residence of a temporary character be permitted.

(d) No building shall be erected unless the design and the location is in harmony, with other existing structures and locations in the tract and does not violate any Protective Covenants. In any case, no dwelling shall be permitted on any lot described herein having a ground floor square foot heated living area, exclusive of porch and garage, of less than 950 square feet in any size of dwelling.

(e) The title holder of each lot, vacant or improved, shall keep any of the said lot or lots free of weeds and debris.

(f) That no obnoxious or offensive trade shall be carried on upon any lot, nor shall anything be done thereon which is or may become an annoyance or nuisance to the neighborhood.

(g) These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until 1993, at which time covenants shall be automatically extended for successive periods of ten years unless by the vote of the majority of the then owners of the lots, it is agreed to change the said covenants, in whole, or in part.

(h) If the parties hereto, or any of them, or their heirs, or assigns, shall violate or attempt to violate any of the covenants or restrictions herein, before 1993, it shall be lawful for any other person or persons owning any other of the lots in said development or addition, to prosecute any proceedings at law, or in equity against the person or the persons violating or attempting to violate any covenant or restriction, and either to prevent him or them from doing so or to recover damages for such violation.

(i) Invalidation of any one of these covenants by judgment or court order shall in no wise affect any other provision which shall continue to remain in full force and effect.

Dated at Earlham, Iowa, this December 23, 1968.

Chester K. Ledlie
(Chester K. Ledlie)

STATE OF IOWA MADISON COUNTY : SS

On this December 23, 1968, before me, the undersigned Notary Public in and for Madison County, Iowa, personally appeared Chester K. Ledlie, to me personally known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed for the purposes therein expressed.

(NOTARIAL SEAL)

H. Claude Peer
(H. Claude Peer) Notary Public
in and for Madison County, Iowa.

H. CLAUDE PEER
Attorney-At-Law
Earlham, Iowa 50072

December 23, 1968

Mr. C. K. Ledlie
Earlham, Iowa 50072

FIDLAR & CHAMBERS CO., DAVENPORT, IOWA 98634

Dear Mr. Ledlie:

I have this day examined abstract of title from the date of the Government Entry to December 23, 1968, at 8:00 o'clock A. M. to the following described real property, to-wit:

Lots One (1), Two (2), Three (3), Four (4), Five (5) and Six (6) of C. K. Ledlie's Sub-Division, Division No. 1 to the Town of Earlham, Madison County, Iowa, also described as:

Beginning at the center of Section Six (6) Township Seventy-seven (77), North of Range Twenty-eight (28) West of the 5th P. M., Madison County, Iowa thence East 320 Feet, thence South 627 Feet, thence East 40 Feet to the true point of beginning; thence South 673 Feet, thence East 170 feet, thence North 673 Feet, thence West 170 Feet to the true point of beginning, being within the corporate limits of and comprising a part of the Town of Earlham, Madison County, Iowa.

and I find legal title of record to be held by: Chester K. Ledlie 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 insane liens.
4. There are no bankruptcy proceedings shown.
5. There are no special assessments unpaid as shown by abstract.
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 1967, due and payable in 1968, and previous years are paid.
9. That Chester K. Ledlie holds good and merchantable title of record.

You are bound to take notice of the rights of persons actually in possession of the real estate and the right of material men and laborers to file claims for mechanic's liens by reason of having furnished material or labor in the improvement of the premises. Such claim of lien must be filed by a principal contractor within ninety days and by a sub-contractor within sixty days from the date on which the last of the material was furnished or the last of the labor was performed. None appear to have been filed except such as may be mentioned in this opinion. The correctness of lot, acreage, and boundary lines is not assured by this opinion. In order to ascertain the correctness of lot, acreage, and boundary lines, it is necessary to have the premises surveyed by a qualified engineer. You should also determine the fence lines with adjoining land owners together with the rights of drainage.

