Town Lot Deed Record, No. 35

John R. & Flossie Wilson #3374A
To
The Public

Fee $11.00 V G.H.

Filed for Record this 12 day of October A. D. 1957 at 11:45 o'clock A. M.

Mary E. Welty, Recorder
Filed December 7, 1957
O. D. [illegible] City Clerk
Winterset, Iowa

WEST COURT ADDITION TO WINTERSET, IOWA

CERTIFICATE OF ENGINEER

I, Gene R. Hardy, a licensed engineer, residing in Winterset, Madison County, Iowa, do hereby certify that at the request of John R. Wilson and Flossie Wilson, I have surveyed and have set iron stakes at the corners of the lots as shown on the attached plat of West Court Addition to Winterset, Iowa; that the distances marked on said plat are correct and are marked in feet; that the location and width of the street is as shown on said plat; that said West Court Addition to Winterset, Iowa comprises real estate located in 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., and the land composing said plat is more particularly described as follows, to-wit:

Plat see Town Plat Book 1, Page 52

Commencing at a point 264 feet West of the Southeast Corner of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) of Section 36, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa, thence West 0° 00' 258.7 feet, thence North 0° 22' West 294 feet, thence East 0° 00' 58.17 feet, thence North 0° 22' West 120 feet, thence East 0° 00' 335.53 feet, thence South 0° 22' East 49.5 feet, thence East 0° 00' 132 feet, thence South 0° 22' East 195.5 feet thence West 0° 00' 134 feet, thence South 0° 22' East 70 feet, thence West 0° 00' 130 feet, thence South 0° 22' East 99 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 due West and North 0° 22' West 244 feet of the Southeast Corner of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) of Section 36, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa thence East 0° 00' 315.3 feet, thence North 0° 22' West 10.5 feet, thence East 0° 00' 36.75 feet, thence Southeasterly 164.5 feet, along a 942 foot radius curve concave Southwesterly, thence South 80° 00' East 7.5 feet, thence North 0° 22' West 38.8 feet, thence West 0° 00' 41.15 feet, thence North 84° 00' West 91.1 feet, thence North 0° 22' West 7 feet, thence West 0° 00' 390.7 feet, thence South 0° 22' East 50 feet to the place of beginning; and also a tract of land commencing at a point 390.2 feet due West and North 0° 22' West 244 feet from the Southeast corner of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) of Section 36, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa, thence South 0° 22' East 20.18 feet, thence East 0° 00' 50 feet, thence North 0° 22' West 20.18 feet, thence West 0° 00' 50 feet to the place of beginning; and also a tract of land commencing at a point 365.2 feet due West and North 0° 22' West 178 feet from the Southeast corner of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) of Section 36, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa and all land included in an area within a 51.5 foot radius from said point rotated through 360°.

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 commences at a point North 0°22' West 277.3 feet from the Southeast corner of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) of Section 36, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa thence West 0° 00' 41.15 feet, thence North 84° 00' West 91.1 feet, thence North 0° 22' West 77.5 feet, thence East 0° 00' 132 feet, thence South 0° 22' East 87.2 feet to the place of beginning.

Lot 2,3,4, and 5 on said plat are all 120 feet North & South

Lot 2 is 75.4 feet East & West

Lot 3 is 74.5 feet East & West

Lot 4 is 111.38 feet East & West

Lot 5 is 74.25 feet East & West

Lot 6 is 90 feet North & South on the West side, 109 feet from a Southwesterly to Northeasterly direction along the Southeast side, 55.52 feet circular distance and 20.18 feet North & South along the East side, and 132.5 feet East and West along the North side.

Lot 7 is 154 feet North and South along the West side, 185.3 feet from a Southwesterly to Northeasterly direction along the Southeast side, 43.74 feet circular distance along the Northeast side, and 109 feet from a Northeasterly to Southwesterly direction along the Northwest side.

Lot 8 is 157.5 feet East and West on the South side, 126.5 feet North and South on the East side, 37.47 feet circular distance along the Northeast side, 185.3 feet from the Northeast to the Southwest along the Northwest side.

Lot 9 is 101.2 feet East & West along the South side, 99 feet North and South along the East side, 77.5 feet from a Southeasterly to Northwesterly direction along the Northeast side, 46.4 feet circular distance along the Northwest side and 126.5 feet North and South along the West side.

Lot 10 is 79 feet North and South along the East side, 106 feet East and West along the North side, 34.17 feet circular distance along the Northwest side, 77.5 feet from a Northwesterly to Southeasterly direction along the Southwest side, and 56.6 feet East and West along the South side.

