

COMPARED

STATE OF IOWA, Polk-Wattamka County
Filed for record this 30 day of July
1976 at 4 o'clock P.M. and recorded
in book 27 page 13321

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See 30

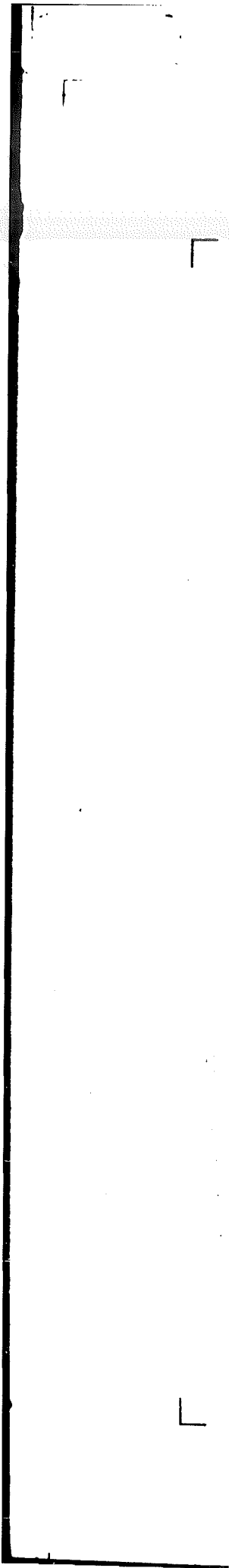
Asaethy Letner
J

Recorder

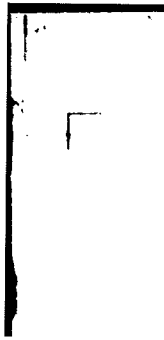
By _____
Notary

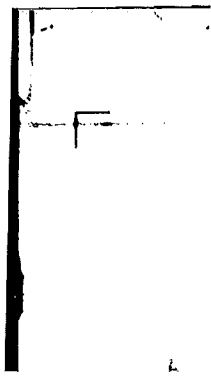
PLAINS

77









COMPARED

EDGAR E. COOK
ATTORNEY AT LAW
424 FIRST STREET
GLENWOOD, IOWA
51534

KENNETH R. COOK
DECEASED

PHONE
AREA CODE 712
527-3166

July 15, 1976

Mr. Paul Horn
Route #2
Council Bluffs, Iowa 51501

Dear Sir:

I have examined the title to the property described as:

Part of the SW $\frac{1}{4}$ Section 6, Township 74, Range 41, Pottawattamie County, Iowa more particularly described as follows: Commencing at the South-west corner Section 6, Township 74, Range 41, thence North along the West line of the SW $\frac{1}{4}$ Section 6, 756.75 feet to the point of beginning, thence continue along said West line of the SW $\frac{1}{4}$ 660.00 feet, thence East 429.67 feet, thence South 798.58 feet, thence S 89° 16' 05" W. 120.00 feet, thence S 0° 10' 30" E, 3.00 feet, thence S 89° 16' 05" W. 50.00 feet, thence N 0° 10' 30" W, 90.53 feet, thence S 89° 08' 00" W, 114.96 feet, thence N 0° 11' 00" W, 55.53 feet, thence S 89° 46' 33" W, 144.30 feet to the point of beginning. Said tract contains 313.682 square feet or 7.201 acres more or less, including County Road R.O.W. Said R.O.W. contains 22,442 square feet to 0.515 acres.

NOTE: The West line of the SW $\frac{1}{4}$ Section 6, Township 74, Range 41, assumed to bear North-South.

As disclosed by an abstract from the United States Government, last certified by the Abstract Guaranty Company, Council Bluffs, Iowa under date May 14, 1976 at 8 A.M., containing entries 1 - 47.

