Section 1. Purpose. The Purpose of this ordinance is to establish a restricted residence district in the Town of St. Charles, Iowa, and to provide reasonable rules and regulations for the erection, reconstruction, altering and repairing of all kinds of buildings, and to provide that there shall be no use in such district except for residences, schoolhouses, churches and other similar structures.

Section 2. Districts. The following restricted residence district is hereby designated and established: The entire corporate limits of the Town of St. Charles.

Section 3. Buildings permitted. No buildings or other structures, except residences, schoolhouses, churches and other similar structures shall be hereafter erected, reconstructed, altered, repaired, or occupied within said district without first securing from the town council a permit therefor.

Section 4. Permits. No permit shall be granted when sixty per cent of the real estate owners in said district residing in said town object thereto.

Section 5. Fees. There shall be no fee required for such permit.

Section 6. Plans required. Plans and specifications of any proposed land uses in said district, other than those uses excepted in section 3 of this ordinance,shall be filed with the application for the permit.

Section 7. Special Permit. The town council, by a three-fourths vote of all the members of the council, may issue special permits for buildings and occupancy, on condition the applicant for the permit files, with the request for such permit, the written consent and approval of a majority of the adjacent property owners within three hundred feet of the proposed building and occupancy.

Section 8. Action to abate. Any building or structure erected, reconstructed, altered or repaired in violation of the provisions of this ordinance shall be deemed unlawful and a nuisance and it shall be abated by action in the district or municipal court. Such action for abatement shall be prosecuted in the name of the municipality.

Section 9. Certifying Ordinances. Within five days after this ordinance become effective the town clerk shall prepare or have prepared a plat of the restricted residence district as established by this ordinance and certify such ordinance and plat to the County recorder.

Section 10. Repealer. All Ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 11. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such abjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid of unconstitutional.

Section 12. When effective. This ordinance shall be in effect after its final passage approval and posting in three public places as provided by law.

Passed by the Council this 6 day of Sept, 1960, and approved this 10 day of Sept. 1960.

Attest: M. L. Davis Clerk R. S. Howard Mayor COMPARED

H. G. Tilton
To
The Public

#3623

Fee $1.00

Filed for record the 12 day of September A D 1960 at 2:00 o'clock P. M.
Mary E. Welty, Recorder
Shirley G. Henry, Deputy

AFFIDAVIT

STATE OF IOWA MADISON COUNTY) SS

I, H. G. Tilton, being duly sworn, on oath depose and state that I was personally acquainted with T. E. Husted during his life and that T. E. Husted died on the 20th day of February, 1954.

Affiant further deposes and states that the value of said T. E. Husted's gross estate

was substantially less than the exemptions provided by law for Iowa Inheritance Tax liability and substantially less than the exemptions provided by law for Federal Estate Tax liability and that there is no liability for Federal Gift Taxes.

H. G. Tilton
H. G. Tilton

Subscribed in my presence and sworn to before me by H. G. Tilton this 1 day of July A.D. 1960.

NOTARIAL SEAL

Martha K. Paton Notary Public
in and for Madison County, Iowa.

Berniece E Griffith
To
The Public

#3636
Fee $1.20

Filed for record the 13 day of September A D. 1960 at 2:40 o'clock P. M.
Mary E. Welty, Recorder
Shirley G. Henry, Deputy

AFFIDAVIT OF POSSESSION

STATE OF IOWA MADISON COUNTY : ss

I, Berniece E. Griffith, being first duly sworn do upon oath, depose and state that I am the record titleholder and owner of the following described real estate, to-wit:

Lots Twenty-one (21) and Twenty-two (22), Block Three (3) Johnson's Addition to the Town of Earlham, Madison County, Iowa.

That I am in possession of said real estate and that my possession and the possession of my grantors and the predecessors in my 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 18th day of August, 1960.

Berniece E. Griffith

Subscribed and sworn to before me this 18th day of August 1960.

(NOTARIAL SEAL)

H. Claude Peer Notary Public
in and for Madison County, Iowa.

The undersigned, Berniece E. Griffith holder of the record title to and the party in possession of the above described real estate asks the County Recorder to record the above Affidavit in support of his (her) title to said real estate.

Berniece E. Griffith

CERTIFICATE OF RECORD

I, Mary E. Welty, Recorder of Madison County, Iowa, do hereby certify that the foregoing Affidavit was filed in my office by the owner in possession of the real estate above described in accordance with the provisions of Section 614.17 of the Code of Iowa.

NOTARIAL SEAL

Mary E. Welty Recorder
of Madison County, Iowa

Garry D. Black
To
The Public

#3651
Fee $1.40

Filed for record the 15 day of September A. D. 1960 at 2:15 o'clock P. M.
Mary E. Welty, Recorder

AFFIDAVIT

STATE OF IOWA MADISON COUNTY) SS

I, Garry D Black, being first duly sworn, on oath depose and state that I am well and fully acquainted with the record chain of title in and to the following described real estate, to-wit:

All that part of the Southeast Quarter of the Northeast Quarter of Section Twenty-three (23), Township Seventy-five (75) North, Range Twenty-six (26) West of the Fifth P. M., which lies South of the Des Moines, Osceola and Southern Railroad (except a block of eight lots in the Northeast corner of the above described tract of land), Madison County, Iowa.

That the record title holders and owners of said real estate are Sarah Ann Black, Beulah Gladys Black, and Villa Bumbarger. That said owners are in possession of said real estate and that their possession and the possession of their grantors and the predecessors