

RECORDED

See 3650

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AFFIDAVIT

STATE OF IOWA, Pottawattamie County
Filed for record the 4 day of October
1974 at 3 o'clock P.M. and recorded
in book 74 page 15996

Donna Rae Schueman
Recorder
by *William Larson*
Deputy

STATE OF IOWA

Pottawattamie County: ss

We, Gerald L. Schueman and Donna Rae Schueman, husband and wife, and Keith E. Burgett and Patricia L. Burgett, husband and wife, first being duly sworn upon oath do depose and say that we are the owners of the land indicated on the Plat accompanying this affidavit, and that said subdivision as it appears upon said Plat, is with the free consent and in accordance with the desires of the undersigned owners.

Gerald L. Schueman
Gerald L. Schueman

Donna Rae Schueman
Donna Rae Schueman

Keith E. Burgett
Keith E. Burgett

Patricia L. Burgett
Patricia L. Burgett

On this 30 day of September 1974, there appeared before me R.D. Hummel a notary public in and for said county and state, Gerald L. Schueman, Donna Rae Schueman, Keith E. Burgett and Patricia L. Burgett, known to me to be the persons named in and making the foregoing statement and acknowledge that they executed the same as their voluntary act and deed.

R.D. Hummel
Notary Public

COMPARED

Keith E. Burgett
Attorney at Law
Oakland, Iowa 51560

October 4, 1974

TO: All Persons Concerned

Re: Abstract of Title Opinion to SCHUEMAN-BURGETT SECOND ADDITION

This is to certify that I have examined the abstract of title to the following described property as follows:

That part of Lot 4, Auditor's Subdivision of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 13, Township 75 North, Range 40 West of the 5th P. M., Oakland, Pottawattamie County, Iowa, lying easterly of the easterly right-of-way line of State Highway #59 & U. S. Highway #6, except those parcels shown as A, B & C more particularly described as follows:

Parcel A: Beginning at a point on the north line of and 592.00 feet west of the northeast corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 13, and assuming said north line to bear due east; thence S00°07'26"E., a distance of 145.00 feet thence due west, a distance of 121.57 feet to a point on the easterly right-of-way line of said highway, said right-of-way line established from existing improvements and previous sub-division plattings; thence northeasterly along the arc of a curve to the right, said curve having a long chord bearing N22°46'19"E., a chord length of 157.26 feet, and a radius of 5649.58 feet, a distance of 157.27 feet to a point on the north line of said NW $\frac{1}{4}$ of NW $\frac{1}{4}$; thence east along said north line a distance of 60.70 feet to the point of beginning and containing a calculated area of 0.303 acres.

Parcel B: Commencing at the Northeast corner of the northwest quarter of the northwest quarter of said Section 13 and assuming the north line of said northwest quarter of the northwest quarter to bear due west; thence west along said north line, a distance of 444.67 feet to a point on the west right-of-way line of Chautauqua Avenue, as platted; thence S00°07'26"E., along said street right-of-way line, a distance of 141.00 feet to the point of beginning; thence continuing along said street right-of-way line a distance of 95.00 feet; thence due west, a distance of 120.00 feet; thence northerly, parallel to the penultimate described line, a distance of 95.00 feet; thence due east, a distance of 120.00 feet to the point of beginning and containing a calculated area of 0.262 acres.

Parcel C: Beginning at the southeast corner of above described Parcel B, and assuming the same bearings; thence S00°07'26.2"E along the west

74 15997

COMPARED

right-of-way line of said Chautauqua Avenue, a distance of 100.00 feet; thence due west a distance of 132.00 feet; thence northerly, parallel to the penultimate described line a distance of 100.00 feet; thence due east a distance of 132.00 feet to the point of beginning and containing a calculated area of 0.303 acres.

From such examination it is my opinion that merchantable title exists in fee simple in Gerald L. Schueman and Keith E. Burgett as tenants in common.

I further certify that said premises are free from encumbrances of any sort and that the 1973 real estate taxes are shown paid in full.