Lot 11 is 106 feet East and West along the South side, 66 feet North and South along the East side, 132.5 feet East and West along the North side, 20.18 feet North and South and 56.43 feet circular distance along the West side.

Lot 12 commences at a point 207.4 feet due West and North 0° 22' West 265 feet from the Southeast corner of the Northeast Quarter of the Southwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa, thence East 0° 00' 36.75 feet, thence Southeasterly 164.5 feet along a 942 foot radius curve concave Southwesterly, thence South 80° 00' East 7.5 feet thence South 0° 22' East 69.5 feet, thence West 0° 00' 134 feet, thence South 0° 22' East 70 feet, thence West 0° 00' 73.4 feet, thence North 0° 22' West 166 feet to the place of beginning.

In connection with all lot corners that join the Public Right-of-Way of Lots 8,9, and 10, all of said lot corners would intersect at a point 365.2 feet due West and North 0° 22' West 178 feet from the Southeast corner of the Northeast Quarter of the Southwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa, if said lot corners were extended in their present course of direction for a distance of 51.5 feet.

Gene R. Hardy
Gene R. Hardy, Licensed Engineer

Subscribed and sworn to before me by Gene R. Hardy this 2 day of October, 1957.

(NOTARIAL SEAL)

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

PLAT OF WEST COURT ADDITION TO WINTERSET, IOWA

JOHN R. WILSON and FLOSSIE WILSON : TO : DEDICATION OF PLAT

THE PUBLIC :

KNOW ALL MEN BY THESE PRESENTS: That we, John R. Wilson and Flossie Wilson, 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 real estate located in 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. and described as follows:

Commencing at a point two hundred sixty four (264) 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' 258.7 feet, thence North 0° 22' West 294 feet, thence East 0° 00' 55.17 feet, thence North 0° 22' West 120 feet, thence East 0°00' 335.53 feet, thence South 0° 22' East 49.5 feet, thence East 0° 00' 132 feet, thence South 0° 22' East 195.5 feet, thence West 0° 00' 134 feet, thence South 0° 22' East 70 feet, thence West 0° 00' 130 feet, thence South 0° 22' East 99 feet to the place of beginning.

That the disposition of said land, as shown by the annexed plat and Surveyor'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 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 2 day of October, 1957.

John R. Wilson
John R. Wilson
Flossie Wilson
Flossie Wilson

STATE OF IOWA MADISON COUNTY : ss

On this 2 day of October, 1957, before me, the undersigned, a Notary Public in and for Madison County, in said state, personally appeared John R. Wilson and Flossie Wilson 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.

DEED OF RESTRICTIONS

JOHN R. WILSON and FLOSSIE WILSON, HUSBAND AND WIFE TO THE PUBLIC

KNOW ALL MEN BY THESE PRESENTS: That we, John R. Wilson and Flossie Wilson, husband and wife, 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 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., and described as follows:

Commencing at a point two hundred sixty four (264) 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' 258.7 feet, thence North 0° 22' West 294 feet, thence East 0° 00' 55.17 feet, thence North 0° 22' West 120 feet thence East 0° 00' 335.53 feet, thence South 0°22' East 49.5 feet, thence East 0° 00' 132 feet thence South 0° 22' East 195.5 feet, thence West 0° 00' 134 feet, thence South 0° 22' East 70 feet, thence West 0° 00' 130 feet, thence South 0° 22' East 99 feet to the place of beginning,

being platted by Grantors as 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 solelyas 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 32 feet to nor farther than 48 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 foot 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, shall be binding on all parties and all persons claiming under them until October 1, 1982, 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 October 1, 1967, it shall be lawful for any other 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 judgment or court order shall in no 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 3,4, and 5, the West 5 feet of Lot 2, the East 5 feet and the South 5 feet of lot 11, the East, North and South 5 feet of lot 10, the East 5 feet along the East side thereof of lot 9, the S outh 5 feet of lots 8 and 9, and the West 5 feet of lots 6 and 7.

L. A perpetual easement for sanitary sewer pipe purposes is given to the City of Winterset, Iowa 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: a strip of land 10 feet in width, the center of said 10 foot strip located as follows: commencing

at a point on the South line of Lot 1 and East 0° 00' 104 feet from the West line of lot 1, thence in a straight line in a Northeasterly direction on a 18° 32' angle to the boundary line of said lot 1.

It is understood that the foregoing covenants and easements shall run with the land above described.

