Subscribed and sworn to before me by Mahlon Henderson this 22nd day of August, 1957.

NOTARIAL SEAL

Shirley A. Webster Notary Public
in and for Madison County, Iowa.

City of Winterset by Clerk
To
Ray E. Fowler & wife

#2958
Fee $2.40 V.G.H.

Filed for record the 27 day of August A. D. 1957 at 3:30 o'clock P.M.
Mary E. Welty, Recorder

CERTIFICATE AS TO RESOLUTION

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

I, O. D. Simmons, City Clerk of the City of Winterset, Iowa, do hereby certify that I am now, and at all times referred to herein have been, City Clerk of the City of Winterset, Iowa, located in Madison County, Iowa, and that on the 19th day of August, 1957, a resolution was duly passed and adopted by the City Council of the City of Winterset, Iowa, and was, on the 19th day of August, 1957, approved by the Mayor of the City of Winterset, Iowa, with reference to the purchase by the City of Winterset, Iowa, of the property hereinafter described, and the conveyance to the City of Winterset, Iowa, from Ray E. Fowler and Algena W. Fowler, husband and wife, of the real estate in the City of Winterset, Iowa, described as follows, to wit: The North Twenty-six (26) feet and Four (4) inches of the South Half of Lot One (1), and the North Twenty-six (26) feet and Four (4) inches of the South Half of the East One-third of Lot Two (2), all in Block Seventeen (17) of the Original Town of Winterset, Iowa, together with an easement or right for use and maintenance and repair of the sanitary sewer line running from said real estate through and across the real estate lying immediately south thereof, to wit: The South Thirty-nine (39) feet and Eight (8) inches of the South Half of Lot One (1), and the South Thirty-nine (39) feet and Eight (8) inches of the South Half of the East One-third of Lot Two (2), all in Block Seventeen (17) of the Original Town of Winterset, Iowa, and that a copy of said resolution is attached hereto, marked Exhibit "A" and made part hereof.

WITNESS MY HAND as City Clerk of the City of Winterset, Iowa, and the official seal of the City of Winterset, Iowa, affixed hereto, on this 27 day of August, 1957.

(CITY OF WINTERSET SEAL)

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

RESOLUTION: Purchase of Fowler Real Estate

Exhibit "A"

WHEREAS, this City Council previously indicated its intention to purchase the real estate in the City of Winterset, Iowa, described as the North twenty-six (26) feet and four (4) inches of the South Half of Lot One (1), and the North twenty-six (26) feet and four (4) inches of the South Half of the East one-third of lot two (2), all in Block Seventeen (17) of the Original Town of Winterset, Iowa, for the price of $6000.00 from Ray E. Fowler, of Winterset, Iowa, together with an easement or right for use and maintenance and repair of the sanitary sewer line running therefrom, through and across the real estate lying immediately south thereof owned by Ray E. Fowler and,

WHEREAS, contract for the purchase of the same has been agreed upon, with provisions that said real estate includes the North Half of the eight inch wall which is located with the center of the wall at the South line of said real estate, and that such wall shall be a wall in common in accordance with the laws of Iowa, particularly Chapter 563 of the 1954 Code of Iowa, between the real estate above described and the real estate lying immediately South thereof, and with provision that the sale of the real estate involved is subject to the party wall agreement dated July 19, 1946, recorded in Miscellaneous Record 25 in the office of the County Recorder of Madison County, Iowa, at page 433, made between Hendersons Realty Company and said Ray E. Fowler, and with provision that the seller reserves the right of flow and drainage of water upon and over the roof of the building on the premises

sold from the roof of the building located on the real estate lying immediately South thereof, and with the provision that said Ray E. Fowler will pay the special assessment on said property for alley paving in the block in which said real estate is situated, which paving is contructed in 1957, even though special assessment therefor has not yet been levied, and with provisions for furnishing warranty deed and merchantable abstract of title showing good, merchantable title free and clear of any liens or encumbrances, and possession, at which time said price of $6000.00 is payable, and with provision that the City of Winterset, Iowa, having been in possession of said premises as lessee, with rent of $50.00 per month, which has been paid at the end of each month, rent for said premises shall cease at the end of July, 1957, and,

WHEREAS, abstract of title to said premises has been furnished, which the City Attorney states is acceptable, and,

WHEREAS, contract on such terms appears to be proper and for the best interests of this City, and has been negotiated by the City Attorney in Behalf of the City of Winterset, Iowa, and should be approved,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winterset, Iowa:

That agreement for the purchase of said real estate, on terms agreed upon by said Ray E. Fowler, with his wife joining, and by the City Attorney in Behalf of this City, be and the same is hereby approved, and that the City of Winterset, Iowa, purchase said real estate hereinbefore described on said terms, and with said provisions, and that the City of Winterset, Iowa, accept conveyance of said real estate on said terms and under said provisions, from said Ray E. Fowler and wife, by warranty deed or by warranty deed and separate instrument of easement or right as to said sanitary sewer line, and that upon delivery of such warranty deed, or such warranty deed and separate instrument of easement or right as to said sanitary sewer line, as the case may be, payment of said sum of $6000.00 shall be made to said Ray E. Fowler, out of funds of this City availabe therefor, and also, the sum of $50.00 shall be paid to said Ray E. Fowler, representing the rent for said premises for the month of July, 1957, payment of which had been held in abeyance pending negotiations on the purchase of said real estate, and the City Clerk is authorized and directed to attend to carrying out the payment of said items, and the completion of the transaction and filing of such deed and instrument of easement if separate instrument of easement is used, for record in the office of the County Recorder of Madison County, Iowa, and also to file for record in the office of said County Recorder a certified copy of this resolution, and, if the City Attorney considers the same proper, to file in said County Recorder's Office, contract for such purchase.

On roll call the members of the City Council voted as follows:

Clarence Johnson	Yes	A. C. Brittain	Yes
Lowell L. Olson	Yes	Charles E. Tucker, Jr.	Yes

Approved by me this 19th day of August, 1957.

COMPARED

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

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

(CITY OF WINTERSET SEAL)

Myrtle Davis To The Public

#2971

Fee $1.00 V.G.H.

Filed for record the 29 day of August A. D. 1957 at 1:45 o'clock P. M.

Mary E. Welty, Recorder

AFFIDAVIT

State of Iowa Clarke County ss

I, Myrtle Davis, being first duly sworn on oath say that I am the surviving spouse of Chas. A. Davis, who died intestate, August 29, 1953, who is mentioned in Quit Claim Deed, covering premises described as Lot 12, Block 1, Atkinson's Addition to the Town of Truro,