John R. Wilson, et al.
To
The Public

#3052A
Fee $10.80
Plat $1.00

Filed for record the 17 day of August A. D. 1959 at 2:30 o'clock P. M.
Mary E. Welty, Recorder

PLAT AND CERTIFICATE FOR SECOND WEST COURT ADDITION

TO WINTERSET, IOWA

VG.H

STATE OF IOWA, COUNTY OF MADISON, CITY OF WINTERSET, SS:

We, A. E. Emerson and O. D. Simmons, Mayor and City Clerk, respectively, of the City of Winterset, Iowa, 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 Second West Court Addition to Winterset, Iowa, located on a tract of real estate located in the North Half of the Southwest Quarter of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P. M., and described as follows, to wit: A tract of real estate, bounded by and included within a line running as follows: Commencing at a point 522.7 feet West of the Southeast corner of the Northeast Quarter (¼) of the Southwest Quarter (¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P. M., Madison County, Iowa, thence West 0° 00' 300.8 feet, thence North 0° 22' West 546 feet, thence East 0° 00' 170 feet, thence South 0° 22' East 132 feet, thence East 0° 00' 185.62 feet, thence South 0° 22' East 120 feet, thence West 0° 00' 55.17 feet, and thence South 0° 22' East 294 feet to the place of beginning, which plat was filed with the City Clerk of the City of Winterset, Iowa, on August 10, 1959, and was approved by the City Council of the City of Winterset, Iowa, by a resolution passed and adopted by said City Council on August 10, 1959, and approved by the Mayor of said City of Winterset, Iowa, on August 10, 1959, 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 R. Hardy, a licensed and registered engineer and land surveyor, of Winterset, Iowa, dated August 10, 1959, with reference to said plat and which explains said plat, and also dedication of plat, duly signed and acknowledged on August 10, 1959, by John R. Wilson and Flossie Wilson, husband and wife, and E. Ilo Mason, a single person, with reference to said land platted, and also an opinion from Shirley A. Webster, an attorney at law at Winterset, Iowa, showing that the fee title to said platted real estate is in the said proprietors, John R. Wilson and Flossie Wilson and E. Ilo Mason, 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

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in and for Madison County, dated August 10, 1959, stating that said real estate platted is free from all judgments, attachments, mechanic's or other liens as appears by the record in her office, and also a certificate of the County Recorder of Madison County, Iowa, dated August 10, 1959, stating that the title in fee to said real estate platted is in such proprietors, to wit: John R. Wilson and Flossie Wilson and E. Ilo Mason, and that it is free from encumbrance, and also a certificate, or certified statement, from the County Treasurer of Madison County, Iowa, dated August 10, 1959, that said real estate platted is free from taxes, and also a deed of restrictions executed by John R. Wilson and Flossie Wilson, husband and wife, and E. Ilo Mason, a single person, on August 10, 1959, 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 Winterset, Iowa, in Madison County, Iowa, and sealed with the official seal of the City of Winterset, Iowa, on the 15th day of August, 1959.

A. E. Emerson,
(A. E. Emerson)
Mayor of the City of Winterset, Iowa,

(CITY OF WINTERSET SEAL)

O D Simmons,
(O. D. Simmons)
City Clerk of the City of Winterset, Iowa.

STATE OF IOWA, Madison County, ss:

On this 15th day of August, 1959, before me, a Notary Public in and for Madison County, Iowa, personally appeared A. E. Emerson 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 is the seal of the City of Winterset, 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.

Marguerite Gallery,
(Marguerite Gallery)
Notary Public in and for Madison County, Iowa.

