Erwin M. Howell To The Public

#3944

Fee $1.20

Filed for record the 17 day of October A. D. 1960 at 9:00 o'clock A. M.

Mary E. Welty, Recorder

AFFIDAVIT

STATE OF IOWA MADISON COUNTY : ss

I, Erwin M. Howell, being first duly sworn on oath depose and say that on February 19, 1945, I was a duly elected, qualified and acting member of the Board of Supervisors of Madison County, Iowa; that on said date said Board of Supervisors adopted a resolution by which the following described real estate, to-wit:

Lots Five (5), Six (6), Seven (7), and Eight (8) in Block Four (4) of T. D. Jones' addition to the City of Winterset, Madison County, Iowa,

was sold to Vern and Harry B. Locke of Winterset, Iowa; that said resolution is recorded in Miscellaneous Record 26, page 414.

That said real estate was sold at a fair valuation because the same was no longer needed for the purposes for which it had been acquired; and that pursuant to said resolution, Chas. Beeler, the Chairman of the Board of Supervisors of Madison County at said time, did on the 2nd day of April, 1945, execute a deed to Harry B. Locke and Vern Locke conveying the above described real estate, said deed being recorded at Town Lot Deed Record 31, page 158.

Dated at Winterset, Iowa, this 23 day of September, 1960.

Erwin M. Howell
Erwin M. Howell

Subscribed and sworn to before me by Erwin M. Howell, this 23rd day of September, 1960.

(NOTARIAL SEAL)

Lewis H. Jordan Notary Public in and for Madison County, Iowa.

TO MADISON COUNTY IOWA RECORDER: Please record the foregoing affidavit in the records of your office in compliance with the Statutes of the State of Iowa.

COMPARED Gwendolyn E. Clewell TITLEHOLDER OF RECORD AND OWNER IN POSSESSION OF THE WITHIN DESCRIBED PREMISES.

Iowa State Highway Commission To Virgil E. & Laurine Smith

#3967

Fee $2.20

Filed for record the 19 day of October A. D. 1960 at 2:45 o'clock P. M.

Mary E. Welty, Recorder

APPLICATION FOR PERMIT TO CONSTRUCT ENTRANCE FROM PRIVATE PROPERTY TO PRIMARY ROAD OR PRIMARY ROAD EXTENSION

Permit Number 5717 Madison County
Project P-764

Applicant Virgil E. Smith and Laurine Smith (Owner or Owners of Record)
Address Winterset, Ia Sept. 15, 1960 (Date)

Iowa State Highway Commission
Ames, Iowa

Gentlemen:

A permit is hereby requested to construct a residential entrance from right of way line to primary road traveled way, including necessary 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".

Proposed entrance is located on Primary Road No. 92, Sec. 29, T 76N, R 27W, Madison County, 2 Miles east from Winterset more specifically described as follows: North side of Highway #92 at Sta. 96+0

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 November, 1960.

3. That the construction, future repair or maintenace 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. That the applicant shall reserve a strip of land 60 feet wide adjacent and parallel to the north right of way line of primary road No. 92 for the full width of the applicant's property, to be used as a frontage road right of way for the applicant's property and any property development east or west of the applicant's property. This reservation shall not constitute an easement.

5. That there shall be a distance of 77 feet between the centerline of primary road No. 92 and the south or near edge of the frontage road.

6. That all buildings, pumps, or other structures shall be built or placed twelve feet or more from the far right of way line of the frontage road, or 122 feet or more north of the centerline of the primary road or primary road extension.

7. That if the frontage road is extended east or west and other access to primary road No. 92 provided, the entrance directly onto primary road No. 92 at Station 96+0, Project P-764, shall be discontinued and removed by the applicant, or his successor, on written notice from the Iowa State Highway Commission and the applicants right of access at said point will be limited to the frontage road.

8. That no filling will be permitted in the right of way of primary road No. 92 other than that necessary to construct the entrance at Station 96+0 Project M-764.

9. That the culvert pipe under the entrance shall be zinc coated corrugated metal or 1500D concrete pipe. It shall be 18" inches in diameter and 30 feet in length as shown on attached sketch, and of quality complying with Sec. 4121 and Sec. 4124 of the Iowa State Highway Commission Standard Specifications, Series of 1956. The pipe shall be installed at the elevation specified by the engineer.

The finished surface elevation of the driveway over the pipe, or place where pipe would normally be, shall be 6" inches lower than shoulder elevation at Station 96+0 to prevent water draining onto the pavement or travel way.

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.

Signed Virgil E. Smith
Virgil E. Smith
Laurine Smith
Laurine Smith Owners Winterset, Iowa

STATE OF IOWA Madison County) ss.

