# City of Delhi

Box 225

Delhi, Iowa 52223

Phone: (319) 922-2588


To Whom it may concern:

I Janet L Cords, City Clerk of the City of Delhi, Iowa, do hereby certify that the following documents, Resolution No 5-90 which was passed by the Delhi City Council on May 29, 1990, Notice of Public Hearing published June 6, 1990 in the Delaware County Leader and Ordinance No. 229 published June 27, 1990 in the Delaware County Leader are true and exact copies as shown in the records of the City of Delhi, Iowa.

Janet L Cords
JANET L. CORDS
CITY CLERK

CITY OF DELHI INCORPORATED 1857 IOWA

DELORES R. HERINGTON
NOTARIAL SEAL IOWA
MY COMMISSION EXPIRES
June 22, 1996

Delores R. Herington
NOTARY SEAL

STATE OF IOWA)
DELAWARE COUNTY ) ss:

On this 28 day of September, 1993, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Janet L. Cords

to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Delores R. Herington
Delores R. Herington
Notary Public in and for said County and State

DELORES R. HERINGTON
NOTARIAL SEAL IOWA
MY COMMISSION EXPIRES
June 22, 1996

FILE No. 320-977
RECORDING FEE $ 16.00
TRANSFER FEE $

FILED FOR RECORD THE 28 DAY OF Sept, 1993 AT 3:06 O'CLOCK P. M. BOOK 4 PAGE 99

STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
Misc.

RESOLUTION NO. 5 - 90

The City Council of the City of DELHI, Iowa (City), a municipality organized and existing under the laws of the State of Iowa, met in special session at the City Council Chambers, Delhi, Iowa, beginning at 7:30 o'clock P .m. on the 29th day of May, 19 90. Present were Mayor Youngblut in the chair, and the following Council members: Preussner, Rundquist, Salow, Atkinson

Absent: Gearhart

Council Member Rundquist introduced the following Resolution and moved its adoption. Council member Atkinson seconded the Motion to Adopt; the roll was called and the vote was:

AYES: Preussner, Rundquist, Salow, Atkinson

NAYS: none

WHEREUPON, the Mayor declared the following Resolution duly adopted:

RESOLVED: that City vacate the following streets and alleys located in City, to-wit: (a) 5th Street between Market Street and South Street; (b) the alley in Block 18, original town of Delhi, Iowa; (c) South Street between 5th Street and 6th Street.

Hearing on this Resolution is set for 7:15 o'clock P .m. on Tuesday, June 12, 1990 at City Council Chambers, City Hall, Delhi, Iowa. Notice of said time and place of public hearing to vacate the above described streets and alleys to be published in the Hopkinton Leader, official publication of City on Wednesday, June 6, 1990.

Passed and approved this 29 day of May, 19 90.

MAYOR

ATTEST:

CITY CLERK

## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that Public Hearing will be held by the Delhi City Council on the 12th day of June, 1990, beginning at 7:15 o'clock P.M. at the City Council Chambers, City Hall, Delhi, Iowa, in regard to the following matters:

1. Resolution to Vacate the following streets and alleys located in the City of Delhi, Iowa, to-wit: (a) 5th Street between Market Street and South Street; (b) the alley in Block 18, Original Town of Delhi, Iowa; (c) South Street between 5th Street and 6th Street.

2. Sale of the above referenced streets and alleys (following vacation as provided by law) to American Trencher, Inc., an Iowa Corporation, for the total purchase price of One Dollar ($1.00), with the conveyance of sale to be by Quit Claim Deed only, with no warranties of title, and all responsibilities for obtaining of sufficient description of purposes of Delaware County, Iowa, to be paid by American Trencher, Inc.

3. Granting of an easement to American Trencher, Inc., an Iowa Corporation, their successors and assigns, a permament easement for purposes of communication lines, said easement to be located within the public righ-right-of-way, and to be no more than 4 feet in width, and to be over, across or through property owned by City located in the City of Delhi, Delaware County, Iowa, and generally located as follows, to-wit:

Beginning at the American Trencher, Inc. plant, and then proceeding East along the South side of Gay Street to the West side of 4th Street; thence North along the West side of 4th Street to the alley in Block 16, Original Town of Delhi, Iowa, thence East across 4th Street, through the alley in Block 15, Original Town of Delhi, Iowa, thence across 3rd Street to the Southwest Corner of Lot 6, Block 14, original town of Delhi, Iowa. Said easement to further provide sufficient ingress and egress for construction, maintenance and repair of said easement. American Trencher, Inc. (Grantee) to assume all responsibilities for construction, maintenance and repair of the easement, and to return to easement area, following construction, maintenance or repair, to its condition prior to such construction, maintenance and repair. The easements, rights and privileges to constitute convenants running with the land for the benefit of the parties thereto, their successors and assigns.

At the date and time specified above, the Delhi City Council will hear any and all objections by any interested person or persons concerning the above referenced matters.

Published by Order of the City Council of Delhi, Iowa.

Larry Youngblut, Mayor
ATTEST:
Janet L. Cords, City Clerk

State of Iowa, Delaware County, ss.

I, Mary Helle, being duly sworn, state that I am the publisher of the Delaware County Leader, a newspaper published at Hopkinton, Delaware County, Iowa, and the attached notice was published in said newspaper for One consecutive weeks beginning June 6 1990, and ending Same 19___, Printer's fees, $21.70.

Mary Helle

Subscribed in my presence and sworn to before me by Mary Helle on this 29th day of June, 1990.

GERALDINE P. HUBER
MY COMMISSION EXPIRES
Jan 26 1993

Geraldine P Huber
Notary Public

## ORDINANCE NO. 229

## AN ORDINANCE VACATING FIFTH STREET BETWEEN MARKET STREET AND SOUTH STREET, THE ALLEY IN BLOCK 18, ORIGINAL TOWN OF DELHI, IOWA, AND SOUTH STREET BETWEEN FIFTH STREET AND SIXTH STREET, ALL IN DELHI, IOWA.

Be it enacted by the City Council of the City of Delhi, Iowa:

**SECTION 1.** Fifth Street between Market Street and South Street, the alley in Block 18, Original Town of Delhi, Iowa, and South Street between Fifth Street and Sixth Street are hereby vacated and closed from public use.

**SECTION 2.** All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 3.** If any Section, provision or part of this Ordinance shall be adjudged invalid of unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any Section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 4.** This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the 19th day of June, 1990 and approved this 19th day of June, 1990.

Larry Youngblut, Mayor
ATTEST:
Janet L. Cords, City Clerk

State of Iowa, Delaware County, ss.

I, Mary Helle, being duly sworn, state that I am the publisher of the Delaware County Leader, a newspaper published at Hopkinton, Delaware County, Iowa, and the attached notice was published in said newspaper for One consecutive weeks beginning June 27 1990, and ending Same 19___, Printer's fees, $7.97.

Mary Helle

Subscribed in my presence and sworn to before me by Mary Helle on this 27th day of June, 1990.

GERALDINE P. HUBER
MY COMMISSION EXPIRES
Jan 26 1993

Geraldine P Huber
Notary Public