TITLE

I find marketable Title in fee simple and free from material objections, to be in Gayle N. Stephens and Jaxine C. Stephens, husband and wife by virtue of the Last Will and Testament of Margaret E. Stephens, deceased, which Will was admitted to Probate in the District Court of Pottawattamie County, Iowa on May 25, 1966. I also find marketable Title in fee simple and free from material objections in Walter F. Borstelmann and Elsie D. Borstelmann as joint tenants with full rights of survivorship and not as tenants in common by virtue of a Warranty Deed from Shirley E. Stephens, Executor of the Estate of Robert D. Stephens, deceased, and Shirley E. Stephens, as surviving spouse of Robert D. Stephens, deceased, dated February 23, 1968 and filed February 28, 1968 in the office of the County Recorder of Pottawattamie County, Iowa.

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CAUTION

Since the following cannot be determined by examination of the abstract, your attention is called to the fact that you are required to take notice of the rights of all persons in possession of the real estate, other than the title-holder of record; any facts that will be disclosed by a survey; the right to file mechanics' liens against the premises for labor or materials furnished in connection with improvements thereon within 90 days from the furnishing of the last item; and any restrictions as to building, occupancy, or usage contained in applicable zoning or other city ordinances.

Respectfully submitted,

Richard D. Crotty
Richard D. Crotty,
Attorney at Law

RDC:mb

COMPARED

APPLICATION FOR ANNEXATION

Come now the undersigned, Walter Borstelmann and Elsie Borstelmann (husband and wife) and Gayle Stephens and Jaxine Stephens (husband and wife), being all the owners of the following described real estate:

Part of the SW $\frac{1}{4}$ Sec. 6 Twp. 74 N. Range 41 W of the 5th P.M., Pottawattamie County, Iowa more particularly described as follows:

Commencing at the SW corner Sec. 6-74-41 thence North along the West line of the SW $\frac{1}{4}$ Section 6, 756.75 feet to the point of beginning, thence continue along said West line of the SW $\frac{1}{4}$ 660.00 feet, thence East 429.67 feet, thence South 798.58 feet, thence S. 89°16'05"W, 120.00 feet, thence S 0°10'30" E, 3.00 feet, thence S. 89°16'05"W, 50.00 feet, thence 0°10'30"W, 90.54 feet, thence E. 89°08'00"W, 114.96 feet, thence N 0°11'00"W, 55.53 feet, thence S. 89°46'33"W, 144.30 feet to the point of beginning.

Said tract contains 313,682 square feet or 7.201 acres more or less, including County Road R.O.W. - Said R.O.W. contains 22,442 square feet to 0.515 acres.

NOTE: The West line of the SW $\frac{1}{4}$ Section 6-74-41 assumed to bear North-South.

NOTE: All interior lot corners will be set after completion of grading.

do hereby request that said real estate as described above be annexed to the City of Treynor, Iowa, as provided in Section 368.7 of the Code of Iowa, 1975, as amended.

That attached to this Application for Annexation is a map of the territory showing its location in relationship to the City.

Dated this 5th day of April, 1976.

x Walter Borstelmann
x Gayle Stephens
x Elsie Borstelmann
x Jaxine Stephens

COMPARED

RESOLUTION

WHEREAS there has now been filed with the City Council of Treynor, Iowa, an Application for the Annexation of certain real estate, and

WHEREAS said Application appears to be in due form and to comply with law, and

WHEREAS it is the opinion of the members of the City Council of the City of Treynor, Iowa, that said Application for Annexation should be granted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TREYNOR, IOWA, that the following described real estate be and the same is hereby annexed to the City of Treynor, Iowa, and shall from this time forward be a part of said City:

Part of the SW $\frac{1}{4}$ Sec. 6 Twp. 74 N. Range 41 W of the 5th P.M., Pottawattamie County, Iowa more particularly described as follows:

Commencing at the SW corner Sec. 6-74-41 thence North along the West line of the SW $\frac{1}{4}$ Section 6, 756.75 feet to the point of beginning, thence continue along said West line of the SW $\frac{1}{4}$ 660.00 feet, thence East 429.67 feet, thence South 798.58 feet, thence S. 89°16'05"W, 120.00 feet, thence S 0°10'30" E, 3.00 feet, thence S. 89°16'05"W, 50.00 feet, thence 0°10'30"W, 90.54 feet, thence S. 89°08'00"W, 114.96 feet, thence N 0°11'00"W, 55.53 feet, thence S. 89°46'33"W, 144.30 feet to the point of beginning.