Respectfully submitted,
H. Claude Peer
H. Claude Peer
Earlham, Iowa

TREASURER'S CERTIFICATE

STATE OF IOWA MADISON COUNTY : SS

I, Earl Frey, Treasurer of Madison County, Iowa, do hereby certify that according to the records in my office, there are no personal taxes against Chester K. Ledlie and there are no property taxes against the following described real estate, to-wit:

Beginning at the center of Section Six (6), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, Thence East 320 Feet; Thence South 627 Feet; Thence East 40 Feet to the true point of beginning; Thence South 673 Feet; Thence East 170 Feet; Thence North673 Feet; Thence West 170 Feet to the true point of beginning being within the corporate limits of and comprising a part of the Town of Earlham, Madison County, Iowa.

Dated at Winterset, Iowa, this 23rd day of December, 1968.

(TREASURER'S SEAL)

Earl B. Frey Treasurer
of Madison County, Iowa

FIDLAR & CHAMBERS CO., DAVENPORT, IOWA 52804

RECORDER'S CERTIFICATE

STATE OF IOWA MADISON COUNTY : SS

I, Mary E. Welty, Recorder of Madison County, Iowa, do hereby certify that according to the records in my office, that Chester K. Ledlie 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 the center of Section Six (6), Township Seventy-seven (77) North, of Range Twenty-eight (28) West of the 5th P. M., Madison County, Iowa, Thence East 320 Feet; Thence South 627 Feet, Thence East 40 Feet to the true point of beginning, Thence South 673 Feet, Thence East 170 Feet, Thence North 673 Feet; Thence West 170 Feet to the true point of beginning being within the corporate limites of and comprising a part of the Town of Earlham, Madison County, Iowa.

Dated at Winterset, Iowa, this 23rd day of December, 1968.

(RECORDER'S SEAL)

Mary E. Welty Recorder
of Madison County, Iowa

CLERK'S CERTIFICATE

STATE OF IOWA MADISON COUNTY : SS

I, Marguerite Morrissey, Clerk of the District Court of Iowa, in and forMadison County, do hereby certify that according to the records in said office, there are no judgments, attachements, mechanic's liens or other liens of record against Chester K. Ledlie, or against the following described real estate, to-wit:

Beginning at the center of Section Six (6) Township seventy-seven (77) North, of Range Twenty-eight (28) West of the 5th P. M., Madison County, Iowa, Thence East 320 Feet; Thence South 627 Feet; Thence East 40 Feet to the true point of beginning; Thence South 673 Feet; Thence East 170 Feet; Thence North 673 Feet; Thence West 170 Feet to the true point of beginning, being within the corporate limits of and comprising a part of the Town of Earlham, Madison County,Iowa.

Dated at Winterset, Iowa, this 23 day of December, 1968.

(DISTRICT COURT SEAL)

Marguerite Morrissey Clerk
of the District Court of
Madison County, Iowa.

RESOLUTION ACCEPTING SUB-DIVISION OF C. K. LEDLIE'S SUB-DIVISION, DIVISION NO. 1 TO EARLHAM, IOWA

WHEREAS, C. K. Ledlie, a single person, has caused to be platted certain real estate lying within the corporate limits of the Town of Earlham, Iowa and which Plat is now on file in the office of the Clerk of the Town of Earlham, Iowa, and which Plat covers the following described real estate, to-wit:

Beginning at the Center of Section Six (6) Township Seventy-seven (77) North, of Range Twenty-eight (28) West of the 5th P. M., Madison County, Iowa, Thence East 320 Feet; Thence South 627 Feet; Thence East 40 Feet to the true point of beginning; Thence South 673 Feet; Thence East 170 Feet; Thence North 673 Feet; Thence West 170 Feet to the true point of beginning, being within the corporate limits of and comprising a part of the Town of Earlham, Madison County, Iowa.

WHEREAS, said Plat subdivides the aforesaid property into 6 lots numbered from 1 to 6 inclusive, with streets dividing and lying adjacent to said lots as designated on said Plat.