(NOTARIAL SEAL)

SECOND WEST COURT ADDITION TO WINTERSET, IOWA

CERTIFICATE OF ENGINEER

I, Gene R. Hardy, a registered engineer, residing in Winterset, Madison County, Iowa, do hereby certify that at the request of John R. Wilson, Flossie Wilson, and E. Ilo Mason, I have surveyed and have set iron stakes at the corners of the lots as shown on the attached plat of Second West Court Addition to Winterset, Iowa; that the distances marked on said plat are correct and marked in feet; that the location and width of street is as shown on said plat; that said Second West Court Addition to Winterset, Iowa comprises real estate located in the North Half (½) of the Southwest Quarter (¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., and the land composing said plat is more particularly described as follows; towit:

> Commencing at a point 522.7 feet West of the Southeast corner of the Northeast Quarter (¼) of the Southwest Quarter (¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, thence West 0°00' 300.8 feet, thence North 0° 22' West 546 feet, thence East 0° 00' 170 feet, thence South 0° 22' East 132 feet, thence East 0° 00' 185.62 feet, thence South 0° 22' East 120 feet, thence West 0° 00' 55.17 feet, and thence South 0° 22' East 294 feet to the place of beginning.

That the following described real estate shown on said plat is dedicated to the public for use as a public street, to-wit:

Commencing at a point 522.7 feet due West and North 0° 22' West 244 feet of the Southeast Corner of the Northeast Quarter (¼) of the Southwest Quarter (¼) of Section 36, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa thence West 0° 00' 130.8 feet, thence South 0° 22' East 244 feet, thence West 0° 00' 50 feet, thence North 0° 22' West 546 feet, thence East 0° 00' 50 feet, thence South 0° 22' East 252 feet, thence East 0° 00' 130.8 feet, and thence South 0° 22' East 50 feet to the place of beginning.

That in addition to that portion of plat previously described as being dedicated to the public for use as public streets, the remaining area of real estate shown on said plat is subdivided into lots and numbered 1 through 12 as shown on said plat, commencing at the Northeast corner of said plat.

That the description of said lots (interpreting the directions below to mean as follows: North to be North 0° 22' West; South to be South 0° 22' East; East to be East 0° 00' and West to be West 0°00') is as follows:

Lot 1 and 2 are 120 feet North and South

Lot 1 is 93 feet East and West

Lot 2 is 92.62 feet East and West

Lot 3, 4, and 5 are 130.8 feet East and West

Lot 3 is 81 feet North and South

Lot 4 is 82 feet North and South

Lot 5 is 81 feet North and South

Lot 6, 7, 8, 9, 10, 11, and 12 are 120 feet East and West

Lot 6, 7, and 8 are each 79 feet North and South

Lot 9 is 66 feet North and South

Lot 10 is 83 feet North and South

Lot 11 is 78 feet North and South

Lot 12 is 82 feet North and South.

Gene R. Hardy
Gene R. Hardy, Registered Engineer

Subscribed and sworn to before me by Gene R. Hardy this 10th day of August, A.D. 1959.

Charles E. Tucker Jr.
Notary Public in and for Madison County, Iowa

(NOTARIAL SEAL)

FILED
AUG 10 1959
O. D. SIMMONS
CITY CLERK
WINTERSET, IA

FOR RECORDED PLAT SEE TOWN PLAT RECORD 1, PAGE 53

PLAT OF SECOND WEST COURT ADDITION TO WINTERSET, IOWA

JOHN R. WILSON, FLOSSIE WILSON, AND E. ILO MASON : TO THE PUBLIC : DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENTS:

That we, John R. Wilson and Flossie Wilson, husband and wife, and E. Ilo Mason, a single person, do hereby certify that we are the sole owners and properietors of the following described real estate, to-wit:

A tract of real estate located in the North Half (½) of the Southwest Quarter (¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., and described as follows:

Commencing at a point 522.7 feet West of the Southeast corner of the Northeast Quarter (¼) of the Southwest Quarter (¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, thence West 0° 00' 300.8 feet, thence North 0° 22' West 546 feet, thence East 0° 00' 170 feet, thence South 0° 22' East 132 feet, thence East 0° 00' 185.62 feet, thence South 0° 22' East 120 feet, thence West 0° 00' 55.17 feet, and thence South 0° 22' East 294 feet 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 each hereby 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 an extension of West Court Avenue and Tenth Avenue in the City of Winterset, Iowa, and we each hereby relinquish all rights of dower therein.