Respectfully submitted,

Keith E. Burgett
Attorney at Law

74 15998

COMPARED

RESOLUTION

BE IT RESOLVED BY THE TOWN OF OAKLAND, POTTAWATTAMIE COUNTY, STATE OF IOWA, that:

WHEREAS, A Plat of SCHUEMAN-BURGETT SECOND ADDITION TO THE TOWN OF OAKLAND, IOWA, WAS ON THE 30th day of September, 1974 FILED WITH the Town Clerk of the Town of Oakland, Iowa, and

WHEREAS, said Plat conforms to the provisions of the Statutes of the State of Iowa, and

WHEREAS, said addition is within the corporate limits of the Town of Oakland, Pottawattamie County, State of Iowa, and

WHEREAS, said addition was found to conform in general to the requirements of the Town of Oakland, Iowa, and

WHEREAS, said Plat has been approved by the Oakland Town Plan Commission and

NOW, THEREFORE, BE IT RESOLVED that said Plat and the restrictions and proposals attached thereto be and the same are hereby approved. The Mayor and Town Clerk are hereby directed to certify this Resolution of Approval and affix it to said Plat.

STATE OF IOWA, POTTAWATTAMIE COUNTY
IN P

Donald L. Johnson
MAYOR

Dorlene Triggell
CLERK

COMPARED

I, Darlene Frizzell, hereby certify that I was the Town Clerk of the Town of Oakland, Pottawattamie County, Iowa, on the 30 day of September, 1974 and that the foregoing Resolution was passed by the Town Council on the 30 day of September, 1974 in regular meeting assembled.

Darlene Frizzell
TOWN CLERK

74 16000

COMPARED

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That we, Gerald L. Schueman and Donna Rae Schueman, Husband and Wife and Keith E. Burgett and Patricia L. Burgett, Husband and Wife Tenants in Common and sole owners and proprietors of the land described in the Legal Description and embraced within this plat have caused the same to be subdivided into lots and streets, said subdivision to be known as SCHUEMAN-BURGETT SECOND ADDITION; the lots numbered as shown and we approve the disposition of the property as shown on this plat and we hereby dedicate to the public for public use the streets and easements as shown herein. We do further grant a perpetual license in favor of and granting to the Iowa Power and Light Company and the Central Telephone Company, their successors and assigns, to erect and operate, maintain, repair and renew underground cables or conduits, poles with the necessary supports, sustaining wires, crossarms, guys and anchors and other instrumentalities, and extend thereon wire for the carrying and transmission of electric current for light, heat, power and for all telephone and telegraph and message service over, upon or under a 5-foot strip of land adjoining the side boundary lines of said Lots and a 10-foot strip of land adjoining the rear boundary line of said lots. (These easements apply only to land within said subdivision) and license being granted for the use and benefit of all present and future owners of lots in said subdivision; provided however, that said side lot line easement is granted upon the specific condition that if both utility companies fail to construct underground cables or conduits, or pole and wires along any of said side lot lines within 60 months of the date hereof; or if any underground cables or conduits or poles or wires are constructed but hereafter removed without replacement within 60 days after their removal, then this side line easement shall automatically terminate and become void as to such unused or abandoned easement ways.

IN WITNESS WHEREOF, we do hereby set our hands this 30 day of September 1974 A.D.

Patricia L. Burgett
Patricia L. Burgett

Donna Rae Schueman
Donna Rae Schueman

74 16001

Keith E. Burgett
Keith E. Burgett


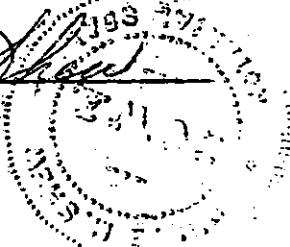
Gerald L. Schueman
Gerald L. Schueman

COMPARED

State of Iowa

Pottawattamie County: ss

On this 30th day of September, 1974, there appeared before me,
OLLIE M. SHEW, a notary public in and for said
county and state, Gerald L. Schueman, Donna R. Schueman, Keith E. Burgett
and Patricia L. Burgett, known to me to be the persons named in and
making the foregoing statement and acknowledge that they executed the
same as their voluntary act and deed.


