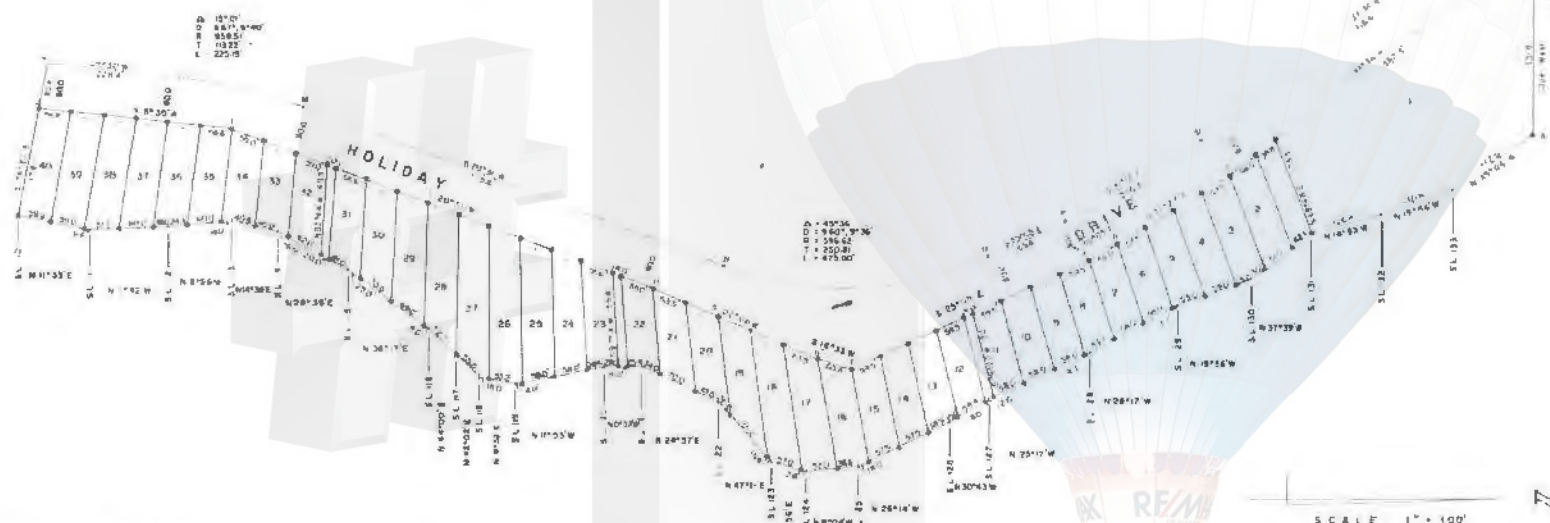




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RE/MAX



N. 1/4 Sec 32-99-136
Lot 7 in Sec 32-99-136

D 15' 00"
 C 88° 30' 00"
 E 858.51
 T 1322'
 L 225.0'

A 493.56
 B 960.936
 C 386.62
 D 250.81
 E 475.00

DESCRIPTION:

A strip of land along the easterly edge of U.S. Government Lots Five (5), Six (6) and Seven (7) in Section Thirty-two (Sec. 32) Township Ninety-nine North (T. 99N), Range Thirty-nine West (R. 39W) of the 11th Principal Meridian (P.M.), Dickinson County, Iowa, here to be known as Woodlyn Acres and more completely described as follows:

Beginning at the northeast corner of said U.S. Government Lot 5 or even then with corner of Lower Oak Lake (1,397.80 above mean sea level); thence due west along the north line of said Lot 7, 100 hundred thirty-two and eight tenths feet (432.02); thence north 17° 35' east, seven hundred sixteen and six tenths feet (716.62); thence south 11° 21' east, two hundred seventy-six and three tenths feet (276.27); thence south 12° 05' east, one hundred fifty-nine and eight tenths feet (159.81); thence southeasterly, four hundred seventy-five feet (475.00), around a curve, concave westerly, according to its preceding station and having a radius of five hundred ninety-six and sixty-four hundredths feet (596.62); thence along 20° 32' west, seven hundred seventy-six and six tenths feet (776.62); thence southeasterly, two hundred thirty-five and six tenths feet (235.62); thence along 12° 19' east, three hundred thirty and one tenth feet (330.10); thence south 5° 20' west, two hundred twenty-eight and two tenths feet (228.21); thence south 78° 27' west, two hundred fifty-eight and two tenths feet (258.21) to the mean first water crossing of Lower Oak Lake (1,197.80 above mean sea level); thence southeasterly along the mean first water crossing of Lower Oak Lake to the place of beginning. The bearing of the north line of U.S. Government Lot 7 is assumed to be due west.