On this 16th day of September A.D. 1960, before me Cloyde R. Mills, a Notary Public in and for said Madison County, State of Iowa, personally appeared Virgil E. Smith and Laurine Smith, to be known to be the person(s) named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

(NOTARIAL SEAL)

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

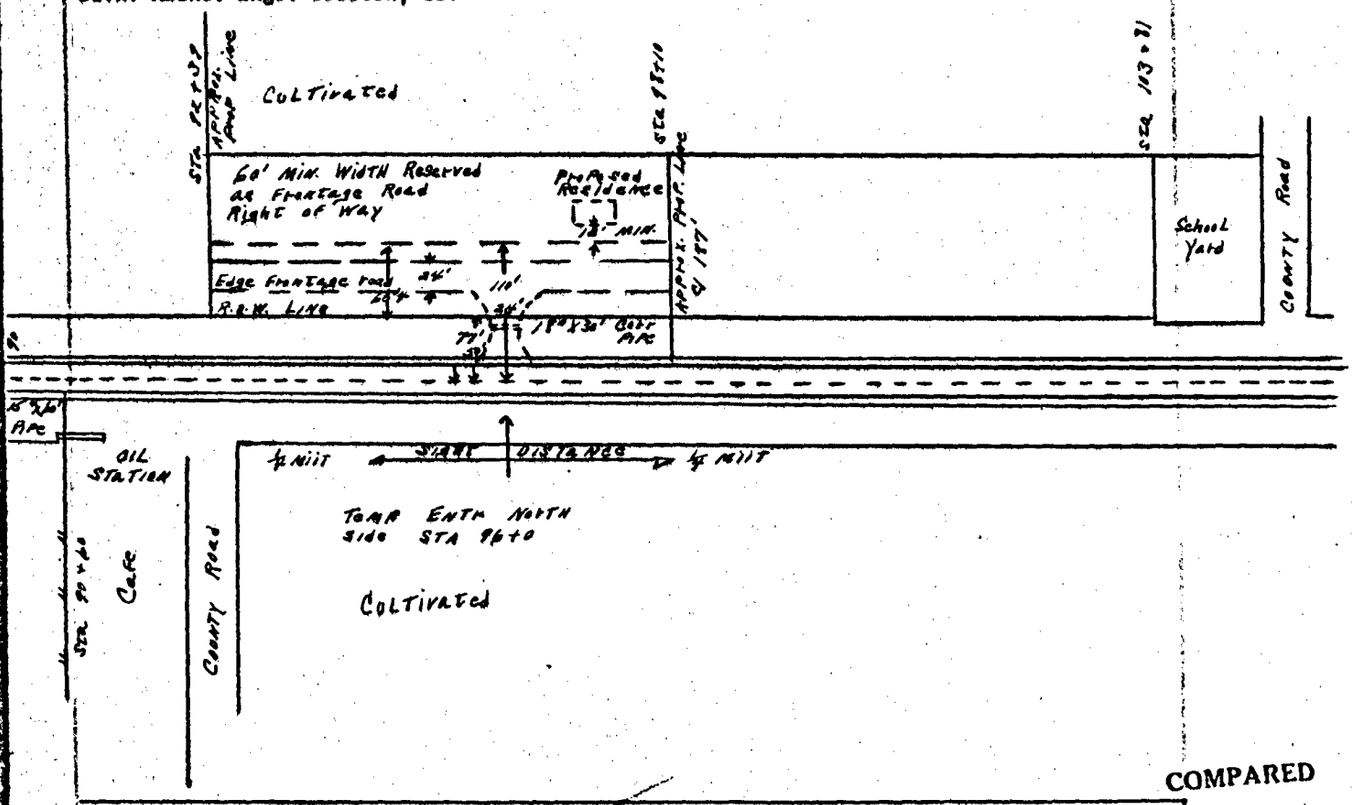
Recommended for Approval: 9/19/60 R. D. Cornick
R. D. Cornick Division Engineer

9/21/60 R. H. Given
R. H. Given District Engineer

Permit Granted Sep 27 1960

Iowa State Highway Commission by Edward J. O'Connor
Edward J. O'Connor Maintenance Permit Engineer

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



COMPARED

Robert W. Cain To The Public

#3971

Fee $1.00

Filed for record the 19 day of October A. D. 1960 at 4:00 o'clock P. M.

Mary E. Welty, Recorder

AFFIDAVIT

STATE OF IOWA MADISON COUNTY) SS

I, Robert W. Cain, being first duly sworn on oath depose and say, that I am personally acquainted with C. M. Shafer and Ruth E. Shafer, the grantors named in the quit claim deed dated June 30, 1951, conveying the following described real estate, to-wit:

Lot Two (2) in Block Twenty-three (23) of West Addition to the Town of Winterset, Madison County, Iowa,

to Joseph B. Platt and Dorothy F. Platt, as joint tenants, which deed is recorded in Deed Record 28 at page 337 in the office of the County Recorder of Madison County, Iowa. That I know of my own knowledge that C. M. Shafer and Ruth E. Shafer were husband and wife as