Dated at Winterset, Iowa on this 2 day of October, 1957.

John R. Wilson
John R. Wilson
Flossie Wilson
Flossie Wilson

STATE OF IOWA MADISON COUNTY : ss

On this 2 day of October, 1957, before me, the undersigned, a Notary Public in and for Madison County, in said state, personally appeared John R. Wilson and Flossie Wilson 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.

October 1, 1957

Winterset City Council
Winterset, Iowa

1-10-572A

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 (N½) of the Southwest Quarter (SW¼) 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 132 feet, thence East 519 feet, thence South 49½ feet, thence East 132 feet, thence North 181½ feet to the place of beginning: also, excepting a tract 16 rods East and West and 6 rods North and South in the Southeast corner thereof and also excepting a tract commencing at a point 6 rods North of the Southeast corner of said North Half (½) of the Southwest Quarter (SW¼) and running thence North 70 feet, thence West 134 feet, thence South 70 feet, thence East 134 feet to the point of beginning,

which description includes the following described real estate to-wit:

Commencing at a point two hundred sixty four (264) 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' 258.7 feet, thence North 0° 22' West 294 feet, thence East 0° 00' 55.17 feet, thence North 0° 22' West 120 feet thence East 0° 00' 335.53 feet, thence South 0° 22' East 49.5 feet, thence East 0° 00' 132 feet, thence South 0° 22' East 195.5 feet, thence West 0° 00' 134 feet, thence South 0° 22' East 70 feet, thence West 0° 00' 130 feet, thence South 0° 22' East 99 feet to the place of beginning.

This abstract shows the title to said real estate from the United States Government to date of last continuation thereof to-wit: September 23, 1957 at 4:00 o'clock P.M., and shows merchantable title to be in: JOHN R. WILSON AND FLOSSIE WILSON, HUSBAND AND WIFE as of date of last continuation thereof, and shows that there are no liens of any character against or affecting the title to said real estate.

Respectfully submitted,

WEBSTER & FREDERICK
by Shirley A. Webster

SAW:ml

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-east 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. and described as follows:

Commencing at a point two hundred sixty four (264) 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' 258.7 feet, thence North 0° 22' West 294 feet, thence East 0° 00' 55.17 feet, thence North 0° 22' West 120 feet thence East 0° 00' 335.53 feet, thence South 0° 22' East 49.5 feet, thence East 0° 00' 132 feet, thence South 0° 22' East 195.5 feet, thence West 0° 00' 134 feet, thence South 0° 22' East 70 feet, thence West 0° 00' 130 feet, thence South 0° 22' East 99 feet to the place of beginning,

belonging to John R. Wilson and Flossie Wilson, is free from all judgments, attachments, mechanics' liens or other liens as the same appear of record in my office.

Dated at Winterset, Iowa, this 25th day of September, A.D., 1957.

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

(DISTRICT COURT SEAL)

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-east 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. and described as follows:

Commencing at a point two hundred sixty four (264) 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' 258.7 feet, thence North 0° 22' West 294 feet, thence East 0° 00' 55.17 feet, thence North 0° 22" West 120 feet thence East 0° 00' 335.53 feet, thence South 0° 22' East 49.5 feet, thence East 0° 00' 132 feet, thence South 0° 22' East 195.5 feet, thence West 0° 00' 134 feet, thence South 0° 22' East 70 feet, thence West 0° 00' 130 feet, thence South 0° 22' East 99 feet to the place of beginning,

is in John R. Wilson and Flossie Wilson, and is free from all encumbrances, all as shown by the records in my office.

Dated at Winterset, Iowa, this 25th day of September, A.D. 1957.

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

(COUNTY RECORDER SEAL)

CERTIFICATE OF COUNTY TREASURER OF MADISON COUNTY, IOWA

I, Fred M. Miller, 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-East 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. and described as follows:

Commencing at a point two hundred sixty four (264) 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' 258.7 feet, thence North 0° 22' West 294 feet, thence East 0° 00' 55.17 feet, thence North 0° 22' West 120 feet, thence East 0° 00' 335.53 feet, thence South 0° 22' East 49.5 feet, thence East 0° 00' 132 feet, thence South 0° 22' East 195.5 feet, thence West 0° 00' 134 feet, thence South 0° 22' East 70 feet, thence West 0° 00' 130 feet, thence South 0° 22' East 99 feet to the place of beginning.

Dated at Winterset, Iowa, this 25th day of September, A.D., 1957.