IN WITNESS WHEREOF, we have hereunto set our hands this 10th day of August, 1959.

John R. Wilson
John R. Wilson
Flossie Wilson
Flossie Wilson
E. Ilo Mason
E. Ilo Mason

STATE OF IOWA :
: ss
MADISON COUNTY :

On this 10th day of August, 1959, before me, the undersigned, a Notary Public in anf for Madison County, in said state, personally appeared John R. Wilson, Flossie Wilson, and E. Ilo Mason 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.

Charles E. Tucker Jr.
(NOTARIAL SEAL) Notary Public in and for Madison County, Iowa

LAW OFFICES
WEBSTER & FREDERICK
FARMERS' & MERCHANTS' BANK BLDG. PHONE 153
WINTERSET, IOWA

July 29, 1959 29-7-592A

Members of City Council
City of Winterset, Iowa

Gentlemen:

Kindly be advised that we have this day examined abstract of title purporting to show the chain of title to the following described real estate, to-wit:

> All that part of the North Half (½) of the Southwest Quarter (¼) of Section Thirty-six (36), in Township Seventy-six (76) North, of Range Twenty-eight (28) West of the 5th P. M., lying and being South of the State road leading West from the City of Winterset, Iowa, to Council Bluffs, Iowa, said State road being on a direct line with and a continuation due Westward of Jefferson Street in said City of Winterset, except a tract described as follows: Commencing at the Northeast Corner thereof, running thence West on the South line of said Jefferson Street so extended Westward a distance of 651 feet, thence South 0° 22' East, 132 feet, thence East 90.47 feet, thence South 0° 22' East 120 feet, thence East 37.83 feet, thence South, 0° 22' East, 294 feet to the South line of said North Half (½) of the Southwest Quarter (¼), thence East 522.7 feet to the Southeast Corner of said North Half (½) of the Southwest Quarter (¼), thence North, 0° 22' West, 546 feet to the place of beginning;

from the United States Government to date of last continuation to-wit: July 25, 1959 at 12 o'clock M.

Members of the City Council
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In connection with the examination of this abstract, we find that said abstract shows merchantable title in fee simple to be in:

> JOHN R. WILSON AND FLOSSIE WILSON, HUSBAND AND WIFE, AS JOINT TENANTS, WITH SOLE RIGHT OF SURVIVORSHIP, AND NOT AS TENANTS IN COMMON

In our opinion, this is a complete abstract of title from the United States Government to date of July 25, 1959, and shows the real estate described therein to be free from any encumbrance.

We have also examined abstract of title purporting to show the chain of title to the following described real estate, to-wit:

Commencing at a point 467.53 feet West and 294 feet North of the Southeast Corner of the Northeast Quarter (¼) of the Southwest Quarter (¼) of Section Thirty-six (36), in Township 76 North, of Range 28 West of the 5th P. M., running thence West 0° 00' 93 feet, thence North, 0° 22' West 120 feet, thence East 0° 00' 93 feet, thence South, 0° 22' East 120 feet to the place of beginning;

from the United States Government to date of last continuation, to-wit: July 25, 1959 at 12 O'clock M.

In connection with such examination, we find that said abstract shows merchantable title in fee simple to be in:

E. ILO MASON

subject to the following:

1. In the Warranty Deed as shown at Entry No. 37 of said abstract wherein the real estate under examination is conveyed to the said E. Ilo Mason by John R. Wilson and Flossie Wilson, husband and wife, we find a notation in said Deed as follows:

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"The grantors herein reserve a perpetual easement for utility purposes of electrical light lines and poles to the City of Winterset, Iowa or their assigns and a perpetual easement for telephone lines and poles to the Northwestern Bell Telephone Company or their assigns with the right to construct, erect, maintain, and remove the same with the right of ingress and egress by, on, through, over and in the North 5 feet of the above described real estate".

