Sec. 38. Taxes--a lien. Taxes on real property shall be a lien thereon, and it may be sold therefor when the taxes remain unpaid for six months after the publication, or posting up of the notices, as the case may be, of the tax as aforesaid.

Sec. 40. Tax sales. Such sale must be at public auction, and thirty days notice thereof must be given by publication in a newspaper printed in the city; and if there be none, then by posting up notices in three public places in the city. At such sale he who will pay the amount of taxes due for the least portion of the land affixed for sale shall be considered the highest bidder; and the manner of ascertaining the portion sold shall be in the same way as when land is sold for state revenue.

Sec. 41. Tax deed. The marshal shall execute and deliver to the purchaser a deed, running in the name of the state of Iowa, which shall have the same force and effect as a deed of the treasurer of the county, in like circumstances, as sales of land for state revenue.

Sec. 42. Road tax. The city council shall have the control of the streets and alleys and public highways and grounds of Winterset. All road tax which may hereafter be paid upon any property in Winterset, in lieu of labor, shall be paid to the proper authorities of said city for the improvement of the streets thereof; any person being a resident of said city, subject by the laws of the state to work on roads and highways, shall be required to do and perform, or cause the (50) same to be done, under direction of proper authority, upon the streets and public highways of said city. The council shall supercede the road supervisors in alljurisdiction within the corporate limits of the city, and shall perform all their duties, and shall be required to perform labor upon, and keep in repair the public highways, streets and alleys in said city.

Sec. 43. This act to take effect from and after its publication in the Iowa City Republican and the Iowa Pilot, the expense of publication to be paid by the said city.

Approved Jan. 16, 1857.

I certify that the foregoing was published in the Iowa City Republican, March 9th, 1857.

ELIJAH SELLS, Secretary of State

Laws of Iowa 5th. 5th. Ex. & 6th. G.A.
1854-1857 Reprint 1913
Chap. 42 (Page 41) Reprint Page 343.

COMPARED

Smith-Clark, Inc.
To
The Public

#3358
Fee $3.50

Filed for record the 13 day of Dec. A.D. 1966 at 1:20 o'clock P. M.
Mary E. Welty, Recorder

## ARTICLES OF INCORPORATION OF SMITH-CLARK, INC.

Received 1966 Dec 5 AM 8:56
Secretary of State Iowa

KNOW ALL MEN BY THESE PRESENTS: That in pursuance to and conformity with the laws of the State of Iowa, more particulary Chapter 496A, 1962 Code of Iowa, and amendments thereto, the signers do hereby execute, acknowledge and adopt these Articles of Incorporation, as follows:

### ARTICLE I.

The name of this corporation shall be Smith-Clark, Inc.

### ARTICLE II.

The period of its duration is perpetual.

### ARITCLE III.

The general purpose, object and business for which this corporation is formed shall be to have unlimited power to engage, and do any lawful act concerning any or all lawful business for which corporations may be organized under this Chapter. (Chapter 496A, 1962 Code of Iowa.)

### ARTICLE IV.

This corporation shall commence its corporate existence on the date on which the Secretary

of State issues the certificate of incorporation.

ARTICLE V.

Section 1. The capitol stock of this corporation shall be and is hereby fixed at Fifty Thousand ($50,000.00) Dollars to be divided as follows: five hundred (500) shares of common stock of par value of One Hundred ($100.00) Dollars per share.

ARTICLE VI.

The certificates of stock shall be in such form as the corporation in its by-laws shall prescribe, and they shall be transferable by the endorsement thereon by the owner of his legal representative, but no transfer of such stock shall be valid as between the parties hereto until the same is regularly entered on the stock and transfer book of the company, which stock shall remain in the person by and to whom the transfer is made. Upon the surrender of the certificates of stock it shall be cancelled and preserved by the company, and one or more issued in lieu thereof to and at the will of the owner.

ARTICLE VII.

The number of directors constituting the initial board of directors of the corporation is two, and the names and addresses of the persons who are to serve as directors until the first annual meeting of shareholders or until their successors are elected and shall qualify are:

| | |
|---|---|
| Marvin L. Hodson | Main Street<br>Jewell, Iowa |
| Richard E. Clark | 207 West Court Avenue<br>Winterset, Iowa. |

ARTICLE VIII.

