WHEREAS, all the parties hereto are agreed that said restriction as to building lines are unreasonable in view of Ordinance No. 138 of the City of Winterset, Iowa, which ordinance is a comprehensive zoning ordinance,

NOW, THEREFORE, IT IS AGREED between the parties hereto as follows: That all of the parties hereto waive the provision of said Item C of said deed of restrictions and hereby agree that the frontage and yard requirements for all of the lots located in Circle Heights Plat No. 2 Addition to the City of Winterset, Madison County, Iowa, shall be governed by the provisions of Ordinance No. 138 of the City of Winterset, Iowa, as the same applies to "R-2", one and two family residence districts.

Richard DeVault
Richard DeVault
Mary Louise DeVault
Mary Louise DeVault
Eugenia LeGrande
Eugenia LeGrande
Frances LeGrande
Frances LeGrande

Frederick W. Meyer
Frederick W. Meyer
Yvonne Meyer
Yvonne Meyer
Ernest Ross Baxter
Ernest Ross Baxter
Hazel Baxter
Hazel Baxter

STATE OF IOWA MADISON COUNTY: SS;

On this 13th day of November, 1965, before me the undersigned, a Notary Public, in and for said County, in said State, personally appeared Frederick W. Meyer, Yvonne Meyer, Ernest Ross Baxter, Hazel Baxter, Richard DeVault, Mary Louise DeVault, Eugenia LeGrande and Frances LeGrande, 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

Lewis H. Jordan
Lewis H. Jordan, Notary Public
in and for Madison County, Iowa.

Thorp Credit Inc. of Winterset #2
To
The Public

#3686

Fee $1.50

Filed for record the 16 day of November A. D. 1965 at 9:30 o'clock A. M.

Mary E. Welty, Recorder

RESOLUTION

RESOLVED, that Dean E. Walk, Manager of this Corporation's office in Winterset, Madison County, Iowa be and he hereby is authorized and directed to execute on behalf of this corporation any and all releases or satisfactions of any mortgage, judgment or other lien, arising out of this corporation's business operations in the State of Iowa.

FURTHER RESOLVED, that said Dean E. Walk be and he hereby is authorized and directed to certify that any such release or satisfaction of a mortgage, judgment or other lien is being executed with authority of the Board of Directors of this corporation.

FURTHER RESOLVED, that this nullifies and supersedes a similar resolution dated October 14, 1964, by which Robert J. Grady, former manager of this corporation's office in Winterset, Madison County, Iowa, was granted the same authority.

I, Jean C. Broeren, do hereby certify that I am the duly elected Senior Vice President and Secretary of Thorp Credit Inc. of Winterset #2; that the above is a true and correct copy of a resolution duly passed at a meeting of the Board of Directors of Thorp Credit Inc. of Winterset #2 on the 14th day of May, 1965, and the said resolution is in full force and effect at this date.

IN WITNESS WHEREOF, I have affixed my name as Senior Vice President and Secretary of Thorp Credit Inc. of Winterset #2, and have caused the Corporate Seal of said corporation to be hereunto affixed this 9th day of November, 1965.

(CORPORATE SEAL)

Jean C. Broeren
Jean C. Broeren
Senior Vice President and Secretary

STATE OF WISCONSIN CLARK COUNTY)

Personally came before me this 9th day of November, 1965, the above named Jean C.

Broeren, Senior Vice President and Secretary of Thorp Credit Inc. of Winterset #2, to me known to be the person who executed the foregoing Certificate as such officer as the deed of said Corporation by its authority.

NOTARIAL SEAL

Carol A. Heidemann
Carol A. Heidemann Notary Public
Chippewa County, Wisconsin
My commission expires November 19. 1967

Madison County, Iowa
By Supervisors
To
The Public

#3752

No Fee

Filed for record the 20 day of November A. D. 1965 at 11:30 o'clock A. M.

Mary E. Welty, Recorder

RESOLUTION

WHEREAS, condemnation proceedings have been instituted for the purpose of condemning for road purposes the following described real estate in Madison County, Iowa, to-wit:

Commencing at the N¼ corner of Section 30 T-76N R-27W; thence East 654.4 feet to the point of beginning; thence South 0° 10' east 1936.7 feet; thence South 42° 22' west 40.1 feet; thence south 0° 10' east 378.0 feet; thence west along the north side of cemetery 283.7 feet; thence south along the west side of cemetery 231.1 feet; thence west 319.3 feet; thence in a northeasterly direction along a 377.1 foot radius curve 99.4 feet; thence north 42° 22' east 681.3 feet; thence in a northeasterly direction along a 297.1 foot radius curve with a central angle of 42° 32' 220.5 feet; thence North 0° 10' west 1047.9 feet; thence east 7.0 feet; thence north 0° 10' west 757.6 feet; thence east 33.0 feet to the point of beginning and containing 3.72 acres more or less, exclusive of the present established road. Note: The north line of the NE¼ of Section 30 T-76N R-27W is assumed to be east and west in the above description.

Also commencing at the S¼ corner of Section 19 T-76N R-27W; thence East 654.4 feet to the point of beginning; thence north 0° 22' east 1473.0 feet; thence west 20.0 feet; thence in a southerly direction along a 237.6 foot radius curve 82.0 feet; thence south 0° 22' west 1394.0 feet; thence east 33.0 feet to the point of beginning and containing 0.16 acres more or less, exclusive of the present established road. Note: the South line of the SE¼ of Section 19 T-76N R-27W is assumed to be east and west in the above description.

and,

WHEREAS, notice has been served to Ella G. Glenn and W. Dean Glenn under the provisions of Chapter 306 of the 1946 Code of Iowa, and

WHEREAS, a report has been received by the County Engineer of Madison County, Iowa, recommending said change in the interests of economy, safety and utility, and,

WHEREAS, a Board of Appraisers appointed under the provisions of said Chapter 306 of the 1946 Code of Iowa have reported to the Board of Supervisors that the damages, including the amount of right-of-way to be taken as well as the fences, trees and all other damages, are in the sum of Fifteen Hundred Fifty Dollars ($1550.00), and,

WHEREAS, the Board of Supervisors have set the date of February 16, 1948, as the date for final hearing on said proposed condemnation and notice of said hearing has been given to Ella G. Glenn and W. Dean Glenn and to their attorney, Chas. D. Van Werden, and,

WHEREAS, the Board of Supervisors have reviewed a report of the County Engineer, the report of Appraisers as aforesaid and have heard all of the objections interposed herein by Ella G. Glenn and W. Dean Glenn, and,

WHEREAS, the Board of Supervisors finds said right-of-way should be condemned in the interests of safety, economy and utility.

NOW THEREFORE, Be it resolved by the Board of Supervisors of Madison County, Iowa, that the above described real estate be and is now and hereby condemned for road purposes and that Ella G. Glenn and W. Dean Glenn be and are now and hereby awarded a sum of Fifteen Hundred Fifty Dollars ($1550.00) in full payment of all damages occasioned by said condemnation. Said damages to include the right-of-way condemned as well as fences, trees and any and all other damage. That in addition to said damages, Ella G. Glenn and W. Dean