CITY OF MASONVILLE

c/o CITY CLERK

MASONVILLE, IOWA 50654

I, Valda Schaul, City Clerk of the City of Masonville, Iowa, do hereby certify that the following is a true and exact copy of the records of the City of Masonville, Iowa, and that Resolution 94-2 was duly adopted on March 7, 1994, and that Resolutions 94-5 and 94-6 were duly adopted on April 11, 1994. Also contained herein is copy of Public Hearing Notice.

Valda Schaul

Valda Schaul, City Clerk
City of Masonville, Iowa

Sworn to and Subscribed to before me personally appeared Valda Schaul, City Clerk of the City of Masonville, Iowa, this 4th day of May, 1994.

Craig Starr

Craig Starr, Notary

FILE No. 32-3337
RECORDING FEE $ 31.00
TRANSFER FEE $

FILED FOR RECORD THE 4 DAY OF May, 1994 AT 2:37 O'CLOCK P. M. BOOK 4 PAGE 228

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

RESOLUTION 94-2

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MASONVILLE, IOWA, that a public hearing is set for the 11th day of April, 1994, to be held in the City Hall in Masonville, Iowa, commencing at 7:00 P.M. to consider the disposition of real property described as the south sixty-six (66.0) feet of Lot One Hundred Seventy-seven (177), and the South Sixty-six (66.0) feet of the West Fifty-one (51.0) feet of Lot One Hundred Seventy-eight (178), Masonville, Iowa, to Kenneth J. and Katharyn Parent Clemen.

BE IT FURTHER RESOLVED that the consideration for the property shall be One Dollar ($1.00) and the City of Masonville, Iowa, will issue Quit Claim Deed to Kenneth J. and Katharyn Parent Clemen all right, title, interest, estate, claim, and demand in said premises subject to the following conditions to be fulfilled at their sole expense:

1. Grantee agrees to convert the building upon said real estate to a business for the purpose of working with furniture within the time period of one year from receipt of deed.

2. Grantee agrees to keep the property groomed, presentable, safe, and well maintained upon receipt of deed.

3. Grantee agrees to rehabilitate and maintain the exterior of the building presently located upon said real estate including painting, window repair, and door repair before the date of October 1, 1994.

4. Grantee agrees that if he should ever convert the existing building into a dwelling or remove such building for the purpose of constructing a dwelling, he, at that time, will provide an adequate water supply and septic system.

5. Grantee agrees that all construction, improvements, additions, and maintenance shall be performed pursuant to the guidelines of the Code of the State of Iowa, the City of Masonville, Delaware County, and any nationally recognized building, electrical, and plumbing codes.

6. Grantee agrees that upon receipt of deed, he will alleviate the existing drain problems between said property and the property owned by J. Francis and Leona O' Connor.

7. Grantee agrees to pay all legal costs and all transfer costs connected with this real estate transaction including all costs of abstracting.

cont.

BE IT FURTHER RESOLVED that the City Clerk of the City of Masonville, Iowa, shall cause to be published a notice of public hearing as required by section 362.3 of the Code of Iowa, in a newspaper having general circulation in the City of Masonville, Iowa, not less than four (4) days nor more than twenty (20) days before the April 11, 1994 meeting of the Masonville City Council.

BE IT FURTHER RESOLVED that the City of Masonville, Iowa, shall sell the property by Quit Claim Deed with no completed abstracts of title to Kenneth J. and Katharyn Parent Clemen for the purposes stated herein. Stated consideration shall be paid to the City of Masonville, Iowa, by Grantee prior to the delivery of the Deed of Conveyance.

This resolution shall be in force and effect upon its passage and approval.

PASSED AND APPROVED THIS 7th day of March, 1994.

Gale Resor, Mayor

ATTEST: Valda Schaul
Valda Schaul, City Clerk

The foregoing resolution passed by the City Council of the City of Masonville, Iowa, on the 7th day of March, 1994, by the following vote:

AYE: Crouse, Decker, Duggan, Goeke, Alden
NAY: None

I, Valda Schaul, City Clerk of the City of Masonville, Iowa, do certify that the foregoing is a true and correct record of the City of Masonville, Iowa, on this 7th day of March, 1994.

Valda Schaul
Valda Schaul, City Clerk

RESOLUTION 94-5

RESOLUTION DIRECTING THE SALE OF AN INTEREST IN REAL PROPERTY FOLLOWING THE PUBLIC HEARING.

BE, AND IT HEREBY IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MASONVILLE, IOWA:

1. That the City Council of the City of Masonville, Iowa, intends to sell an interest in real property following public hearing, described as follows:

> The South Sixty-six (66.0) feet of Lot One Hundred Seventy-seven (177), and the South Sixty-six (66.0) feet of the West Fifty-one (51.0) feet of Lot One Hundred Seventy-eight (178), as platted in the City of Masonville, Iowa.

2. The purpose of the sale is based upon the purchaser's agreement to the proposed use of the property for the establishment of a business or perhaps a dwelling.

3. That the above described real estate is no longer needed for use of the public, and therefore, its maintenance at public expense is no longer justified.

4. That the City Council proposes to make sale and deliver Quit Claim Deed in exchange for payment of One Dollar ($1.00) and the agreement to all restrictive covenants listed in Resolution # 94-2 and in the Quit Claim Deed.