The name and address of each incorporator is:

| | |
|---|---|
| Marvin L. Hodson | Main Street,<br>Jewell, Iowa |
| Richard E. Clark | 207 West Court Avenue<br>Winterset, Iowa |

ARTICLE IX.

The address of the initial registered agent of the corporation is 207 West Court Avenue Winterset, Iowa, and the name of its initial registered agent at such address is Richard E. Clark.

ARTICLE X.

Private or individual property of the incorporators and stockholders shall in no event be subject to the debts of the corporation and shall be exempt from all corporation debts and liability of every kind and description, it being a condition precedent by and between all persons dealing with this corporation that they should look solely to the corporation and its property alone for the satisfaction and payment of any claim and demands against it.

ARTICLE XI.

The Board of Directors may adopt by-laws which shall govern all business of this corporation, providing that no such by-laws shall conflict with any of these Articles of Incorporation.

ARTICLE XII.

These Articles, except Article X may be altered and amended at the annual meeting of the stockholders, by a majority of the vote present, or at any special meeting of such stockholders, after notice of such proposed amendment has been sent to each stockholder in said company, not less than ten (10) days prior to said meeting, in the manner prescribed by said by-laws.

WITNESS OUR HANDS AND SEALS, this 1st day of December, 1966.

Marvin L. Hodson D.O.
Marvin L. Hodson
Richard E. Clark
Richard E. Clark
INCORPORATORS

STATE OF IOWA COUNTY OF POTTAWATTAMIE )SS.

On this 1st day of December, 1966, before me, the undersigned, a Notary Public, within and for the above named County and State, personally appeared Marvin L. Hodson and Richard E. Clark, personally known to me to be the identical persons who signed the within and foregoing Articles of Incorporation, and who certified that they executed the same as their voluntary act and deed for the purposes therein set forth.

(NOTARIAL SEAL)

Gail Shafer Notary Public
in and for Pottawattamie County, Iowa.

OFFICE OF THE SECRETARY OF STATE Des Moines, Iowa
This instrument recorded in Book M-22, Page 253, Dec. 5, 1966 Expires Perpetual, Cert. No. 35748, Receipt No. 35748 Filed by H. W. Walter Council Bluffs, Ia. Filing Fee 20.00 Recording Fee 1.50 Gary L. Cameron Secretary of State.

COMPARED

A. D. Beeler To The Public

#3368

Fee $1.50

Filed for record the 13 day of December A.D. 1966 at 4:14 o'clock P. M.

Mary E. Welty, Recorder

## AFFIDAVIT OF POSSESSION

TO WHOM IT MAY CONCERN:

STATE OF IOWA MADISON COUNTY ) SS.

The undersigned first being duly sworn (or affirmed) upon oath deposes and states:

That A. D. Beeler are now the record titleholders of the following described real estate to-wit:

The Southeast Quarter (¼) of the Southeast Quarter (¼) of Section Twenty-three (23) in Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P. M., Madison County, Iowa;
and
The West Half (½) of the Southeast Quarter (¼) and the Southeast Quarter (¼) of the Southwest Quarter (¼) of Section Twenty-three (23) in Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa;
and
The Northeast Quarter (¼) of the Southeast Quarter (¼) of Section Twenty-three (23) in Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa;
and
The Southeast Quarter (¼) of the Northwest Quarter (¼) of Section Twenty-four (24) in Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P. M., Madison County, Iowa;
and
The Southwest Quarter (¼) of the Northeast Quarter (¼) and the South One-fourth (¼) of the Northwest Quarter (¼) of the Northeast Quarter (¼) and the West Half (½) of the Northwest Quarter (¼) of Section Twenty-four (24) and the Southwest Quarter (¼) of the Southwest Quarter (¼) and the South Half (½) of the Northwest Quarter (¼) of the Southwest Quarter (¼) of Section Thirteen (13) in Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P. M., Madison County, Iowa

That said A. D. Beeler are now in complete actual and sole possession of all of said real estate except as may be herein stated. 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.

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.