Being 27.45/100 Acres of West 60 Acres of N ½ SW¼ except .07/100 Acre Sec. 36-76-28.

Fred M. Miller
Fred M. Miller, County Treasurer.

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

WHEREAS, there was on the 7th day of October, 1957, filed in the office of the City Clerk of the City of Winterset, Iowa, a plat of a 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, to be known as West Court Addition to Winterset, Iowa, situated on a tract of real estate located in 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. and described as follows:

Commencing at a point two hundred sixty-four (264) 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 degrees 00 minutes 258.7 feet, thence North 0 degrees 22 minutes West 294 feet, thence East 0 degrees 00 minutes 55.17 feet, thence North 0 degrees 22 minutes West 120 feet, thence East 0 degrees 00 minutes 335.53 feet, thence South 0 degrees 22 minutes East 49.5 feet, thence East 0 degrees 00 minutes 132 feet, thence South 0 degrees 22 minutes East 195.5 feet, thence West 0 degrees 00 minutes 134 feet, thence South 0 degrees 22 minutes East 70 feet, thence West 0 degrees 00 minutes 130 feet, thence South 0 degrees 22 minutes East 99 feet to the place of beginning, and

WHEREAS, there was also filed with said plat,on the 7th day of October, 1957, 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 spouses, before an officer authorized to take the acknowledgement 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 land platted 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 engineer, of Winterset, Iowa, which explains said plat, and,

WHEREAS, there was also filed with said plat, on the 7th day of October, 1957, an instrument entitled "Deed of Restrictions", executed by said John R. Wilson and Flossie Wilson, husband and wife, with reference to said land platted, and,

WHEREAS, this City Council doesnot 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, 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 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 the 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 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 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 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
Lowell L. Olson	Yes
A. C. Brittain	Yes
Charles E. Tucker, Jr.	Yes

Approved by me this 7th day of October, 1957.

(CITY OF WINTERSET SEAL)

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

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

PLAT AND CERTIFICATE FOR WEST COURT ADDITION TO WINTERSET, IOWA

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 West Court Addition to Winterset, Iowa, located on a tract of real estate located in the North east 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. and described as follows:

Commencing at a point two hundred sixty-four (264) 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 degrees 00 minutes 258.7 feet, thence North 0 degrees 22 minutes West 294 feet, thence East 0 degrees 00 minutes 55.17 feet, thence North 0 degrees 22 minutes West 120 feet, thence East 0 degrees 00 minutes 335.53 feet, thence South 0 degrees 22 minutes East 49.5 feet, thence East

For Plat see Town Plat Record 1, Page 52

0 degrees 00 minutes 132 feet, thence South 0 degrees 22 minutes East 195.5 feet, thence West 0 degrees 00 minutes 134 feet, thence South 0 degrees 22 minutes East 70 feet, thence West 0 degrees 00 minutes 130 feet, thence South 0 degrees 22 minutes East 99 feet to the place of beginning,

which plat was filed with the City Clerk of the City of Winterset, Iowa, on October 7, 1957, and was approved by the City Council of the City of Winterset, Iowa, by a resolution passed and adopted by said City Council on October 7, 1957, and approved by the Mayor of said City of Winterset, Iowa, on October 7, 1957, and that a true, correct and complete copy of said resolution is affixed to said plat and is made 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 engineer, of Winterset, Iowa, dated October 2, 1957, with reference to said plat and which explains said plat, and also dedication of plat, duly signed and acknowledged on October 2, 1957, by John R. Wilson and Flossie Wilson, husband and wife, the proprietors, for said West Court Addition to Winterset, Iowa, and also an instrument dated October 2, 1957, entitled "Deed of Restrictions" executed by said John R. Wilson and Flossie Wilson, husband and wife, 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 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 September 25, 1957, stating that said real estate platted is free from all judgments, attachments, mechanics' or other liens as appears by the record in her office, and also a certificate of the County Recorder of Madison County, Iowa, dated September 25, 1957, stating that the title in fee to said real estate platted is in such proprietors, to wit: John R. Wilson and Flossie Wilson, and that it is free from encumbrance, and also a certificate, or certified statement, from the County Treasurer of Madison County, Iowa, dated September 25, 1957, that said real estate platted is free from taxes; 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 11th day of October, 1957.

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

(CITY OF WINTERSET SEAL)

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

STATE OF IOWA, MADISON COUNTY,) SS:

On this 11th day of October, 1957, 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 Notary Public
in and for Madison County, Iowa.

NOTARIAL SEAL