WHEREAS, said Plat is also accompanied by the following:

1. Restrictive Covenants pertaining to said lots.

2. Abstract of Title from Government Entry to date.

3. H. Claude Peer's legal opinion that said abstract shows good fee simple title to the above described real estate to be vested in Chester K. Ledlie, free and clear of all liens and emcumbrances.

FIDLAR & CHAMBERS CO., DAVENPORT, IOWA 52804

4. Certificate of Recorder of Madison County, Iowa, that the fee simple title, free and clear of all liens and encumbrances, to said real estate, is vested in the aforesaid proprietor thereof.

5. Certificate of Treasurer of Madison County, Iowa, that there are no personal or real property taxes against the aforesaid proprietor of said real estate.

6. Certificate of Clerk of the District Court of Madison County, Iowa, that there are no judgments, attachments, mechanic's liens or other liens of record against the aforesaid proprietor, or said real estate.

WHEREAS, full compliance has been had with the laws of the State of Iowa for the platting of said C. K. Ledlie's Sub-Division, Division No. 1 to Earlham, Iowa.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Earlham, Iowa that the aforesaid C. K. Ledlie's Sub-Division Division No. 1 to Earlham, Iowa, together with the Plat thereof and the streets as designated thereon be accepted by the Town of Earlham, Iowa.

BE IT FURTHER RESOLVED that the aforesaid plat attached hereto be and the same is hereby approved and the Mayor and Clerk of the Town of Earlham, Iowa, be and they are directed to certify this Resolution affixed to the aforesaid Plat for the purpose of filing the same with the Recorder of Madison County, Iowa, as required by law.

PASSED AND APPROVED this 23 day of December, 1968.

Raymond S. Flinn
Mayor of Town of Earlham, Iowa.
Attest: John J. Moreland Clerk
of the Town of Earlham, Iowa

CERTIFICATE OF MAYOR AND CLERK OF THE TOWN OF EARLHAM, IOWA

We, the undersigned, being the Mayor and the Clerk of the Town of Earlham, Iowa, hereby certify that in a regular meeting of the Town Council of Earlham, Iowa, with all members of said Council being present, that the foregoing and attached Resolution was presented and on motion duly made and seconded, was unanimously adopted.

Dated at Earlham, Iowa this December 23, 1968.

(TOWN OF EARLHAM SEAL)

Raymond S. Flinn Mayor
of the Town of Earlham, Iowa
ATTEST: John J. Moreland Clerk
of the Town of Earlham, Iowa

CERTIFICATE OF TOWN CLERK

I, John J. Moreland, Town Clerk, of the Town of Earlham, Madison County, Iowa, do hereby certify that by resolution of the Town Council December 23, 1968, C. K. Ledlie's Sub-Division, Division No. 1, to the Town of Earlham, Iowa, was accepted by the full Council and there was presented and accepted by the Town Council of Earlham, Iowa, the plat of C. K. Ledlie's Sub-Division, Division No. 1, signed by John B. Chapman; the Attorney's opinion signed by the examining attorney, H. Claude Peer; the Certificate of the Mayor and Town Clerk; the Resolution accepting C. K. Ledlie's Sub-Division, Division No. 1; the Dedication and Statement concerning plat of C. K. Ledlie's Sub-Division, Division No. 1, to Earlham, Madison County, Iowa, by the owner thereof; the Certificate of the Clerk of the District Court of Madison County, Iowa; the Certificate of the Treasurer of Madison County, Iowa; the Certificate of the Recorder of Madison County, Iowa, the Restrictive Covenants signed by the owner of said real property, and attached hereto are the respective resolutions and certificates adopted by the Town Council of Earlham, Iowa, on the day and year written thereon, to be made of record in the office of the Recorder of Madison County, Iowa.

Signed this 23 day of December A.D. 1968.

COMPARED

(TOWN OF EARLHAM SEAL)

John J. Moreland
Town Clerk