I am of the opinion that said reservation of easement would vest rights in the City of Winterset, Iowa, and in the Northwestern Bell Telephone Company as well as reserving rights to the grantors, John R. Wilson and Flossie Wilson in the strip covered by said easement.

Said abstract appears to be a complete abstract of title from the United States Government to date of July 25, 1959, and shows the real estate described therein to be free from any encumbrance other than the easement above noted.

Respectfully submitted,
WEBSTER & FREDERICK
By Shirley A. Webster
Farmers & Merchants Bank Building
Winterset, Iowa
Examining Attorneys

CERTIFICATE OF THE CLERK OF THE DISTRICT

COURT 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, to-wit:

A tract of real estate located in the North Half (½) of the Southwest Quarter (¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., and described as follows:

Commencing at a point 522.7 feet West of the Southeast corner of the Northeast Quarter (¼) of the Southwest Quarter (¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, thence West 0° 00' 300.8 feet, thence North 0° 22' West 546 feet, thence East 0° 00' 170 feet, thence South 0° 22' East 132 feet, thence East 0° 00' 92.62 feet, thence South 0° 22' East 120 feet, thence East 0° 00' 37.83 feet, and thence South 0° 22' East 294 feet to the place of beginning,

belonging to John R. Wilson and Flossie Wilson; and a tract of real estate and located in the same said Quarter section, and described as follows, to-wit:

Commencing at a point 467.53 feet West and 294 feet North of the Southeast Corner of the Northeast Quarter (¼) of the Southwest Quarter (¼) of Section Thirty-six (36), in Township 76 North, of Range 28 West of the 5th P.M., running thence West 0° 00' 93 feet, thence North 0° 22' West 120 feet, thence East 0° 00' 93 feet, thence South 0° 22' East 120 feet to the place of beginning, and

belonging to E. Ilo Mason is free from all judgements, attachments, mechanic's liens or

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other liens as the same appear of record in my office.

Dated at Winterset, Iowa this 10th day of August A. D. 1959.

(DISTRICT COURT SEAL)

Marguerite Morrissey
Marguerite Morrissey, Clerk of the District Court of the State of Iowa in and For Madison County.

CERTIFICATE OF COUNTY RECORDER

OF

MADISON COUNTY, IOWA

I, Mary E. Welty, the duly elected and acting Recorder of Madison County, Iowa, hereby certify that the title in fee to the following described real estate, to-wit:

A tract of real estate located in the North Half (½) of the Southwest Quarter (¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., and described as follows:

Commencing at a point 522.7 feet West of the Southeast corner of the Northeast Quarter (¼) of the Southwest Quarter (¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., thence West 0° 00' 300.8 feet, thence North 0° 22' West 546 feet, thence East 0° 00' 170 feet, thence South 0° 22' East 132 feet, thence East 0° 00' 92.62 feet, thence South 0° 22' East 120 feet, thence East 0° 00' 37.83 feet, and thence South 0° 22' East 294 feet to the place of beginning,

is in John R. Wilson and Flossie Wilson; and the fee to the following described real estate located in the same said Quarter Section, to-wit:

Commencing at a point 467.53 feet West and 294 feet North of the Southeast Corner of the Northeast Quarter (¼) of the Southwest Quarter (¼) of Section Thirty-six (36), in Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., running thence West 0° 00' 93 feet, thence North 0° 22' West 120 feet, thence East 0° 00' 93 feet, thence South 0° 22' East 120 feet to the place of beginning,

is in E. Ilo Mason and all the above described real estate is free from all encumbrances, all as shown by the records in my office.

Dated at Winterset, Iowa this 10 day of August A.D. 1959.

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

CERTIFICATE OF COUNTY TREASURER
OF
MADISON COUNTY, IOWA

I, C. A. McMurray, 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 tract of real estate located in the North Half (½) of the Southwest Quarter (¼) of Section 36, Township 76 North, Range 28 West of the 5th P.M., and described as follows:

Commencing at a point 522.7 feet West of the Southeast corner of the Northeast Quarter (¼) of the Southwest Quarter (¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, thence West 0° 00' 300.8 feet, thence North 0° 22' West 546 feet, thence East 0° 00' 170 feet, thence South 0° 22' East 132 feet, thence East 0° 00' 185.62 feet, thence South 0° 22' East 120 feet, thence West 0° 00' 55.17 feet, and thence South 0° 22' East 294 feet to the place of beginning.