Said tract contains 313,682 square feet or 7.201 acres more or less, including County Road R.O.W. - Said R.O.W. contains 22,442 square feet to 0.515 acres.

NOTE: The West line of the SW $\frac{1}{4}$ Section 6-74-41 assumed to bear North-South.

NOTE: All interior lot corners will be set after completion of grading.

IT IS FURTHER RESOLVED that the Clerk of the City of Treynor, Iowa, shall file the necessary reports with the Secretary of State of the State of Iowa, with the Pottawattamie County Recorder, and with any other persons, firms, or corporations that may be entitled to receive such information.

Duly passed this 5th day of April, 1976.

Elwin M. Bryant
Mayor

Attest:

A. Pauline Bryant
City Clerk

COMPARED

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CERTIFICATE

A. Pauline Bryant, Clerk does state that he is the duly appointed, qualified, and acting City Clerk of the City of Treynor, Iowa and that the above and foregoing Application for Annexation and Resolution is a true and complete copy of the proceedings in regard to said Annexation.

A. Pauline Bryant, Clerk



COMPARED

R E S O L U T I O N

Be it hereby resolved by the Council of the Town of Treynor,
Iowa that they accept the annexation of Horn's First Addition. As
per description attached.

Beverly C. Anderson Aye

William J. Bryant Aye

Howard [unclear] Aye

Stephen M. [unclear] Aye

Robert L. Keyser Aye

Nays - None

Elaine M. Bryant
Mayor

ATTEST:

A. Pauline Bryant
Clerk

I hereby certify that the above is a true and correct copy of a resolution
duly adopted at a regular meeting of the Town Council, Treynor, Iowa, held on the
5th day of April, 1976.

A. Pauline Bryant
Clerk

COMPARED

Horn's First Addition Legal Description

Part of the SW $\frac{1}{4}$ Sec. 6 T74N R41W of the 5th P.M., Pottawattamie County Iowa more particularly described as follows:

Commencing at the SW corner Sec. 6-74-41 thence North along the West line of the SW $\frac{1}{4}$ Section 6, 756.75 feet to the point of beginning, thence continue along said West line of the SW $\frac{1}{4}$ 660.00 feet, thence East 429.67 feet, thence South 798.58 feet, thence S 89°16'05" W, 120.00 feet, thence S 0°10'30" E, 3.00 feet, thence S 89°16'05" W, 50.00 feet, thence N 0°10'30" W, 90.53 feet, thence S 89°08'00" W, 114.96 feet, thence N 0°11'00" W, 55.53 feet, thence S 89°46'33" W, 144.30 feet to the Point of beginning.

Said tract contains 313,682 square feet ~~xxxxxxxxxxxx~~ or 7.201 Acres more or less, including County Road R. O. W. - Said R. O. W. contains 22,442 square feet to 0.515 Acres.

NOTE: The West line of the SW $\frac{1}{4}$ Section 6-74-41 assumed to bear North-South.

NOTE: All interior lot corners will be set after completion of grading.

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COMPARED

IN THE DISTRICT COURT OF THE STATE OF IOWA
IN AND FOR POTTAWATTAMIE COUNTY

CERTIFICATE

I, Judy Ann Miller, do hereby certify that I am County Treasurer of Pottawattamie County, Iowa and that the lands lying within the boundaries of the plat of

Part of the SW $\frac{1}{4}$ Section 6, Township 74, Range 41, Pottawattamie County, Iowa more particularly described as follows: Commencing at the Southwest corner Section 6, Township 74, Range 41, thence North along the West line of the SW $\frac{1}{4}$ Section 6, 756.75 feet to the point of beginning, thence continue along said West line of the SW $\frac{1}{4}$ 660.00 feet, thence East 429.67 feet, thence South 798.58 feet, thence S 89° 16' 05" W. 120.00 feet, thence S 0° 10' 30" E, 3.00 feet, thence S 89° 16' 05" W. 50.00 feet, thence N 0° 10' 30" W, 90.53 feet, thence S 89° 08' 00" W, 114.95 feet, thence N 0° 11' 00" W, 55.53 feet, thence S 89° 46' 33" W, 114.30 feet to the point of beginning. Said tract contains 313.682 square feet or 7.201 acres more or less, including County Road R.O.W. Said R.O.W. contains 22,442 square feet to 0.515 acres.

are free from taxes as shown by the records in my office.

