Section Fourteen (14), running thence South 20½ rods, thence West 15 rods and 11 feet, thence North 20½ rods, thence East to the place of beginning; all in Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P. M., Madison County, Iowa.

the names O. O. Finney, Olive Finney or Olive O. Finney appear, they refer to one and the same person, to-wit: O. O. Finney, the surviving spouse and one of the devisees of the said H. H. Finney, Deceased.

I further depose and say that I was well and truly acquainted with the children and heirs-at-law of the said H. H. Finney; that wherever in the chain of title to the real estate hereinbefore described, the names George Finney, Geo. H. Finney or George H. Finney appear, said names refer to one and the same person, to-wit George Finney, a son and one of the heirs-at-law and devisees of the said H. H. Finney, Deceased.

I further depose and say that during the past fifteen (15) years I have been acquainted with the ownership and possession to the real estate hereinbefore described and that prior to the death of the said H. H. Finney, the said H. H. Finney and his grantors held open, continuous and adverse possession of said real estate under color of title and claim of right, and that since the time of the death of the said H. H. Finney, his devisees have been in continuous, open and adverse possession of said real estate under color of title and claim of right.

That this Affidavit is made for the purpose of establishing of record the facts herein stated and for no other purpose, and that this affiant has no interest in and to the real estate hereinbefore mentioned.

Dated at Winterset, Iowa, this 6th day of August, A. D. 1948.

Shirley A. Webster

NOTARIAL SEAL

Subscribed and sworn to before me by Shirley A. Webster, this 6th day of August, A.D. 1948.

J W McKee Notary Public in and for Madison County, Iowa.

City Clerk of the City of Winterset, Iowa. To The Public

#3572 Fee $.60 VL

Filed for record the 31 day of August A. D. 1948 at 4:40 o'clock P. M.

Wilma M. Wade, Recorder

Certified Copy of Ordinance No. 63 of the City of Winterset, Iowa

ORDINANCE NO. 63

An Ordinance vacating West High Street between the west line of South First Avenue, and the east line of South Second Avenue, in the City of Winterset, Iowa.

BE IT ORDAINED BY THE CITY COUNCIL OF WINTERSET, IOWA:

Section One. That all that part of West High Street in the City of Winterset, Iowa, lying and being situated between the west line of South First Avenue, and the east line of South Second Avenue, be and the same is hereby vacated as a public street or highway, and shall no longer be a public street or highway, and that there shall be no rights of public travel or passage in, upon, thorugh, across or over the same, and that any and all duties of maintaining the same as a public street or highway are terminated, and any and all rights of the public therein as a public street or highway are terminated, and all rights of public use thereof are terminated.

Section Two. That this action is taken with the consent and agreement of, and upon the petition of all the owners of property which abuts upon said part of West High Street which is herein vacated.

Section Three. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Section Four. That this ordinance and a showing of its adoption and publication be certified by the City Clerk to the County Recorder of Madison County, Iowa, for filing and recording in that office. Passed and approved this 2nd day of August, 1948.

John K. Sawyer Mayor, City of Winterset, Iowa

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

CERTIFICATE

To the County Recorder of Madison County, Iowa:

STATE OF IOWA, COUNTY OF MADISON, CITY OF WINTERSET,) SS:

I, O. D. Simmons, the duly appointed, qualified and acting City Clerk of the City of Winterset, Iowa, hereby certify that the above and foregoing Ordinance No. 63 entitled "an ordinance vacating West High Street being between the west line of South First Avenue and the east line of South Second Avenue in the City of Winterset, Iowa," was passed and adopted by the City Council of the City of Winterset, Iowa, at a regular meeting of the said City Council held on the 2nd day of August, 1948, and was approved and signed by John K. Sawyer, Mayor of the City of Winterset, Iowa, on the 2nd day of August, 1948, and was published in the Winterset Madisonian, a weekly newspaper published in the City of Winterset, Iowa, and of general circulation in the City of Winterset, Iowa, in its issue of August 4th, 1948, as shown by the affidavit of publication on file in the office of the City Clerk of the City of Winterset, Iowa, and that said ordinance has been recorded in the official ordinance book of the City of Winterset, Iowa, and has been authenticated by the signatures of the presiding officers of said council and said clerk.

Witness my hand, in my official capacity, and the seal of the City of Winterset, Iowa, affixed hereto, this 31 day of August, 1948.

O D Simmons City Clerk

(Winterset City Seal) of the City of Winterset, Iowa.

The First National Bank of the City of New York Corporate Trustee To George E. Porter

#3580

Fee $ .90 VC

Filed for record the 1 day of September A. D. 1948 at 11:00 o'clock A. M.

Wilma M. Wade, Recorder

No. 18

Appointment of George E. Porter, as Individual Trustee under the Chicago, Burlington & Quincy Railroad Company's First and Refunding Mortgage, dated February 1, 1921, in succession to Frazier L. Ford, deceased.

KNOW ALL MEN BY THESE PRESENTS: That, Whereas, Chicago Burlington & Quincy Railroad Company did execute and deliver to The First National Bank of the City of New York and Frazier L. Ford, as Trustees, its First and Refunding Mortgage, dated February 1, 1921; and

WHEREAS, the said Frazier L. Ford, the Individual Trustee named in said Mortgage, died on April 10, 1947, and, by Section 3, Article Thirteen of said Mortgage, it is provided that the Corporate Trustee, by an instrument in writing, may appoint a successor to such Individual Trustee; and

WHEREAS, pursuant to resolutions of the Board of Directors of said The First National Bank of the City of New York duly adopted at a meeting called and held on the 11th day of July, 1944, the undersigned Vice President, among others, is authorized to act on behalf of said The First National Bank of the City of New York, as Corporate Trustee under such First and Refunding Mortgage, to fill the vacancy in the office of the Individual Trustee under said First and Refunding Mortgage;

THIS INSTRUMENT WITNESSETH: That The First National Bank of the City of New York, Corporate Trustee under the Chicago, Burlington & Quincy Railroad Company's First and Refunding Mortgage, dated February 1, 1921, pursuant to the provisions of Section 3, Article Thirteen, of said Mortgage, hereby appoints George E. Porter, a resident of the city of St. Joseph, in the State of Missouri, as Individual Trustee under said First and Refunding Mortgage, to fill the vacancy in the office of Individual Trustee created by the death of Frazier L. Ford, Individual Trustee named in said Mortgage, to act as such Individual Trustee under said First and Refunding Mortgage, with like effect as if originally named as Trustee therein,

IN WITNESS WHEREOF, The First National Bank of the City of New York has caused these presents to be signed with its corporate name by its Vice President, and its corporate seal to be hereon impressed and attested by its Assistant Cashier, thereunto duly authorized,