NOTARY PUBLIC 

74 16002

COMPARED

AFFIDAVIT

STATE OF IOWA

Pottawattamie County: ss

I, Frances M. Harding, first being duly sworn on oath, depose and say that I am the Treasurer of Pottawattamie County, Iowa and that the land Platted in --

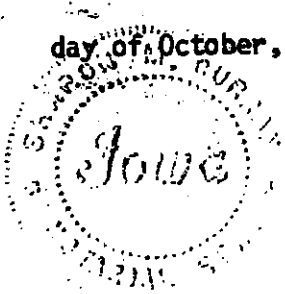
SCHUEMAN-BURGETT SECOND ADDITION TO THE TOWN OF OAKLAND, Iowa, is free from taxes on the property described below.

(SEE ATTACHED DESCRIPTION)

Frances M. Harding, Treas.
By Marion H. Norris, Deputy

Subscribed and sworn to before me, a notary public this 4th

day of October, 1974.



Sharon M. Curran
NOTARY PUBLIC
SHARON M. CURRAN
Comm. Exp. 9-30-77

COMPARED

LEGAL DESCRIPTION:

That part of Lot 4, Auditor's Subdivision of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 13, Township 75 North, Range 40 West of the 5th P.M., Oakland, Pottawattamie County, Iowa, lying easterly of the easterly right-of-way line of State Highway #59 & U. W. Highway #6, except those parcels shown as A, B & C more particularly described as follows:

Parcel A: Beginning at a point on the north line of, and 592.00 feet west of the northeast corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 13, and assuming said north line to bear due east; thence S00°07'26"E., a distance of 145.00 feet thence due west, a distance of 121.57 feet to a point on the easterly right-of-way line of said highway, said right-of-way line established from existing improvements and previous sub-division plattings; thence northeasterly along the arc of a curve to the right, said curve having a long chord bearing N22°46'19"E., a chord length of 157.26 feet, and a radius of 5649.58 feet, a distance of 157.27 feet to a point on the north line of said NW $\frac{1}{4}$ of NW $\frac{1}{4}$; thence east along said north line a distance of 60.70 feet to the point of beginning and containing a calculated area of 0.303 acres.

Parcel B: Commencing at the Northeast corner of the northwest quarter of the northwest quarter of said Section 13 and assuming the north line of said northwest quarter of the northwest quarter to bear due west; thence west along said north line, a distance of 444.67 feet to a point on the west right-of-way line of Chautauqua Avenue, as platted; thence S00°07'26"E., along said street right-of-way line, a distance of 141.00 feet to the point of beginning; thence continuing along said street right-of-way line a distance of 95.00 feet; thence due west, a distance of 120.00 feet; thence northerly, parallel to the penultimate described line, a distance of 95.00 feet; thence due east, a distance of 120.00 feet to the point of beginning and containing a calculated area of 0.262 acres.

Parcel C: Beginning at the southeast corner of above described Parcel B, and assuming the same bearings; thence S00°07'26.2"E along the west right-of-way line of said Chautauqua Avenue, a distance of 100.00 feet; thence due west a distance of 132.00 feet; thence northerly, parallel to the penultimate described line a distance of 100.00 feet; thence due east a distance of 132.00 feet to the point of beginning and containing a calculated area of 0.303 Acres.

*OK
Keller*

74 16004

COMPARED

AFFIDAVIT

STATE OF IOWA

Pottawattamie County: SS

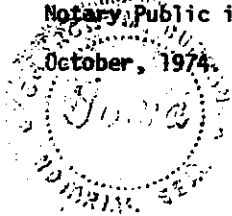
I, Dorothy Letner, being first duly sworn upon oath, depose and say that I am the County Recorder of Pottawattamie County, Iowa, and that the land Platted in --

SCHUEMAN-BURGETT SECOND ADDITION TO THE TOWN OF OAKLAND, IOWA, is owned in fee by the proprietors, Gerald L. Schueman and Keith E. Burgett, and that said Land is free from encumbrances as shown by the records of my office.