SURVEYOR'S CERTIFICATION:

I hereby certify that the above described property was surveyed under my supervision, divided into lots, and that the plat as shown is a true and accurate representation of the survey and division.

by Donald E. Wall 5/15/84
 Donald E. Wall, Iowa Professional
 Surveyor and Land Surveyor - No. 3998

SCALE 1" = 100'

(C) - Corners steel rods set at these points
 (D, L, S, S) - Corners packed wood flag where the points set by Road State Conservation Commission

WOODLYN ACRES - DICKINSON COUNTY, IOWA	
PREPARED BY: D. E. WALL DATE: 5/15/84 DRAWN BY: D. E. WALL DATE: 5/15/84	JOB NO. 13161 SHEET NO. 1/1
DEWILD, GRANT, RECKERT & STEVENS ENGINEERS & ARCHITECTS 2024 EAST 10TH ST. DES MOINES, IOWA	
APPROVED BY: _____ DATE: _____	DATE: _____

Woodley's, Incorporated, AFFIDAVIT.
By Floyd D. Woodley, President Sworn to May 1, 1967.
To Filed May 2, 1967, at 9:05 A.M.
 Recorded in Aff. Rec. 11, page 27.
Whom It May Concern. Recites as follows:-
 "To Whom It May Concern:-

State of Iowa, Emmet County, SS:-
The undersigned, first being duly sworn (or affirmed) upon oath deposes and states:-

That Floyd Woodley, as President of Woodley's Incorporated, states that Woodley's Incorporated is now the record titleholder of the following described real estate, to-wit:-

Government Lot Five (5), of Section Thirty-two (32), Township Ninety-nine (99), Range Thirty Six (36), West of the 5th P.M.

That said Woodley's Incorporated is now in complete actual and sole possession of all of said real estate except as may be herein stated, and that they and their predecessors (who held record title thereof) in the recorded chain of title under which they claimed and claim ownership and the right to possession of the said real estate have been, since prior to January 1, 1940, in continuous, actual, visible, open, notorious, exclusive and unquestioned possession thereof, under color of title and claim of right to the exclusive possession as against the world and have improved said property and paid the taxes thereon; that neither the title nor the right to possession of said titleholders or any of those under whom they claim has been disputed or openly attacked by anyone. That this affidavit is made from the personal knowledge of the undersigned who is familiar with said real estate, its titleholders and its parties in possession; and is for the purpose of confirming title to the above described real estate under the provisions of Section 614.17 I.C.A. and other statutes relative thereto.

Words and phrases herein, including jurat and marginal entry hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

Dated this 1st day of May, 1967.

Woodley's Incorporated,
By Floyd Woodley."

Corporate Seal affixed.

Marginal Certificate of Recorder attached.

Woodley's Incorporated, PLAT OF WOODLYN ACRES SECOND ADDITION.
By Floyd Woodley, Pres., Dated Dec. 12, 1966.
Kathryn Woodley, Vice Pres. Ackd. Dec. 12, 1966.
To Filed Dec. 31, 1966, at 9:47 A.M.
 Recorded in Plat Book 7, page 48,
The Public. and Abstract Book 7, page 216.
 Corporate Seal affixed.
 Proceedings show:-

PROPRIETOR'S CERTIFICATE.

