Iowa State Highway Commission #2880 Filed for record the 9 day of July
To A. D. 1958 at 2:20 o'clock P. M.
Fee $1.60
Seaton-Watts Oil Co. Inc. Mary E. Welty, Recorder

Application for Permit to Construct Entrance from Private Property to Primary Road or Primary Road Extension

Permit Number 4748
Madison County Project F-1067(1)

Applicant Seaton-Watts Oil Co. Inc.
Address St Charles, Ia Date June 9, 1958

Iowa State Highway Commission Ames, Iowa

Gentlemen:-

A permit is hereby requested to construct a Commercial entrance from right of way line to primary road traveled way, including no drainage structure thereunder. The use or purpose of the entrance cannot be changed without prior approval of the Highway Commission.

Plat of entrance as proposed to be constructed is attached to and is a part of this application, Marked Exhibit "A". (No Plat shown)

Proposed entrance is located on Primary Road No. 251, Sec. 24, T.75N, R.26W, Madison County, Iowa, in St. Charles more specifically described as follows:

Lots 3 and 4 of Original S.E. Section of St Charles
Temporary permit

The applicant agrees that if granted a permit to construct the above described entrance the following stipulations shall govern.

1. That the proposed entrance, including drainage structure, grading and surfacing, shall be constructed by the applicant at the applicant's expense, in accordance with the plat attached hereto, and in conformity with the standard specifications of the Iowa State Highway Commission, and shall thereafter be kept in repair and maintained by the applicant at his own expense. Nothing in this stipulation, however, shall preclude the Iowa State Highway Commission from entering upon said entrance on highway right of way and performing necessary maintenance for the protection of the highway.

2. That the construction of the proposed entrance shall be completed by the 1st day of October, 1958.

3. That the construction, future repair or maintenance of said entrance shall be carried on in such a way as to not interfere with, or interrupt traffic on said highway, and the applicant shall take all reasonable precautions to protect and safeguard the lives and property of any person or persons, and shall save the State and State Highway Commission harmless of any damage or losses that may be sustained by any person on account of such construction, repair or maintenance operations.

4. Void

5. Void

6. That all buildings, pumps, or other structures shall be built or placed twelve feet or more from the far right of way line or 52 feet or more south of the centerline of the primary road or primary road extension.

7. Void

8. That no filling will be permitted in the right of way of primary road No. 251 other than that necessary to construct the entrance at Station 8+50 9+15 Project F-1067 (1)

9. Void

10. That the applicant agrees to give the State Highway Commission forty-eight hours notice of his intention to start construction on the highway right of way. Said notice shall be made in writing to the person whose name is shown below.

11. That this permit is subject to any laws now in effect, or any laws which may be hereafter enacted.

12. That this permit is subject to all the rules and regulations of the State Highway

Commission, and to revocation by the State Highway Commission at any time, when in the judgment of the Commission it is necessary in the improvement or maintenance of the highway or for other reasonable cause.

13. That all provisions herein relating to future repair or maintenance shall be binding on all successors or assigns of the applicant.

14. - - -

Signed Seaton-Watts Oil Co. Inc
By Harry B. Watts Pres.
Winterset, Ia.

ACKNOWLEDGEMENT

State of Iowa Madison County) ss.

On this 9th day of June A.D. 1958, before me Cloyde R. Mills a Notary Public in and for said Madison County, State of Iowa, personally appeared Harry B. Watts and - - to be known to be the person(s) named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

(NOTARIAL SEAL)

Cloyde R. Mills Notary Public
in and for Said County.

Recommended for Approval: Date 6/11/58 Division Engineer R. D. Cornick

City Clerk M. L. Davis Date 6/16/58 District Engineer Harry E. Porter Permit Granted JUL 3 1958

IOWA STATE HIGHWAY COMMISSION
By Edward J. Conner
Maintenance Permit Engineer

Notice of date construction is to start shall be sent by applicant to R. D. Cornick, Divn. Maint. Engr Creston, Ia.

IOWA STATE HIGHWAY COMMISSION 1958 JUN 17 AM 8:12 RECEIVED

COMPARED

Elza M. Easter
To
The Public

#2925
Fee $1.40

Filed for record the 14 day of July A. D. 1958 at 10:40 o'clock A. M.
Mary E. Welty, Recorder

AFFIDAVIT

STATE OF IOWA MADISON COUNTY) ss

I, Elza M. Easter, being first duly sworn on oath depose and say, that I have been a member of the partnership of Easter & Sons since prior to April 1, 1935; that the partnership of Easter & Sons has since prior to April 1, 1935, been composed of Albert E. Easter, Lynn W. Easter, Elza M. Easter and Merwin E. Easter. That on or about April 1, 1935, the four named partners above purchased the following described real estate, to-wit:

The East Half (½) of Lot Three (3), in the Southwest Section of the Town of St. Charles, in Madison County, Iowa,

from J. H. Beamer and wife, Rena.

That the four named partners intended to purchase said real estate and take title thereto as tenants in common; that due to a misunderstanding or error, the conveyance from J. H. Beamer and wife named the grantees as Easter & Sons.

That since the date of April 1, 1935, the partnership of Easter & Sons has remained unchanged and the ownership of the real estate described above has remained in the four named partners; that there has been no additional partners added to said partnership and said partners have remained the owners of said real estate as tenants in common.

I further depose and say that the four named partners are the present title holders and owners of the real estate described above; that said partners have been in possession of said real estate and that said possession and the possession of the grantors and the predecessors in the record chain of title has been open, notorious, continuous, adverse and hostile under claim of right and color of title since prior to January 1, 1940.

Dated this 11th day of July, 1958.

Elza M. Easter