Dorothy Letner
Dorothy Letner

Subscribed and sworn to before me, *Sharon M. Curran*

Notary Public in and for Pottawattamie County, Iowa, this 4th day of
October, 1974.



Sharon M. Curran
NOTARY PUBLIC Sharon M. Curran
Comm. exp 9-30-77

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COMPARED

AFFIDAVIT

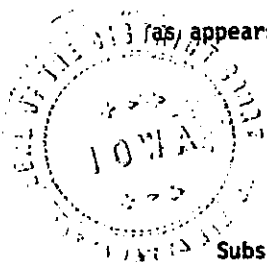
STATE OF IOWA

Pottawattamie County: ss

I Donald J. Diwoky, first being duly sworn upon oath, depose and say that I am the Clerk of the District Court of Pottawattamie County, Iowa, and I hereby certify that the land situated and Platted in --

SCHUEMAN-BURGETT SECOND ADDITION TO THE TOWN OF OAKLAND, IOWA, is free from all judgments, attachments, mechanics liens or other liens

(as) appears by the records in my office.



Donald J. Diwoky
DONALD J. DIWOKY

Subscribed and sworn to before me, a notary public in and for Pottawattamie County, Iowa this 4 day of October, 1974.



Dorothy E. Bridenbaugh
NOTARY PUBLIC
DOROTHY E. BRIDENBAUGH
Comm. Exp. 9-30-77

(SEE DESCRIPTION ATTACHED)

COMPARED

LEGAL DESCRIPTION:

That part of Lot 4, Auditor's Subdivision of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 13, Township 75 North, Range 40 West of the 5th P.M., Oakland, Pottawattamie County, Iowa, lying easterly of the easterly right-of-way line of State Highway #59 & U. W. Highway #6, except those parcels shown as A, B & C more particularly described as follows:

Parcel A: Beginning at a point on the north line of $\frac{1}{2}$ and 592.00 feet west of the northeast corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 13, and assuming said north line to bear due east; thence S00⁰⁰07'26"E., a distance of 145.00 feet thence due west, a distance of 121.57 feet to a point on the easterly right-of-way line of said highway, said right-of-way line established from existing improvements and previous sub-division plattings; thence northeasterly along the arc of a curve to the right, said curve having a long chord bearing N22⁰⁴46'19"E., a chord length of 157.26 feet, and a radius of 5649.58 feet, a distance of 157.27 feet to a point on the north line of said NW $\frac{1}{4}$ of NW $\frac{1}{4}$; thence east along said north line a distance of 60.70 feet to the point of beginning and containing a calculated area of 0.303 acres.

Parcel B: Commencing at the Northeast corner of the northwest quarter of the northwest quarter of said Section 13 and assuming the north line of said northwest quarter of the northwest quarter to bear due west; thence west along said north line, a distance of 444.67 feet to a point on the west right-of-way line of Chautauqua Avenue, as platted; thence S00⁰⁰07'26"E., along said street right-of-way line, a distance of 141.00 feet to the point of beginning; thence continuing along said street right-of-way line a distance of 95.00 feet; thence due west, a distance of 120.00 feet; thence northerly, parallel to the penultimate described line, a distance of 95.00 feet; thence due east, a distance of 120.00 feet to the point of beginning and containing a calculated area of 0.262 acres.

Parcel C: Beginning at the southeast corner of above described Parcel B, and assuming the same bearings; thence S00⁰⁰07'26.2"E along the west right-of-way line of said Chautauqua Avenue, a distance of 100.00 feet; thence due west a distance of 132.00 feet; thence northerly, parallel to the penultimate described line a distance of 100.00 feet; thence due east a distance of 132.00 feet to the point of beginning and containing a calculated area of 0.303 Acres.