"Know All Men By These Presents:-

That 'Woodley's Incorporated' a duly existing corporation, be-
int the proprietor and record fee title owner of the following de-
scribed premises in Dickinson County, Iowa, to-wit:-

A tract of land in Government Lots 5, 6 and 7, in Sec. 32,
Twp. 99, Range 36, West 5th P.M., now to be known as Woodlyn

Acres Second Addition, and described as follows:-

Beginning at the Northwest corner of Woodlyn Acres; thence

South 37°36' East 716.6 feet; thence South 51°12' East 276.5 feet; thence South 25°05' East 159.8 feet; thence continuing, 475.0 feet, around a curve, concave Westerly, tangent to the preceding course, and having a radius of 596.62 feet; thence South 20°31' West 775.6 feet; thence continuing, 225.19 feet, around a curve, concave Easterly, tangent to the preceding course and having a radius of 858.51 feet; thence South 5°30' West 31.4 feet; thence due West 680.9 feet; thence due North 2387.0 feet to the North line of said Lot 7; thence due East along the North line of said Lot 7, 340.0 feet to the place of beginning. The bearing of the North line of Lot 7 is assumed to be due West. May, 1965, containing 42 acres, more or less. do hereby certify and acknowledge that the accompanying plat of the foregoing described premises designated as 'Woodlyn Acres Second Addition' is made with the free consent and desire of said owner and as authorized by its Board of Directors.

That the areas not designated as lots are dedicated to the use of the public for road purposes.

That the rights, title and interest of all owners of lots or any portion of the lots shown on the plat of Woodlyn Acres Second Addition shall at all times be subject to the following conditions and restrictions which may be enforced by any lot owner or owner of a portion of a lot in said plat by injunction or any other equitable or legal remedy.

(a) All lots except Lots 11, 12, 13 and 14 are hereby designated as residential and said premises shall not be used for any commercial or manufacturing purposes. No building shall be erected on said premises except a one-family dwelling house and private garage. Any garage erected on said property must conform generally with the appearance and materials of any existing dwelling with which it is to be used. A mobile home may be placed on the premises provided that said mobile home is at least ten feet wide and fifty feet in length. Vehicles commonly known as camping trailers shall not be allowed on the premises except for Lots 11, 12, 13 and 14. No lot shall have a mobile home or other building on the same unless said lot is 75 feet in width abutting the street.

(b) All buildings must be of new construction.

(c) Any dwelling erected on the premises must contain 600 square feet.

(d) Property is subject to easements for utilities.

(e) All lots and portions thereof shall at all times be kept clean and neat and no refuse or accumulation of weeds shall be allowed.

(f) No building nor mobile home shall be erected or stationed on said premises except Lots 11, 12, 13 and 14, which shall be within 30 feet of the front line of said premises and 6 feet from the side line of any adjoining property owner; and within 20 feet from the rear of said lot. 'Front' is deemed to be the roadside frontage.

(g) All dwellings, including mobile homes, trailers or residences, used for residential purposes, unless they are of the self-contained mobile home type, shall install water flush toilets and all bathrooms, toilets or sanitary conveniences shall be inside the mobile home or buildings permitted hereunder.

(h) Until such time as sewers may be available all bathrooms, toilets or sanitary conveniences shall be connected to septic tanks and cesspools or leach fields constructed in accordance with requirements and standards of county and state laws, rules and regulations and in accordance with sound engineering, safety and health practices. There shall not be allowed any outside portable lavatories, outside toilets or open plumbing. All septic tanks must be of concrete construction.

(i) Detached buildings, commonly called out-buildings, shall not be constructed on any lot. Buildings that are intended to fit around or attach to a mobile home (referred to herein as cabanas) may be constructed. The minimum size for any cabana shall not be less than 120 feet of floor space. A mobile home must be on a lot before a cabana may be built, and no cabana may be used for living quarters unless it is part of a mobile home.

(j) Exclusive of cabanas described above, to be used in conjunction with trailers or mobile homes, only detached single-family dwellings shall be erected having at least 600 square feet of living area exclusive of attached garage or carport. A detached private garage shall not be considered in violation of these restrictions. However, no garage shall be used for residential purposes.

(k) No permanent structure shall be erected, altered, placed or permitted to remain on any of the lots other than one detached single-family dwelling or cabanas and private garage, except that this restrictions shall not apply to Lots 11, 12, 13 & 14.

