CERTIFICATE OF PROCEEDINGS REGARDING
SALE OF REAL ESTATE BY THE CITY OF MANCHESTER, IOWA

1. The property that is the subject of this certificate is set forth below:

Lots 151 and 152, located in the City of Manchester, Delaware County, Iowa, all according to plat recorded in Book I L.D. Page 284 in the office of the Delaware County Recorder.

2. Attached hereto and by this reference made a part hereof is a true and correct copy of the Minutes of the February 18, 1991 council meeting for the City Council for the City of Manchester, Iowa as it pertains to action taken by the Manchester City Council scheduling March 4, 1991 at 4:30 p.m. for public hearing on the sale of a portion of the above-described property to Robert Emerson and Douglas Palmer for the sum of $120,000.00.

3. Attached hereto and by this reference made a part hereof is a true and correct copy of the Notice of Hearing for Sale of Real Estate which indicated the 4th day of March, 1991, as the date for the public hearing for the sale of the above-described property. On the same page as the Notice of Hearing is a true and correct copy of the Certificate of Publication executed by the publisher of the Manchester Press, a newspaper published weekly in Manchester, Iowa, indicating that the Notice of Hearing for Sale of Real Estate referred to herein was published on February 26, 1991.

4. Attached hereto and by this reference made a part hereof is a copy of Minutes of the council meeting for the City of Manchester, Iowa which was held on March 4, 1991 as it pertains to the hearing for the proposed sale of property to Douglas Palmer and Robert Emerson. Said Minutes indicate that a Resolution No. R-675-91 was approved which granted authority to the Mayor and Clerk of the City of Manchester, Iowa to proceed with the sale of property to Douglas Palmer and Robert Emerson for the sum of $120,000.00.

5. Attached hereto and made a part hereof is a copy of Resolution R-675-91 dated March 4, 1991.

Karen K. Cole

Karen K. Cole, City Clerk

Subscribed and sworn to before me this 15th day of November, 1991.

JAMES PETERS
NOTARY PUBLIC
DELAWARE COUNTY
IOWA

Notary Public in and for the State of Iowa

JAMES PETERS

FILE No. 138-1275
RECORDING FEE $ 25.00
TRANSFER FEE $

FILED FOR RECORD THE 15 DAY OF November 19 91 AT 4:08 O'CLOCK P. M. BOOK 2 PAGE 243

STATE OF IOWA, DELAWARE COUNTY
Jane A. Lloyd, Recorder
Misc.

City Manager Helar advised that the Fire Department has received billings from Williams Electric totaling $1,060.12 for work done at the Fire Department. It is our understanding that when the work was done in March 1989 and January 1990 that the Fire Department felt it was donated work and that there would be no billing, however in December of 1990 they were billed for the work. The billings were discussed and the City Attorney voiced his concerns. It was agreed that the City Manager contact Ken Milroy who was Fire Chief at the time the work was done for his comments concerning the billings and report back to the Council at their next meeting.

It was moved by Council Member Monaghan and seconded by Council Member Sherman to approve R-669-91 A Resolution Appointing Commissioners to the Eastern Iowa Regional Housing Authority from the City of Manchester. (See Resolution Book)
ON CALL OF ROLL: AYES: Monaghan, Sherman, Cook NAYS: None

At 7:25 P.M. the Public Hearing on the Proposed Amendment to the 1990-91 Budget was declared open by Mayor Bill L. Kramer. City Clerk Cole advised that the amendment provides for the West Manchester Street Construction Project, Christmas Decoration Improvements, Downtown Urban Renewal Project and calling in for payment 5-1-81 G.O. Bonds. There was no one that wished to be heard and Mayor Kramer declared the Hearing Closed at 7:27 P.M.

The Council gave final consideration to the proposed amendment to the budget.

It was moved by Council Member Cooper and seconded by Council Member Monaghan to approve R-670-91 A Resolution Amending the Current Budget for the Fiscal Year Ending June 30, 1991 as Amended last on November 5, 1990. (See Resolution Book)
ON CALL OF ROLL: AYES: Cooper, Monaghan, Sherman NAYS: None

City Manager Helar discussed the proposed Yard Waste Policy with the Council. It provides for removal of yard waste and the fees necessary to pay for this service. It is proposed that the yard waste will be land applied on City owned property adjacent to the Wastewater Treatment Plant. Further study is to be done and will then be brought back to the Council for discussion.

It was moved by Council Member Sherman and seconded by Council Member Cooper to approve R-671-91 A Resolution Approving Street Lighting Changes. (See Resolution Book)
ON CALL OF ROLL: AYES: Sherman, Cooper, Monaghan NAYS: None

Council Member Cooper introduced the following Resolution entitled "Resolution Approving and Authorizing A Form of Loan Assumption Agreement and Levying a Tax to Pay the Notes" and moved that it be adopted. Council Member Monaghan seconded the motion to adopt, and the roll being called thereon, the vote was as follows: AYES: Cooper, Monaghan, Sherman NAYS: None
Whereupon, the Mayor declared the Resolution duly adopted as follows - See Resolution R-666-91 in Resolution Book.

