Town Lot Deed Record, No. 35

SQUIRE BLANK BOOK CO., SQUIRE, IOWA 12514-52

Gertrude & L. H. Chatfield
To
Winterset Cemetery
Improvement Association

#4410

Fee $1.80 V.G.H.

Filed for record the 30 day of November A. D. 1956 at 3:00 o'clock P. M.

Mary E. Welty, Recorder

OPTION TO PURCHASE REAL ESTATE

This instrument, dated this 28th day of November, 1956, executed by Gertrude Chatfield and L. H. Chatfield, her husband, of Winterset, Iowa, hereinafter also referred to as the sellers, Witnesseth:

That, in consideration of the sum of One Hundred ($100.00) Dollars, receipt of which is hereby acknowledged, said Gertrude Chatfield and L. H. Chatfield, her husband, hereby give and grant unto the Winterset Cemetery Improvement Association, of Winterset, Iowa, a corporation, the exclusive right or option, for a period of eighteen months from and after the date of this instrument, to purchase the real estate hereinafter described, for the price of Eleven Hundred ($1,100.00) Dollars, and if this option is exercised, said sum of $100.00 paid for this option shall apply upon said purchase price of $1,100.00, but if the option is not exercised, said sum of $100.00 may be retained by the parties of the first part as the consideration for this option.

The real estate on which said option to purchase is given in this instrument is real estate in the City of Winterset, Iowa, described as follows:

> Lots One (1), Two (2), Three (3), and the North Half of Lots Seven (7) and Eight (8), in Block Two (2) in Wilsey's Addition, in the City of Winterset, Iowa, and that part of the vacated alley running east and west through said Block Two (2) which lies between said Lots One (1) and Two (2) and said Lots Seven (7) and Eight (8) hereinbefore mentioned.

It is understood and agreed that if said option is exercised, said Winterset Cemetery Improvement Association, of Winterset, Iowa, a corporation, expects and intends to use said real estate for cemetery purposes, which includes the burial of deceased persons, and the sellers agree that they will never object to the use of said real estate for cemetery purposes, which includes the burial of deceased persons, and, shall never object to the use of any other real estate now owned by said Winterset Cemetery Improvement Association, of Winterset, Iowa, for cemetery purposes, which includes the burial of deceased persons, and this agreement is part of the consideration involved in this transaction.

Said option may be exercised by said Winterset Cemetery Improvement Association, of Winterset, Iowa, by mailing, or by delivering in person, written notice of exercising the same, signed by an officer or other authorized representative of said association, which shall be done not later than the last day of the period during which the option runs, as provided in this instrument.

In the event this option is exercised, the sellers shall furnish to the purchaser a good, merchantable abstract of title, showing good, merchantable title, free and clear of any liens or encumbrances, and shall deliver to the sellers a Warranty Deed for said real estate and possession thereof. If the option is exercised, the sellers shall have a period of forty-five days thereafter for completing the abstract of title and delivering Warranty Deed, and the purchaser shall not be required to complete payment of the balance of the purchase price until merchantable abstract of title, as aforesaid, Warranty Deed, and possession are furnished to the purchaser, and possession shall be given when deed is delivered.

The sellers agree not to sell or encumber the said real estate while this option remains in force, or give anybody any rights of possession or use of said premises which would conflict with the rights of said Winterset Cemetery Improvement Association, of Winterset, Iowa, under this option.

This option and all of the terms of this instrument shall be binding on the heirs, legal representatives, or assigns of the said Gertrude Chatfield and husband.

Gertrude Chatfield
(Gertrude Chatfield)
L. H. Chatfield
(L. H. Chatfield)

STATE OF IOWA, MADISON COUNTY) ss:

On this 28th day of November, 1956, before me, a notary public in and for Madison County, Iowa, personally appeared Gertrude Chatfield and L. H. Chatfield, wife and husband, 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

Laura Garnett Notary Public
in and for Madison County, Iowa.