City of Winterset, Iowa
By O. D. Simmons, Clerk
To
The Public

#1267

Fee $4.50 ✓E.H
Plat 1.50 ✓E.H

Filed for record the 9 day of April A. D. 1963 at 1:30 o'clock P. M.

Mary E. Welty, Recorder

Plat see Town Plat Book 1, Page 200

CERTIFICATE AS TO ANNEXATION OF TERRITORY TO THE CITY OF WINTERSET, IOWA.

STATE OF IOWA, County of Madison, City of Winterset, Iowa, ss:

I, O. D. Simmons, City Clerk of the City of Winterset, Iowa, do hereby certify and state:

That the said City of Winterset, Iowa, is now, and at all times mentioned herein has been a municipal corporation, a city under the laws of the State of Iowa, situated in Madison County, Iowa, and that I, the undersigned, O. D. Simmons, am now, and at all times mentioned herein have been, the City Clerk of said City of Winterset, Iowa, that on the 18th day of February, 1963, Elmer E. Libby, Bessie Libby and Winterset Building Corporation, a corporation of Winterset, Iowa, being all of the owners of the territory hereinafter described, executed an application in writing to the City Council of the City of Winterset, Iowa, which was filed in the office of the City Clerk of the City of Winterset, Iowa, making application that such territory, being territory adjoining the City of Winterset, Iowa, be annexed to the City of Winterset, Iowa, such territory being described as follows, to wit:

> The North Half (N½) of the North Half (N½) of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 36, Township 76 North, Range 28 West of the 5th P. M.,

and that there was attached to said application a plat of such territory showing the situation with reference to the existing limits of the City of Winterset, Iowa, and that, on the 4th day of March, 1963, the City Council of the City of Winterset, Iowa, assented thereto, by resolution of said City Council passed and adopted on the 4th day of March, 1963, and approved by the Mayor of the City of Winterset, Iowa, on the 4th day of March, 1963, in accordance with the provisions of Section 362.30 of the Code of Iowa of 1962, and that by reason thereof such territory has been annexed to the City of Winterset, Iowa, and is now a part of the City of Winterset, Iowa, and that attached hereto, marked Exhibit "One" and made part

hereof, is a true and correct and complete copy of said application, and that attached hereto, marked Exhibit "Two" and made part hereof is a true and correct and complete copy of said plat which was attached to said application as Exhibit "A" and that attached hereto, marked Exhibit "Three" and made part hereof, is a true and correct and complete copy of said resolution of the City Council of the City of Winterset, Iowa, with the approval of the Mayor of the City of Winterset, Iowa, thereon, attested by this City Clerk of the City of Winterset, Iowa, and this transcript is certified for filing for record in the office of the County Recorder, Madison County, Iowa, in which said City of Winterset, Iowa, is located, in accordance with Section 362.33 of the Code of Iowa of 1962.

WITNESS MY HAND AND THE SEAL of the City of Winterset, Iowa, the 9th day of April, 1963.

(CITY OF WINTERSET, IOWA, SEAL)

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

STATE OF IOWA, Madison County, ss:

On this 9th day of April, 1963, before me, a Notary Public in and for Madison County, Iowa, personally appeared O. D. Simmons, to me personally known, and to me known to be the duly and legally qualified and acting City Clerk of the City of Winterset, Iowa, and to me known to be the person who executed the above and foregoing certificate as such City Clerk, and who, being by me duly sworn, did say that he is the City Clerk of said City of Winterset, Iowa, and that the seal affixed to the above and foregoing certificate is the seal of said City of Winterset, Iowa, and did say and acknowledge that he executed the above and foregoing certificate as such City Clerk, as his voluntary act and deed.