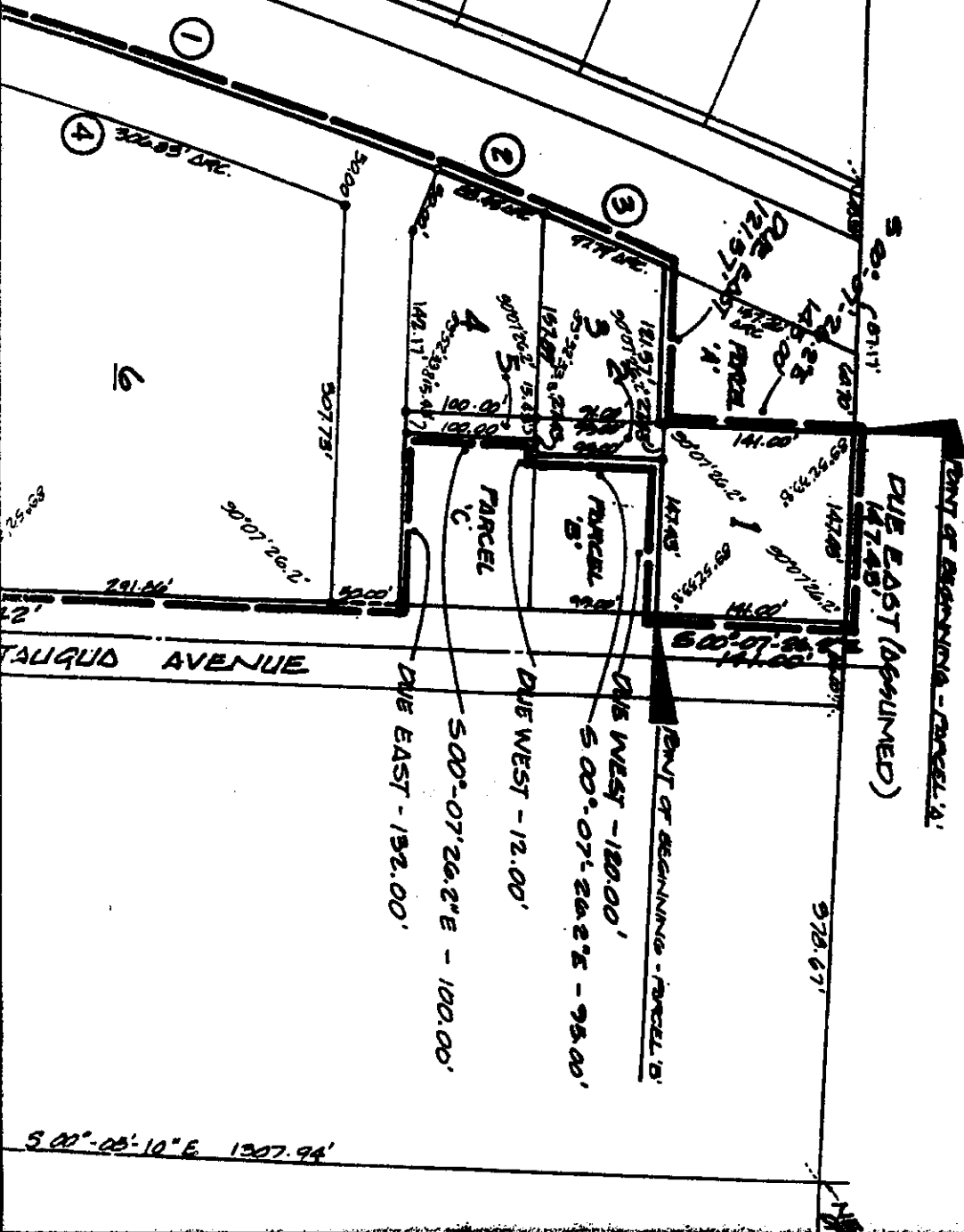
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SECTION 15-1-TOWN-6-ADDN