It was moved by Council Member Monaghan and seconded by Council Member Sherman to set March 4, 1991 at 4:30 P.M. for a Public Hearing on the Sale of a portion of the Fareway Property to Robert Emerson and Douglas Palmer for the sum of $120,000.00.
ON CALL OF ROLL: AYES: Monaghan, Sherman, Cooper NAYS: None

The 1990 S. 5th Street Railroad Crossing Project was discussed. Concerns were expressed about the recent shift of concrete at the crossing causing the crossing to be very rough. It was agreed that the bill presented by the Chicago Central and Pacific Railroad in the amount of $4,308.27 be held for payment until the Railroad can be contacted about this problem.

It was moved by Council Member Cooper and seconded by Council Member Monaghan to approve the claim in the amount of $471.90 from Tri State Engineers for services relating to the S. 5th Street Railroad Crossing.
ON CALL OF ROLL: AYES: Cooper, Monaghan, Sherman NAYS: None

2-13-91 08:08 MANCHESTER POLICE DEPT STATE OF IOWA 419 P04

STATE OF IOWA, Delaware County-ss.

I, Larry K. Woellert, being duly sworn depose and say that I am publisher of The Manchester Press, a newspaper published weekly in Manchester, in said county, and that the "Notice of Hearing for Sale of Real Estate"

In case of City of Manchester

a copy of which is hereto attached, was published in said newspaper for 1 weeks consecutively; the first publication having been made on the 26 day of February A.D. 19 91, and the last on the _____ day of _____ A.D. 19____

Publication fee, $ 5.49

Larry K. Woellert

Subscribed by Larry K. Woellert and by him sworn to before me, a notary public in and of Delaware County, Iowa this 18 day of March A.D. 19 91

Witness my hand and seal the date last above written.

Doris Tucker Notary Public

NOTICE OF HEARING FOR SALE OF REAL ESTATE

NOTICE IS HEREBY GIVEN that the City Council of Manchester, Iowa, will hold a public hearing in the City Council Chambers at City Hall, Manchester, Iowa, at 7:30 o'clock p.m. on the 4th day of March, 1991, to consider the disposal of the City's interest and rights to the following described real estate:

Lots 181 and 182, Howard to the City of Manchester, Delaware County, Iowa.

Interested persons may appear and be heard for or against said proposed sale of the above-described real estate.

Published by order of the City Council of the City of Manchester, Iowa.

City Clerk Karen K. Cole

P47

2-26-91

201 E Main
Farewell
Bldg

Payroll Account	Payroll	31,420.05
Institute of Public Affairs	Registration, lodging	195.00
American Water Works	Registrations	26.00
Postmaster	Postage	153.70

At 4:17 P.M. Mayor Kramer advised that this was the time and place set for a Public Hearing on the Proposed 1991-92 Budget for the City of Manchester, Iowa. Said Notice of Public Hearing appeared in The Manchester Press on February 26, 1991. Mayor Kramer summarized the proposed Budget which includes a 3% increase in the tax asking. At this time Mayor Kramer asked if anyone present wished to be heard. The only person desiring to be heard was as follows:

Lawrence Rath, 1126 N. 2nd Street, asked why the tax increase. He felt the City Manager's salary was too high and asked why City taxes go for the Fareway Store. He is on a fixed income and has lost 2% if his interest income. He advised that the City or County will be getting his home.

Mr. Rath's questions were answered and he was advised that his property taxes will not be going toward the Fareway Projects, that those costs will come from the Downtown Business District and TIF. There being no one else wishing to be heard, Mayor Kramer declared the Hearing Closed at 4:27 P.M.

It was moved by Council Member Cook and seconded by Council Member Sherman to approve R-676-91 A Resolution Adopting the Annual Budget for the Fiscal Year Ending June 30, 1992. (See Resolution Book)
ON CALL OF ROLL: AYES: Cook, Sherman, Morris, Monaghan, Cooper NAYS: None

Jim Peters, City Attorney, presented the Council with copies of R-675-91 A Resolution For Sale of City's Interest in Real Estate. He advised that this Resolution would authorize the City to take action to obtain marketable title to the Fareway Store and affect a transfer of property to Robert Emerson and Douglas Palmer for the sum of $120,000.00.

At 4:33 P.M., Mayor Kramer declared the Public Hearing on the Proposed Sale of Property to Douglas Palmer and Robert Emerson for the sum of $120,000.00 open and asked if anyone present wished to be heard. There being no response, the Public Hearing was declared Closed at 4:34 P.M.