(NOTARIAL SEAL)

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

RESOLUTION - Annexation of Libby and
Winterset Building Corporation Territory

WHEREAS, Elmer E. Libby, Bessie Libby and Winterset Building Corporation, a corporation, of Winterset, Iowa, being all of the owners of the following described territory adjoining the City of Winterset, Iowa, to wit:

The North Half (N½) of the North Half (N½) of the Southwest Quarter (SW¼) of the Southwest Quarter of Section 36, in Township 76 North, Range 28 West of the 5th P. M.,

which real estate adjoins the City of Winterset, Iowa, on the west side thereof, have made application in writing to the City Council of the City of Winterset, Iowa, that such territory be annexed to the City of Winterset, Iowa, and have attached to said application a plat of such territory, showing the situation with reference to the existing limits of the City of Winterset, Iowa, and,

WHEREAS, the proposition of the annexation of said territory to the City of Winterset, Iowa, has been submitted to and has been approved by the City Planning and Zoning Commission of the City of Winterset, Iowa, and,

WHEREAS, the City Council of the City of Winterset, Iowa, after full consideration, finds that said application and plat are in proper and legal form, and that the annexation of such territory is for the best interests of the City of Winterset, Iowa, and of its inhabitants, and the owners of said property, and of all interested parties, and that this City Council should assent thereto, all in accordance with Section 362.30 of the Code of Iowa,and with the approval of the City Planning and Zoning Commission of the City of Winterset, Iowa.

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

That said application and plat be and are hereby accepted and approved, and that the City Council of the City of Winterset, Iowa, assents to said application and plat, and assents to the annexation of such territory hereinbefore described in this resolution, and that such territory hereinbefore described in this resolution be and become a part of the City of Winterset, Iowa, and that such territory, to wit:

Acme-Blackmar Co., Burlington, #1393

The North Half (N½) of the North Half (N½) of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 36, Township 76 North, Range 28 West of the 5th P. M.,

be and is hereby annexed to the City of Winterset, Iowa, and that the City Clerk of the City of Winterset, Iowa is authorized and directed to make certification and transcript so that this annexation of such territory may be shown in the proper records and plats in offices of county officials of Madison County, Iowa.

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

Duane O. Lauer	Yes	G. R. Glasscock	Yes
Eugene W. Madsen	Yes	Cecil A. Letz	Yes

Approved by me this 4th day of March, 1963.

(CITY OF WINTERSET, IOWA SEAL)

Wayne Newton Mayor
of the City of Winterset, Iowa

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

Exhibit "Three"

APPLICATION FOR ANNEXATION

TO.....THE CITY COUNCIL OF WINTERSET, IOWA:

The undersigned, Elmer E. Libby, Bessie Libby and Winterset Building Corporation hereby make application to the Council of the City of Winterset, Iowa, to annex to the City of Winterset, Iowa, the following described real estate, to-wit:

The North Half (½) of the North Half (½) of the Southwest 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.

which real estate adjoins the City of Winterset, Iowa, on the west thereof.

There is attached hereto and by this reference made a part hereof a plat of the above described real estate which shows the situation thereof with reference to the existing limits of the city.

These petitioners further state that they are the sole owners of the above described real estate and that they make application for this annexation pursuant to the provisions of Section 362.30 of the 1962 Code of Iowa.

Dated at Winterset, Iowa, this 18 day of February, 1963.

(CORPORATE SEAL)

WINTERSET BUILDING CORPORATION
By Herbert T. Reed Pres.

Elmer E. Libby
Elmer E. Libby

Exhibit "One"

Bessie Libby
Bessie Libby

STATE OF IOWA, MADISON COUNTY, SS:

On this 18 day of February, A.D. 1963, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Elmer E. Libby and Bessie Libby, husband and wife to me known to be the identical persons named in and who executed the within and foregoing instrument, to which this is attached, and acknowledged that they executed the same as their voluntary act and deed.

(NOTARIAL SEAL)

Lewis H. Jordan Notary Public
in and for said County.

STATE OF IOWA, MADISON COUNTY, SS:

On this 18 day of February, AD. 1963, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Herbert T. Reed to me personally known, who, being by me duly sworn, did say he is the President of said corporation executing the within and foregoing instrument to which this is attached, that the seal affixed thereto is the seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and that the said Herbert T. Reed as such officer acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by him voluntarily executed.

NOTARIAL SEAL

Lewis H. Jordan Notary Public
in and for said County.