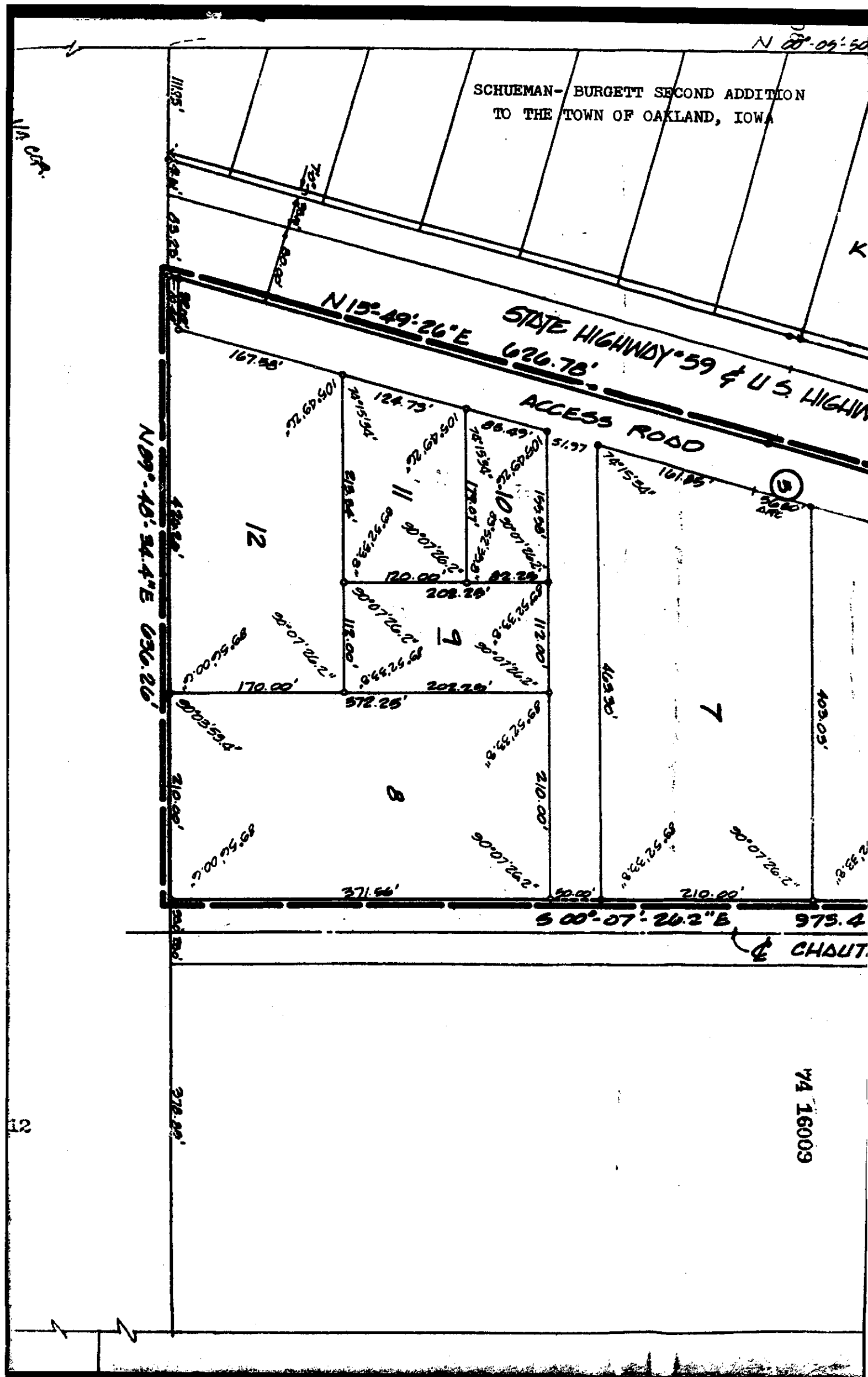
SCHUEMAN-BURGETT SECOND ADDITION
TO THE TOWN OF OAKLAND, IOWA

X.-B. ADDITION LOTS 1-14

CLINDY # 6



SCHUEMAN-BURGETT SECOND ADDITION
TO THE TOWN OF OAKLAND, IOWA



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SCHUEMAN-BURGETT SECOND ADDITION
TO THE TOWN OF OAKLAND, IOWA

DATE SEPT. 6 74

TOWN OF OAKLAND APPROVAL

This plat and dedication was approved and accepted by the
Town of Oakland this 30 day of September,
1974, A.D.