It was moved by Council Member Monaghan and seconded by Council Member Cooper to approve R-675-91 A Resolution For Sale of City's Interest in Real Estate.
(See Resolution Book)
ON CALL OF ROLL: AYES: Monaghan, Cooper, Cook, Sherman, Morris NAYS: None

Council Member Cook introduced the following Resolution entitled "Resolution Fixing Date for a Meeting on the Proposition of the Issuance of $120,000 Urban Renewal General Obligation Bonds and/or Project Notes (For an Essential Corporate Purpose) of Manchester, Iowa, and Providing For Publication of Notice Thereof", and moved that the same be adopted. Council Member Morris seconded the motion to adopt. The roll was called and the vote was,
AYES: Cook, Morris, Sherman, Monaghan, Cooper NAYS: None
Whereupon, the Mayor declared the resolution duly adopted as follows:
See Resolution R-674-91 in the Resolution Book

It was moved by Council Member Sherman and seconded by Council Member Cook to approve R-673-91 A Resolution Amending the Salary Resolution - Employing two persons, changing hours for present employee and adding temporary duty to present employee. (See Resolution Book)
ON CALL OF ROLL: AYES: Sherman, Cook, Morris, Monaghan, Cooper NAYS: None

It was moved by Council Member Morris and seconded by Council Member Cooper to set March 18, 1991 at 10:00 A.M. for receipt of bids on the sale of a Panasonic Copier.
ON CALL OF ROLL: AYES: Morris, Cooper, Cook, Sherman, Monaghan NAYS: None

The following bids for a Lawn Mower Tractor for the Wastewater Treatment Plant were reviewed by the Council:

	NET COST LESS TRADE-IN
Palmer's Repair Service	$1,229.97
Dean Wenger	4,500.00
Don's Hardware	1,450.00

It was moved by Council Member Monaghan and seconded by Council Member Cooper to approve R-675-91 as follows:

RESOLUTION R-675-91

RESOLUTION FOR SALE OF CITY'S INTEREST IN REAL ESTATE

WHEREAS, the City of Manchester, Iowa, has entered into extensive negotiations, expense and efforts to provide for development of the downtown retail sector of the community; and

WHEREAS, pursuant to the efforts engaged in by the City of Manchester, Iowa, the City of Manchester, Iowa, has entered into a Redevelopment Agreement with Fareway Stores, Inc., dated the 21st day of January, 1991, and approved by the City Council for the City of Manchester, Iowa, on the 21st day of January, 1991, wherein the City of Manchester, Iowa, agreed to acquire and provide for demolition of buildings on certain property located in the City of Manchester, Iowa, and to develop certain other properties in the City of Manchester, Iowa, and Fareway Stores, Inc. of Boone, Iowa, has agreed to enter into an exchange of certain properties with the City of Manchester, Iowa, and to develop and maintain the properties to be acquired by it from the City of Manchester, Iowa; and

WHEREAS, pursuant to said Redevelopment Agreement, Fareway Stores, Inc. of Boone, Iowa, has agreed to transfer to the City of Manchester, Iowa, certain property more specifically described as:

Lots 151 and 152, located in the City of Manchester, Delaware County, Iowa;

and

WHEREAS, following public hearing with regard to a proposed disposition of the above-described property interests of the City of Manchester, Iowa, the City Council for the City of Manchester, Iowa, has determined that it is in the best interests of the City of Manchester, Iowa, to enter into an agreement for the sale of its contractual interest in the above-described property pursuant to the terms and conditions of a certain Offer to Purchase Real Estate submitted to the City Council for the City of Manchester, Iowa, by Robert F. Emerson and Douglas Palmer. A copy of said Offer to Purchase Real Estate and Acceptance is attached hereto; and

WHEREAS, the sale of the City's interest in the above-described property at this time will assist the City of Manchester, Iowa, in ascertaining the type of funding necessary to meet the obligations of the City with regard to the Redevelopment Contract executed between Fareway Stores, Inc. of Boone, Iowa, and the City of Manchester, Iowa; and

WHEREAS, the City Council for the City of Manchester, Iowa, has determined that the disposal of the City's interest in the above-described real estate will encourage and foster further private development of the downtown area; and

WHEREAS, the City Council for the City of Manchester, Iowa, has determined that the propsoed purchase of the property interests of the City of Manchester, Iowa, are for a fair and reasonable amount and are to and for the benefit of the City of Manchester, Iowa.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Manchester, Iowa, approves, ratifies and confirms the proposed sale of real estate pursuant to the terms of the Offer to Purchase Real Estate and Acceptance which is attached to this Resolution.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to take such action as is necessary and reasonable to obtain marketable title to the above-described property from Fareway Stores, Inc. of Boone, Iowa, and affect a transfer of such property to Robert Emerson and Douglas Palmer pursuant to the terms of the above-referenced Offer to Purchase Real Estate.

ADOPTED this 4th day of March, 1991.

Walt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

ON CALL OF ROLL: AYES: Monaghan, Cooper, Cook, Sherman, Morris
NAYS: None