Dated at Winterset, Iowa, this 10 day of August A.D., 1959.

C. A. McMurray
C. A. McMurray, County Treasurer

DEED OF RESTRICTIONS

JOHN R. WILSON AND FLOSSIE WILSON, HUSBAND AND WIFE
E. ILO MASON, A SINGLE PERSON
TO
THE PUBLIC

KNOW ALL MEN BY THESE PRESENTS:

That we, John R. Wilson and Flossie Wilson, husband and wife and E. Ilo Mason, a single

person, of Winterset, Madison County, Iowa, are now the fee simple owners and record title holders of separate tracts which together constitute the following described real estate to-wit:

A tract of real estate located in the North Half (½) of the Southwest Quarter (¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., and described as follows:

Commencing at a point 522.7 feet West of the Southeast corner of the Northeast Quarter (¼) of the Southwest Quarter (¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, thence West 0° 00' 300.8 feet, thence North 0° 22' West 546 feet, thence East 0° 00' 170 feet, thence South 0° 22' East 132 feet, thence East 0° 00' 185.62 feet, thence South 0° 22' East 120 feet, thence West 0° 00' 55.17 feet, and thence South 0° 22' East 294 feet to the place of beginning,

being platted by the Grantors as Second West Court Addition to Winterset, Iowa.

That the said owners do hereby impose and subject said real estate to certain regulations, covenants, restrictions and easements as to the use and occupancy thereof, as follows:

A. All lots described herein shall be known, described, and used solely as residential lots, and no structure shall be erected on any residential building lot other than one detached single family dwelling not to exceed two stories in height and a one or two car garage.

B. No building shall be erected on any residential building plot nearer than 30 feet to nor father than 48 feet from the front lot line, nor nearer than 5 feet to any side lot line. The side line restriction shall not apply to a garage located on the rear one-quarter of a lot, except that on corner lots no structure shall be permitted nearer than 5 feet to the side street line.

C. No residential lot shall be resubdivided into building plots having less than 5000 square feet of area or a width of less than 60 feet each, nor shall any building be erected on any residential building plot having an area of less than 5000 feet.

D. No trailer, basement, tent, shack, garage, barn or other out building erected in the tract shall at any time be used as a residence temporarily or permanently, nor shall any residence of a temporary character be permitted.

E. No building shall be erected on any lot unless the design and location is in harmony with 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 feet area of less than 720 square feet in the case of a one-story structure nor less than 572 square feet in the case of a one and one-half or two story structure.

F. Title holder of each lot, vacant or improved, shall keep his lot or lots free of weeds and debris.

G. No obnoxious or offensive trade shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

H. These covenants are to run with the land, and shall be binding on all parties and all persons claiming under them until August 3, 1984 at which time said covenants shall be automatically extended for successive periods of ten years unless by a vote of the majority of the then owners of the lots, it is agreed to change the said covenants in whole or in part.

I. 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 August 3, 1984 it shall be lawful for any person or persons owning any other lots in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant or restriction and either to prevent him or them from so doing or to recover damages or other dues for such violation.

J. Invalidation of any one of these covenants by judgement or court order shall in no

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wise affect any of the other provisions which shall remain in full force and effect.

K. A perpetual easement for utility purposes of electrical light lines and poles is given to the City of Winterset, Iowa or their assigns and a perpetual easement for telephone lines and poles is given to the Northwestern Bell Telephone Company or their assigns with the right to construct, erect, maintain, and remove the same with the right of ingress and egress by, on, through, over and in the following described land: the North 5 feet of lots 1 and 2 the South 6 feet of lot 6, the East 5 feet of lots 3,4, and 5, and the West 6 feet of lots 6, 7, 8, 9, 10, 11, and 12, and West 6 feet of Lot 2. It is understood that the foregoing covenants and easements shall run with the land above described.