Gerald F. Schuman
Mayor

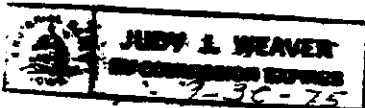
Darlene Frizzell
City Clerk

CORPORATION ACKNOWLEDGEMENT
State of Iowa)

County of Pottawattamie) S.S.

On this 11th day of September, 1974, A.D.,
before me a Notary Public, in and for said County, per-
sonally appeared Floyd D. Foreman, President and Ron Wright,
Executive Vice President of the Oakland Savings Bank, an
Iowa Corporation who are personally known to me to be the
identical persons whose names are affixed to the dedication
on this plat as President and Executive Vice President of
said Corporation, and they acknowledge the execution
thereof to be their voluntary act and deed as such
officers and the voluntary act and deed of said Corpora-
tion and the Corporate Seal of said Corporation was there-
to affixed by its authority.

Witness my hand and official seal the last date aforesaid.



Jedy I. Weaver
Notary Public

My commission expires on the 30th day of Sept,
1975, A.D.

APPROVAL OF TOWN OF OAKLAND PLANNING COMMISSION

This plat and dedication was approved by the Town of
Oakland, Planning Commission this 23 day of
Sept, 1974, A.D.

[Signature]
Chairman

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74 16013

LEGAL DESCRIPTION:

That part of Lot 4, Auditor's subdivision of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 13, Township 75 North, Range 40 West of the 5th P.M., Oakland, Pottawattamie County, Iowa, lying easterly of the easterly right-of-way line of State Highway #59 & U.S. Highway #6, except those parcels shown as A, B & C more particularly described as follows:

Parcel A: Beginning at a point on the north line of, and 592.00 feet west of the northeast corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 13, and assuming said north line to bear due east; thence S00°07'26"E., a distance of 145.00 feet thence due west, a distance of 121.57 feet to a point on the easterly right-of-way line of said highway, said right-of-way line established from existing improvements and previous sub-division platings; thence northeasterly along the arc of a curve to the right, said curve having a long chord bearing N22°46'19"E., a chord length of 157.26 feet, and a radius of 5649.58 feet, a distance of 157.27 feet to a point on the north line of said NW $\frac{1}{4}$ of NW $\frac{1}{4}$; thence east along said north line a distance of 60.70 feet to the point of beginning and containing a calculated area of 0.303 acres.

Parcel B: Commencing at the Northeast corner of the northwest quarter of the northwest quarter of said Section 13 and assuming the north line of said northwest quarter of the northwest quarter to bear due west; thence west along said north line, a distance of 444.67 feet to a point on the west right-of-way line of Chautauqua Avenue, as platted; thence S00°07'26"E., along said street right-of-way line, a distance of 141.00 feet to the point of beginning; thence continuing along said street right-of-way line a distance of 95.00 feet; thence due west, a distance of 120.00 feet; thence northerly, parallel to the penultimate described line, a distance of 95.00 feet; thence due east, a distance of 120.00 feet to the point of beginning and containing a calculated area of 0.262 acres.

Parcel C: Beginning at the southeast corner of above described Parcel B, and assuming the same bearings; thence S00°07'26.2"E along the west right-of-way line of said Chautauqua Avenue, a distance of 100.00 feet; thence due west a distance of 132.00 feet; thence northerly, parallel to the penultimate described line a distance of 100.00 feet; thence due east a distance of 132.00 feet to the point of beginning and containing a calculated area of 0.303 Acres.



SURVEYOR'S CERTIFICATE

This is to certify that I have accurately surveyed the tract of land as shown and described on this plat and that I am a duly registered Land Surveyor under the laws of Iowa.

C. E. Finke, L.S. 6453