Dated this 30 day of July, 1976.


Judy Ann Miller,
County Treasurer of Pottawattamie County.



COMPARED

IN THE DISTRICT COURT OF THE STATE OF IOWA
IN AND FOR POTTAWATTAMIE COUNTY

CERTIFICATE

I, Donald Diwocky, do hereby certify that I am the Clerk of the District Court of Pottawattamie County, Iowa and that the lands lying within the boundaries of:

Part of the SW $\frac{1}{4}$ Section 6, Township 74, Range 41, Pottawattamie County, Iowa more particularly described as follows: Commencing at the Southwest corner Section 6, Township 74, Range 41, thence North along the West line of the SW $\frac{1}{4}$ Section 6, 756.75 feet to the point of beginning, thence continue along said West line of the SW $\frac{1}{4}$ 660.00 feet, thence East 429.67 feet, thence South 798.58 feet, thence S 89° 16' 05" W. 120.00 feet, thence S 0° 10' 30" E, 3.00 feet, thence S 89° 16' 05" W. 50.00 feet, thence N 0° 10' 30" W, 90.53 feet, thence S 89° 08' 00" W, 114.96 feet, thence N 0° 11' 00" W, 55.53 feet, thence S 89° 46' 33" W, 114.30 feet to the point of beginning. Said tract contains 313.682 square feet or 7.201 acres more or less, including County Road R.O.W. Said R.O.W. contains 22,442 square feet to 0.515 acres.

have no judgments, attachment, mechanic or other liens as shown by the records in my office up to ~~May 4~~ May 4 1976 at 8 A.M.

Dated this 29 day of July, 1976.

Donald Diwocky
Donald Diwocky,
Clerk of the District Court of
Pottawattamie County



COMPARED

IN THE DISTRICT COURT OF THE STATE OF IOWA
IN AND FOR POTTAWATTAMIE COUNTY

CERTIFICATE

I, Dorothy Letner, do hereby certify that I am the County Recorder of Pottawattamie County, Iowa and that title in fee to the land within the boundaries of attached plat to:

Part of the SW $\frac{1}{4}$ Section 6, Township 74, Range 41, Pottawattamie County, Iowa more particularly described as follows: Commencing at the Southwest corner Section 6, Township 74, Range 41, thence North along the West line of the SW $\frac{1}{4}$ Section 6, 756.75 feet to the point of beginning, thence continue along said West line of the SW $\frac{1}{4}$ 660.00 feet, thence East 429.67 feet, thence South 798.58 feet, thence S 89° 16' 05" W. 120.00 feet, thence S 0° 10' 30" E, 3.00 feet, thence S 89° 16' 05" W. 50.00 feet, thence N 0° 10' 30" W, 90.53 feet, thence S 89° 08' 00" W, 114.96 feet, thence N 0° 11' 00" W, 55.53 feet, thence S 89° 46' 33" W, 114.30 feet to the point of beginning. Said tract contains 313.682 square feet or 7.201 acres more or less, including County Road R.O.W. Said R.O.W. contains 22,442 square feet to 0.515 acres.

is in the names of Gayle N. Stephens and Jaxine C. Stephens, and Walter F. Borstelmann and Elsie D. Borstelmann and that all of said lands are free from encumbrances as shown by the records in my office, as of May 14, 1976 at 8:00 a.m.

Dated this 30th day of July, 19 76

Dorothy Letner

Dorothy Letner,
County Recorder of Pottawattamie County.