(l) All exterior construction of any buildings permitted must be completed within six months from commencement thereof and conform to the accepted standard carpentry practices and the exterior of any building shall be completed within six months from the date of commencing construction. All materials must be new or approved, no structure shall have a tin roof; nor tar paper, rolled asbestos roofing material, tin or sheet metal exteriors will be permitted; nor shall any used structure be moved on to any lot.

(m) No structure of any kind or nature shall be erected, permitted or allowed to remain on, over or across the easements for utilities, as shown on the plat of said sub-division or as installed on the area.

(n) No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept, providing that they are not kept, bred or maintained for any commercial purpose. Household pets will be kept fenced or leashed at all times.

(o) The storage, collection, disposal or removal of all debris, garbage and trash will be the responsibility of the individual lot owner.

(p) The owners of all lots shall keep the same clean of all debris, garbage and trash at all times and if any owners fail to keep their lots cleaned of such debris, garbage and trash, the developers may cause the same to be cleaned, if necessary, and charge the cost of same to the owner of such lot. Recording of a notice of such charges in the office of the Dickinson County Recorder shall constitute a lien against said lot which lien shall continue until released of record.

(q) Any commercial structure placed upon Lots 11, 12, 13, 14 or portion thereof must provide that any materials, supplies, non-running vehicles, packing boxes, crates, barrels or other containers must be kept within the interior of the structure or shielded from the public in such a manner that the same cannot be seen from any point along the respective lot line.

(r) No commercial use may be made of any of the commercial lots described above until the lot owner installs water flush toilets and any and all bathrooms, toilets and sanitary conveniences have been enclosed within the structure and connected to appropriate septic tanks and/or a sewer system. Any use of septic tanks must be first approved by the appropriate state and county health departments.

(s) The foregoing restrictions and covenants run with the land and shall be binding on all persons owning any of the land in Woodlyn Acres Second Addition, until December 1, 1986, at which time

said covenants shall be automatically extended for successive periods of ten years each, unless by a majority of the then owners of the improved lots, it is agreed to change the said covenants in whole or in part.

(t) Deeds of conveyance of said property, or any part thereof, may contain the above restrictive covenants by reference to this document, but whether or not such reference is made in such deeds, or any part thereof, each and all of such restrictive covenants shall be valid and binding upon the respective grantees. Violations of any one or more of such covenants may be restrained by any court of competent jurisdiction and damages awarded against such violator; provided, however, that a violation of these restrictive covenants, or any one or more of them shall not affect the lien of any mortgage now of record or which hereafter may be placed of record upon said lots.

(u) Invalidation of any one of these covenants or restrictions by judgment of court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

Dated this 12th day of December, 1966.

Woodley's Incorporated,
By Floyd Woodley, President,
Kathryn Woodley, Vice President."

TREASURER'S CERTIFICATE.

"I, Marie Barrett, County Treasurer of Dickinson County, Iowa, do hereby certify that the land included in the accompanying Plat of Woodlyn Acres Second Addition is free from any and all tax liens according to the records in my office and thereis no unredeemed tax sales of record affecting said land.

Dated this 31st day of December, 1966.

Marie Barrett, Treasurer of
Dickinson County, Iowa."

CLERK'S CERTIFICATE.

"I, A. L. Stephenson, Clerk of the District Court of Iowa, in and for Dickinson County, hereby certify that I have carefully examined the records in my office and that the land included in the Plat of Woodlyn Acres Second Addition is free from all judgments, attachments, mechanics or other liens as now appears by the records in my office.

Dated this 31st day of Dec., 1966.

A. L. Stephenson, Clerk of District
Court in and for Dickinson County."

RECORDER'S CERTIFICATE.

"I, Ione McClintock, County Recorder of Dickinson County, Iowa, do hereby certify that the record fee title to the land included in the Plat of Woodlyn Acres Second Addition is vested in Woodley's Incorporated; that the same is free from incumbrance; that the Abstract of Title to said premises together with Attorney's Opinion with reference thereto are this day filed in my office as required by the Statutes of Iowa.

Dated this 31 day of December, 1966.

Ione McClintock, County Recorder in
and for Dickinson County, Iowa."

APPROVAL OF TOWN COUNCIL OF ARNOLDS PARK.