Dated at Winterset, Iowa on this 10 day of August, 1959.

John R. Wilson
John R. Wilson

Flossie Wilson
Flossie Wilson

E. Ilo Mason
E. Ilo Mason

STATE OF IOWA

MADISON COUNTY : ss

On this 10 day of August, 1959, before me, the undersigned, a Notary Public in and for Madison County, in said state, personally appeared John R. Wilson, Flossie Wilson, and E. Ilo Mason 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)

Charles E. Tucker, Jr.
Notary Public in and for Madison County, Iowa

RESOLUTION - Approving Plat of
Second West Court Addition
to Winterset, Iowa.

WHEREAS, there was on the 10th day of August, 1959, filed in the office of the City Clerk of the City of Winterset, Iowa, a plat of the proposed addition to be platted of real estate within the Corporate Limits of the City of Winterset, Iowa, owned by John R. Wilson and Flossie Wilson, who are husband and wife, and E. Ilo Mason, a single person, to be known as Second West Court Addition to Winterset, Iowa, situated in the North Half of the Southwest Quarter of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P. M., and described as follows, to-wit:
A tract of real estate bounded by and included within a line running as follows:

Commencing at a point 522.7 feet West of the Southeast corner of the Northeast Quarter (NE¼) 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., Madison County, Iowa, thence West 0° 00' 300.8 feet, thence North 0° 22' West 546 feet, thence East 0° 00' 170. feet, thence South 0°22' East 132 feet, thence East 0°00' 185.62 feet, thence South 0°22' East 120 feet, thence West 0°00' 55.17 feet, and thence South 0°22' East 294 feet to the place of beginning, and,

WHEREAS, there was also filed with said plat, on the 10th day of August, 1959, 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, signed and acknowledged by the proprietors and the spouse of the proprietor having a spouse, 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 the proprietors and that the platted land is free from encumbrance, and a certified statement from the Treasurer of Madison County, Iowa, that said land platted 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 record in her office, and from the Recorder of Madison County, Iowa, that the title in fee is in such proprietors and that it is free from encumbrance, and,

WHEREAS, said plat is accompanied by a certificate of Gene R. Hardy, a licensed and registered engineer and surveyor, of Winterset, Iowa, which explains said plat, and,

WHEREAS, there was also filed with said plat, on the10th day of August, 1959, an instrument entitled "Deed of Restrictions", executed by said John R. Wilson and Flossie Wilson, husband and wife, and E. Ilo Mason, a single person, with reference to said platted land, and,

WHEREAS, this City Council does not make any requirements for installation of sidewalks, paving, sewers, water, gas, and electric utilities, or platting of alleys in said tract, other than such as are shown by said plat and said instruments hereinbefore mentioned, before the approval of said plat, and,

WHEREAS, the recommendation of the City Planning and Zoning Commission of the City of Winterset, Iowa, has been obtained, recommending the approval of said plat, and,

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

Now, Therefore, Be It Resolved by the City Council of the City of Winterset, Iowa: That said plat for said Second West Court Addition to Winterset, Iowa, be and the same is hereby approved by the City Council of the City of Winterset, Iowa, for and in behalf 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 said addition, known as Second West Court Addition to Winterset, Iowa, be and is hereby approved and accepted, and that the dedication of the portion therein dedicated to the public for use for public street purposes be and is hereby approved and accepted by this City Council, for and on 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

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shall be done to carry out the provisions of Section 409.12 of the Code of Iowa, 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 applicable thereto.

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

Clarence Johnson	Yes
Earl W. Brown	Yes
Wilbur Callison	Yes
Bernard Wight	Yes

Approved by me this 10th day of August, 1959:

(Signed) A. E. Emerson

(CITY OF WINTERSET SEAL)

Mayor of the City of Winterset, Iowa

Attest: O. D. Simmons (Signed)

City Clerk of the City of Winterset, Iowa

COMPARED