5. That the City of Masonville shall convey by Quit Claim Deed with no completed Abstract.

6. That the proposed sale of the real estate is to Kenneth J. and Katharyn Parent Clemen.

7. That the public hearing on the proposed sale of interest in the real property shall have been held at 7:00 P.M. on April 11, 1994 at the Masonville City Hall and that the City Clerk published notice in a newspaper having a general circulation in the City of Masonville, Iowa, not less than four (4) nor more than twenty (20) days before said public hearing.

This resolution shall be in force and effect upon its passage and approval.

PASSED AND APPROVED THIS 11th day of April, 1994 by unanimous vote.

Gale Resor

Gale Resor, Mayor

ATTEST: Valda Schaul

Valda Schaul, City Clerk

I certify that the foregoing is a true and correct record of the City of Masonville, Iowa, this 11th day of April, 1994.

Valda Schaul

Valda Schaul, City Clerk

RESOLUTION 94-6

RESOLUTION DIRECTING THE SALE OF AN INTEREST IN REAL PROPERTY AND DELIVERY OF QUIT CLAIM DEED.

BE, AND IT HEREBY IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MASONVILLE, IOWA:

The City of Masonville, Iowa, does hereby sell the following described real estate to Kenneth J. and Katharyn Parent Clemen for One Dollar ($1.00).

> The South Sixty-six (66.0) feet of Lot One Hundred Seventy-seven (177), and the South Sixty-six (66.0) feet of the West Fifty-one (51.0) feet of Lot One Hundred Seventy-eight (178), as platted in the City of Masonville, Iowa.

The Mayor and the City Clerk, upon receipt of the consideration set forth herein, are authorized to execute and deliver Quit Claim Deed to Kenneth J. and Katharyn Parent Clemen on behalf of the City of Masonville, Iowa.

The Deed shall be delivered thirty (30) days after the date of this resolution unless an appeal on this action has been made to District Court. Action on this Resolution shall be final upon the purchaser of the property giving evidence to the City Clerk that the Deed has been recorded, and such fact to be noted on the official record of this Resolution.

The City of Masonville, Iowa, will provide a Quit Claim Deed to the purchaser, but will not furnish completed abstracts of title for the property.

This Resolution shall be in force and effect upon its passage and approval.

PASSED AND APPROVED THIS 11th day of April, 1994, by a unanimous vote of the Masonville City Council.

Gale Resor

Gale Resor, Mayor

ATTEST: Valda Schaul

Valda Schaul, City Clerk

I, Valda Schaul, City Clerk of the City of Masonville, Iowa, do hereby certify that the foregoing is a true and correct record of the City of Masonville, Iowa, on this 11th day of April, 1994.

Valda Schaul

Valda Schaul, City Clerk

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 Public Hearing to dispose of Real Property

in case of City of Masonville

a copy of which is hereto attached, was published in said newspaper for 1 weeks consecutively; the first publication having been made on the 29th day of March A.D. 1994, and the last on the _____ day of _____ A.D. 19____

Publication fee, $ 27.74

Larry K. Woellert

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 26th day of April A.D. 1994

Witness my hand and seal the date last above written.

Iowa

Doris Tucker Notary Public

Doris Tucker

NOTICE OF PUBLIC HEARING TO DISPOSE OF REAL PROPERTY IN THE CITY OF MASONVILLE, IOWA

You are hereby notified that a public hearing will be held by the City Council of the City of Masonville, Iowa, at 7:00 P.M. on the 11th day of April, 1994, in the Masonville City Hall, on whether the City of Masonville, Iowa, should sell the following described real estate to Kenneth J. and Katharyn Parent Clemen for the consideration of One Dollar ($1.00).

The South Sixty-six (66.0) feet of Lot One Hundred Seventy-seven (177), and the South Sixty-six (66.0) feet of the West Fifty-one (51.0) feet of Lot One Hundred Seventy-eight (178), Masonville, Iowa.

The City of Masonville, Iowa, shall sell the property by Quit Claim Deed with no completed abstracts of title to Kenneth J. and Katharyn Parent Clemen for the purpose and under the following conditions:

1. Grantee agrees to convert the building upon said real estate to a business for the purpose of working with furniture within the time period of one year from receipt of deed.
2. Grantee agrees to keep the property groomed, presentable, safe, and well maintained upon receipt of deed.
3. Grantee agrees to rehabilitate and maintain the exterior of the building presently located upon said real estate including painting, window repair, and door repair before the date of October 1, 1994.
4. Grantee agrees that if he should ever convert the existing building into a dwelling or remove such building for the purpose of constructing a dwelling, he, at that time, will provide an adequate water supply and septic system.
5. Grantee agrees that all construction, improvements, addition, and maintenance shall be performed pursuant to the guidelines of the Code of the State of Iowa, the City of Masonville, Delaware County, and any nationally recognized building, electical, and plumbing codes.
6. Grantee agrees that upon receipt of deed, he will alleviate the existing drain problems between said property and the adjoining property owned by J. Francis and Leona O'Connor.
7. Grantee agrees to pay all legal costs and all transfer costs connected with this real estate transaction including all costs of abstracting.

Any or all persons desiring to give testimony or to present other evidence with respect to the sale of said described property may appear at said hearing to be held at 7:00 P.M. on the 11th day of April, 1994, at the Masonville City Hall.

Signed this 7th day of March, 1994.

Valda Schaul

Valda Schaul, City Clerk

3-29-94

PB