"This is to certify that the Plat of Woodlyn Acres Second Addition has been presented to the Town Council of Arnolds Park for approval. Said presentation being in conformity with Section 409.14 of the Code of Iowa. The area contained in said plat is with one mile of the town limits of Arnolds Park. The Town of Arnolds Park has no plan commission. That said plat has been filed with the Clerk and considered by the Town Council and has been by resolution of the council approved and accepted as follows:-

KNOW ALL MEN BY THESE PRESENTS:

That Floyd Woodley and Kathryn Woodley, husband and wife, being the proprietors and record fee title owners of the following described premises in Dickinson County, Iowa, to-wit:

A strip of land along the easterly edge of U.S. Government Lots Five (5), Six (6), and Seven (7) in Section Thirty-two (32), Township Ninety-nine North (T99N), Range Thirty-six West (36W) of the Fifth Principal Meridian (5th P.M.), Dickinson County, Iowa, now to be known as Woodlyn Acres and more completely described as follows:

Beginning at the northeast corner of said U.S. Government Lot 7 at mean high water contour of Lower Gar Lake (1,397.80 above mean sea level); thence due west along the north line of said Lot 7, four hundred thirty-two and eight/tenths feet (432.8'); thence south $37^{\circ}36'$ east, seven hundred sixteen and six/tenths feet (716.6'); thence south $31^{\circ}12'$ east, two hundred seventy-six and three/tenths feet (276.3'); thence south $25^{\circ}05'$ east, one hundred fifty-nine and eight/tenths feet (159.8'); thence continuing four hundred seventy-five feet (475.0'), around a curve, concave westerly tangent to the preceding course and having a radius of five hundred ninety-six and sixty-two/hundredths feet (596.62'); thence south $20^{\circ}31'$ west, seven hundred seventy-five and six/tenths feet (775.6'); thence continuing, two hundred twenty-five and nine/hundredths feet (225.19'), around a curve, concave easterly, tangent to the preceding course and having a radius of eight hundred fifty-eight and fifty-one/hundredths feet (858.51'); thence south $5^{\circ}30'$ west, two hundred twenty-eight and four/tenths feet (228.4); thence south $78^{\circ}27'$ east, two hundred fifty-eight and five/tenths feet (258.5') to the mean high water contour of Lower Gar Lake (1397.80 above mean sea level); thence northerly along the mean high water contour of Lower Gar Lake to the place of beginning.

do hereby certify and acknowledge that the accompanying plat of the foregoing described premises designated as "Woodlyn Acres" is made with the free consent and desire of each and all of the foregoing named owners.

That the portion of the plat designated "Holiday Drive" and the areas of ground between Lots 31 and 32; between Lots 22 and 23; between Lots 11 and 12; between Lots 1 and 2 are hereby dedicated to the use of the public.

That the rights, title and interest of all owners of Lots within the plat shall be at all times subject to the following conditions which may be enforced by any lot owners in the Plat by injunction or any other equitable or legal remedy.

(a) No building shall be erected on said premises any portion of which shall be within ten feet of the front line of said premises; within five feet of the side line of any adjoining lot owner; and within thirty feet from lake shore high water mark. "Front" is deemed to be the roadside frontage.

(b) No building shall be erected on said premises less than twenty (20) feet in width and twenty (20) feet in length, or at least Four Hundred (400) square feet.

(c) No building shall be erected on said premises except a one family dwelling house and private garage. Any garage erected on said property must conform generally with the appearance and materials of any existing dwelling on said property.

(d) All buildings must be of new construction.

(e) Said premises shall not be used for any commercial or manufacturing purpose of any kind except Lots 1,2, and 3 shall not be included in this restriction.

(f) There shall be no boat houses or other structure except dock, or boat hoists, or racks constructed on waters edge.

(g) All septic tanks must be at least 50 feet from the lakeshore and of concrete construction, and at least 50 feet from any existing water wells. Same to comply with existing Iowa State Health Rules.

(h) There shall be no outside toilets or privy constructed on said premises.

(i) This property is subject to the easements for utilities.

(j) All lots are to be kept clean and neat and no refuse or accumulation of weeds shall be allowed.

