That said Phyllis Howell Hawley, Charlotte Howell Powell and Margaret Howell, are now in complete actual and sole possession of all of said real estate except as may be herein stated, and that they and their predecessors (who held record title thereof) in the recorded chain of title under which they claimed and claim ownership and the right to possession of the said real estate have been, since prior to January 1, 1940, in continuous, actual, visible, open, notorious, exclusive and unquestioned possession thereof, under color of title and claim of right to the exclusive possession as against the world and have improved said property and paid the taxes thereon; that neither the title nor the right to possession of said titleholders or any of those under whom they claim have been disputed or openly attacked by any one. That this affidavit is made from the personal knowledge of the undersigned who is familiar with said real estate, its titleholders and its parties in possession; and is for the purpose of confirming title to the above described real estate under the provisions of Section 614.17 I.C.A., and other statutes relative thereto.

That the undersigned has been familiar with this property for more than fifty (50) years and that most of the period of his life he has lived on an adjoining property and knows the location of the fence lines and the use and occupancy of the above-described property.

Words and phrases herein, including jurat and marginal entry hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

Dated this 7th day of July, 1961.

Hugo H. Howell
Hugo H. Howell Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 7th day of July, 1961.

(Notarial Seal) Philip H. Cless Notary Public in and for said County

POWER OF ATTORNEY

The undersigned, owner in possession of said property as above stated, hereby directs that this affidavit be filed of record and hereby appoints the County Recorder of the County wherein said land is situated as the authorized attorney in fact to file same.

Hugo H. Howell
Agent of Owners in possession

STATE OF IOWA, Madison County, ss.

On this 26 day of July, 1961, before me, the undersigned, Clerk of Court in and for said County, in said State, personally appeared Hugo H. Howell, to me known to be the identical person named in and who executed the within and foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

(DISTRICT COURT SEAL) Marguerite Morrissey Clerk of District Court in and for said County

MARGINAL ENTRY

STATE OF IOWA, COUNTY OF MADISON, ss:

The undersigned Recorder in and for said County in the State aforesaid, hereby certifies that the foregoing affidavit was filed in the said Recorder's Office by the owner in possession as named in said affidavit or by his attorney in fact as shown by the records; and duly recorded and entered on the records thereon on the 26 day of July, 1961.

COMPARED Mary E. Welty Recorder

City of Winterset To The Public | #3193 Fee $2.50 VJS | Filed for record the 29 day of July A. D. 1961 at 11:03 o'clock A. M. Mary E. Welty, Recorder

CERTIFICATE

State of Iowa Madison County City of Winterset) ss

I, O. D. Simmons, City Clerk of the City of Winterset, Iowa, hereby certify that the attached ordinance is a true and correct copy of Ordinance No. 147, passed and adopted by

FOR ORDINANCE PLAT See TOWN PLAT Book 1 - Pg. 175

the City Council of the City of Winterset, Iowa, on July 27, 1961, establishing and designating the fire limits of the City of Winterset, Iowa.

Witness my hand and the Seal of the City of Winterset, Iowa, this 28th day of July, 1961.

(CITY OF WINTERSET SEAL) O. D. Simmons City Clerk of the City of Winterset, Iowa.

ORDINANCE NO. 147

AN ORDINANCE relating to fire limits in the City of Winterset, Iowa, repealing Sections 2 and 3 of Ordinance No. 106 of the City of Winterset, Iowa eliminating Lots 1, 2, 3 and 4 of Block 32 of the Original Town plat of the City of Winterset, Iowa, from the territory within such fire limits, and defining the territory within the fire limits in the City of Winterset, Iowa, to which regulations fixed by Ordinance shall be applicable.

SECTION 1. That Sections 2 and 3 of Ordinance No. 106 of the City of Winterset, Iowa, be and are hereby repealed so as to eliminate Lots 1, 2, 3 and 4 of Block 32 in the Original Town Plat of the City of Winterset, Iowa, from the territory within the fire limits of the City of Winterset, Iowa, and that the provisions hereinafter set out be enacted in lieu thereof.

SECTION 2. That all of the territory included in the following described blocks and parts of blocks in the City of Winterset, Iowa, towit: All of Blocks 3, 4, 10, 11, 12, 16, 17, 18, 23, 24, 25 and 26, and Lots 3, 4, 5, and 6 of Block 2, and Lots 5, 6, 7 and 8 of Block 13, and Lots 1, 2, 7 and 8 of Block 19, and Lots 1, 2, 7 and 8 of Block 22, and Lots 1 and 2 of Block 33, and Lots 1, 2, 3 and 4 of Block 31, and Lots 1, 2, 3 and 4 of Block 30, and Lots 3 and 4 of Block 29, all in the Original Town Plat of the City of Winterset, Iowa, shall be within the fire limits of said City, and all of said territory is hereby established and designated as being within the fire limits of the City of Winterset, Iowa.

SECTION 3. That the provisions of Sections 4 and 5 of Ordinance No. 64 of the City of Winterset, Iowa, shall apply to said territory as fixed by Section 2 of this Ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. That this ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Passed and approved the 27th day of July, 1961.

(CITY OF WINTERSET SEAL) Wayne Newton Mayor of the City of Winterset, Iowa.

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

COMPARED

Gene R. Hardy To The Public

#3203

Fee $1.50 √15

Filed for record the 31 day of July A. D. 1961 at 3:00 o'clock P. M.
Mary E. Welty, Recorder
Shirley G. Henry, Deputy

AFFIDAVIT

STATE OF IOWA MADISON COUNTY) SS

I, Gene R. Hardy being first duly sworn, on oath depose and state that I am a duly licensed and accredited professional engineer and land surveyor. That on the 29 day of July, 1961, I conducted a survey and measurement along and upon certain lands heretofore having been described as follows:

> All that part of the Southeast Quarter of the Northeast Quarter of Section Twenty-three (23), Township Seventy-five (75) North, Range Twenty-six (26) West of the Fifth P. M., Madison County, Iowa, which lies South of the Des Moines, Osceola and Southern Railroad except a block of eight (8) lots in the Northeast corner of the above described tract of land.

That I made an exact measurement and survey of a certain partition fence situated and existing upon the Southeast Quarter of the Northeast Quarter of Section Twenty-three (23), Township Seventy-five (75) North, Range Twenty-six (26) West of Fifth P. M., Madison County, Iowa, being the Eastern- and Southern- most partition fence situated upon said tract of