Dated this 2 day of March, 1964, at Decorah, Iowa.

Floyd Woodley
Floyd Woodley

Kathryn Woodley
Kathryn Woodley

STATE OF IOWA, COUNTY OF DICKINSON ss:

On this 2 day of March, 1964, before me, Lowell J. [unclear], a Notary Public in and for said county, personally appeared Floyd Woodley and Kathryn Woodley, husband and wife, personally known to me to be the same persons who signed the foregoing instrument and acknowledged the execution of the same to be their voluntary act and deed.

Lowell J. [unclear]
NOTARY PUBLIC IN AND FOR
DICKINSON COUNTY, IOWA

Treasurer's Certificate

I, Marie Barrett, County Treasurer of Dickinson County, Iowa, do hereby certify that the land included in the accompanying Plat of Woodlyn Acres is free from any and all tax liens according to the records in my office and there is no unredeemed tax sales of record affecting said land.

Dated this 1 day of January, 1964.

Marie Barrett
Treasurer of Dickinson County
Iowa

Clerk's Certificate

I, A.L. Stephenson, Clerk of the District Court of Iowa, in and for Dickinson County, hereby certify that I have carefully examined the records in my office and that the land included in the Plat of Woodlyn Acres is free from all judgments, attachments, mechanics, or other liens as now appears by the records in my office.

Dated this 8th day of July, 1964.

A. L. Stephenson
Clerk of District Court
in and for Dickinson County

Recorder's Certificate

I, Ione McClintock, County Recorder of Dickinson County, Iowa, do hereby certify that the record fee title to the land included in the Plat of Woodlyn Acres is vested in Floyd Woodley and Kathryn Woodley; that the same is free from incumbrance; that the Abstract of Title to said premises together with Attorney's opinion with reference thereto are this day filed in my office as required by the Statutes of Iowa.

Dated this 1 day of _____, 1964.

Ione McClintock
County Recorder in and for
Dickinson County, Iowa

RESOLUTION

WHEREAS the Plat known as Woodlyn Acres has been presented to the Board of Supervisors of Dickinson County, Iowa for approval and

WHEREAS said plat has been examined by the Board and found acceptable.

BE IT NOW RESOLVED AS FOLLOWS:

1. That the plat of Woodlyn Acres together with the field notes and road plan as submitted are hereby approved by the Board of Supervisors. Any future acceptance of Holiday Drive into the secondary road system will depend upon said road meeting such requirements as may be required by the Board of Supervisors of Dickinson County.

2. That the Chairman of the Dickinson County Board of Supervisors be and he is hereby authorized to certify this approval and attach a copy of this resolution to said plat.

Dated this 16th day of June, 1964.

DICKINSON COUNTY BOARD OF SUPERVISORS

BY: *L. G. [Signature]*
CHAIRMAN

APPROVAL OF TOWN COUNCIL

This is to certify that the Plat of Woodlyn Acres has been presented to the Town Council of Arnolds Park for approval. Said presentation being ~~approved~~ in conformity with Section 409.14 of the Code of Iowa. That the area contained in said plat is within one mile of the town limits of Arnolds Park. That the Town of Arnolds Park has no Plan Commission. That said plat has been filed with the Clerk and considered by the council of said town and has been by resolution of the council approved and accepted as follows:

" Be it hereby resolved by the Council of the Town of Arnolds Park, Iowa on this 15 day of June, 1964 at a duly called special meeting that the Plat of Woodlyn Acres filed and submitted to the Council for approval be and the same is hereby approved except that the roads, streets and accesses dedicated to the public on said plat are not accepted by the Town of Arnolds Park since said areas are outside the corporate limits of the Town. The Mayor and Clerk of the Town of Arnolds Park are hereby authorized to attach a certified copy of this resolution to said plat."

Vote on said Resolution being as follows: Ayes: Triggs, Voo, Hoag & Kennedy; Nays: None. Absent: Bertatt
Dated this 15 day of June, 1964.

E. W. Cummings
Mayor

Attest

M. H. Walmer
Town Clerk

I, M.H. Walmer, do hereby certify that the foregoing is a true and correct copy of the resolution and action taken by the Town Council of Arnolds Park, Iowa, at a duly called special meeting on the 15 day of June, 1964.

M. H. Walmer
Town Clerk

NAREY & NAREY
LAWYERS
SPIRIT LAKE, IOWA

H. E. NAREY (1889-1988)

PETER S. NAREY

TELEPHONE
AREA CODE 718
820-8418

July 8, 1964

Mr. and Mrs. Floyd Woodley
Milford, Iowa

Dear Mr. and Mrs. Woodley:

At your request I have examined the abstract of title to the following described premises situated in Dickinson County, Iowa, to-wit:

Government Lots 5, 6, and 7, in Section 32, Township 99, Range 36, West of the 5th P.M.

and I find good and merchantable title to the same vested in Floyd Woodley and wife, Kathryn Woodley, as joint tenants with right of survivorship and not as tenants in common; subject, however, to the following exceptions:

1. Property is subject to an easement for highway beginning at a point 20 feet south of the northwest corner of government Lot 7, Section 32, Township 99, Range 36; thence east 1500 feet thence 26 feet thence West 1500 feet thence North 26 feet to the point of beginning, containing .82 acres.

2. Property is subject to mortgage in favor of Federal Land Bank of Omaha except the following described premises have been released from said mortgage and are not thus encumbered, to-wit:

Beginning at the northeast corner of said U.S. Government Lot 7 at mean high water contour of lower Gar Lake (1,397.80 above mean sea level); thence due west along the north line of said Lot 7, 432.8 feet; thence South $37^{\circ}36'$ East, 716.6 feet; thence South $31^{\circ}12'$ East, 276.3 feet; thence South $25^{\circ}05'$ East, 159.8 feet; thence continuing 475.0 feet around a curve concave westerly tangent to the preceding course and having a radius of 596.62 feet; thence South $20^{\circ}31'$ West 775.6 feet; thence continuing 225.19 feet around a curve, concave easterly, tangent to the preceding course and having a radius of 858.51 feet; thence South $5^{\circ}30'$ West, 228.4 feet; thence South $78^{\circ}27'$ East, 258.5 feet to the mean high water contour of Lower Gar

Page 2
Mr. and Mrs. Floyd Woodley
July 6, 1964

Lake (1397.80 above mean sea level); thence northerly along the mean high water contour of Lower Gar Lake to the place of beginning.

3. Property is subject to an easement in favor of the D.E.K. Rural Electric Cooperative for construction, maintenance and operation of electric transmission lines over and across the following described land, to-wit:

A strip of land along the Easterly edge of U.S. Government Lots 5, 6, and 7, in Section 32, Township 99, Range 36, West of the 5th P. M., Dickinson County, Iowa, described as follows:- Beginning at the northeast corner of said U.S. Government Lot 7 at mean high water contour of Lower Gar Lake (1397.80 above mean sea level); thence due West along the north line of said Lot 7, 432.8 feet; thence South $37^{\circ}36'$ East 716.6 feet; thence South $31^{\circ}12'$ East 276.3 feet; thence South $25^{\circ}05'$ East 159.8 feet; thence continuing 475 feet around a curve concave westerly tangent to the preceding course and having a radius of 596.62 feet; thence South $20^{\circ}31'$ West 775.6 feet; thence continuing 225.19 feet around a curve concave Easterly, tangent to the preceding course and having a radius of 858.51 feet; thence South $5^{\circ}30'$ West 228.4 feet; thence South $78^{\circ}27'$ East 258.5 feet to the mean high water contour of Lower Gar Lake (1397.80 feet above mean sea level); thence northerly along the mean high water contour of Lower Gar Lake to the place of beginning.

4. Property is subject to rights of parties in possession.
5. Boundary lines can be determined only by competent survey.
6. You should ascertain if any improvements or repairs have been made on the premises within the last ninety days for which a mechanic's lien may be filed although not now shown of record.

This opinion is based on the abstract of title to the above described premises containing thirty-six (36) entries being last certified by the Brainard Abstract Company as of July 8, 1964, at 9:30 A.M.

Very truly yours,

Peter B. Nare

PBN:ml