CITY OF DELHI
316 Franklin Street
PO Box 225
Delhi, Iowa 52223

TO WHOM IT MAY CONCERN:

I, Janet L. Cords, City Clerk of the City of Delhi, Iowa do hereby certify that the attached is a true and exact copy of Resolution Number 3-95 as adopted by the City Council of the City of Delhi, Iowa on April 11, 1995.

Janet L. Cords
Janet L. Cords, City Clerk

Subscribed and sworn to before me, a Notary Public in the State of Iowa, this 8th th day of May, 1995.

Delores R. Herington
Delores R. Herington, Notary Public
Delaware County, Iowa

DELORES R. HERINGTON
MY COMMISSION EXPIRES
June 22, 1996

FILE No. 128-3068
RECORDING FEE $ 26.00
TRANSFER FEE $

FILED FOR RECORD THE 18 DAY OF May, 19 95 AT 2:43 O'CLOCK P M. BOOK 5 PAGE 147

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

MINUTES

Delhi, Iowa, April 11, 1995.

The Council of Delhi, Iowa met on the above date in regular Session pursuant to law and the rules of said Council, and in accordance with the terms of a Notice of Meeting, a copy of which was served on each member of the Council within the time required by law, and accepted in writing by each member thereof, said Notice of Meeting being as follows:

NOTICE

Delhi, Iowa, April 6, 1995

TO: JAY ELSE, SCOTT SALOW, ANDY GEARHART, CHARLES FLINT and LAURIE KRAMER

Dear Sir or Madame:

You are hereby notified that a meeting of the Council of Delhi, Iowa will be held on the 11th day of April, 1995 at the City Hall at Delhi, Iowa, at 7 o'clock p.m. for the purpose of holding a public hearing on the vacation of a certain portion of the City alley located in Block 5, Original Town of Delhi, Iowa, and for vacation of Lexington Street in the City of Delhi between 4th Street and 5th Street and for selling of the same to adjoining property owners, and for the adoption of an Ordinance vacating the foregoing property, and for such other business in connection therewith as may come before the meeting.

Respectfully submitted,

Roy Atkinson

ROY ATKINSON, Mayor

Service of the foregoing Notice is hereby acknowledged:

Laurie Kramer

Charles F. Flint

Scott Salow

Jay P Else

Andy Gearhart

April 11, 1995

The Regular Meeting of the City Council was called to Order by Roy Atkinson, Mayor, and on roll call, the following Council members were present:

Laurie Kramer, Charles Flint, Scott Salow, Jayson Else, Andy Gearhart

Absent:

The Mayor announced that this was the time and place for the public hearing on the matter of the proposal to vacate a portion of City alley in Block 5, Original Town of Delhi, Delaware County, Iowa, and to vacate Lexington Street between 4th Street and 5th Street, and to sell the same to adjoining landowners for prices set out in the prior Resolution adopted by the Council on March 1, 1995.

The Mayor called for any objections to the vacation of the aforesaid portion of the alley and street above referred to, and the selling and conveying of said portions of alley and street to the adjoining landowners.

Oral objections offered: none

Written objections offered or filed: none

Councilperson Gearhart introduced the following Resolution entitled "RESOLUTION AUTHORIZING THE CITY OF DELHI, IOWA, TO VACATE THAT PORTION OF CITY ALLEY LOCATED BETWEEN LOTS 3, 4, 5, 6, 7, 8, 9 and 10 IN BLOCK 5, ORIGINAL TOWN OF DELHI, AND LEXINGTON STREET, BETWEEN 4th STREET AND 5th STREET, IN THE CITY OF DELHI, AND CONVEY THE SAME TO ADJOINING LANDOWNERS", and moved its adoption. Councilperson Flint seconded the Motion to adopt. The roll was called, and the vote was:

AYES: Salow, Gearhart, Flint, Kramer, Else

NAYS:

Whereupon the Mayor declared the following Resolution duly adopted:

RESOLUTION NO. 3-95

RESOLUTION AUTHORIZING THE CITY OF DELHI, IOWA, TO VACATE THAT PORTION OF CITY ALLEY LOCATED BETWEEN LOTS 3, 4, 5, 6, 7, 8, 9 and 10 IN BLOCK 5, ORIGINAL TOWN OF DELHI, AND LEXINGTON STREET, BETWEEN 4TH STREET AND 5TH STREET, IN THE CITY OF DELHI, AND CONVEY THE SAME TO ADJOINING LANDOWNERS.

WHEREAS, pursuant to a Resolution duly adopted by the City Council of Delhi, Iowa, on the 1st day of March, 1995, there now comes before the City Council for determination and action the vacation of certain portion of the alley in Block 5, Original Town of Delhi, and Lexington Street between 4th Street and 5th Street, and the sale thereof to the adjoining property owners and the portion of alley and street to be vacated and sold is described as:

> The City alley located between Lots 3, 4, 5, 6, 7, 8, 9 and 10 in Block 5, Original Town of Delhi, Delaware County, Iowa, according to the plat recorded in Book A, L.D., Pages 128 and 129.
>
> Lexington Street in the City of Delhi, Iowa between 4th Street and 5th Street, and

WHEREAS, no persons have appeared to make oral objection and no written objections have been filed in the City Clerk's Office regarding the vacation of the aforesaid real estate or its sale to the adjoining landowners, and that Notice of this hearing has been given as provided by law, and as set out in the former Resolution, and the Affidavit of the Publisher of the newspaper publishing said Notice now being on file in regard to this hearing,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DELHI, IOWA, that the foregoing described property be vacated and vacation proceedings be completed and that portions of the vacated alley and Lexington Street be sold in the following description, and in the name of said purchasers as follows:

> The following portions of vacated alley in Block 5, Original Town of Delhi, Delaware County, Iowa, according to the Plat recorded in Book A, L.D., Pages 128-129.
>
> 1. To David J. Fink: The North 1/2 of vacated alley lying between Lots 6 and 7, and 5 and 8.
>
> 2. To Robert A. Luensman: The South 1/2 of vacated alley lying between Lots 6 and 7.
>
> 3. Retained by the City of Delhi: The South 1/2 of vacated alley lying between Lots 5 and 8.

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4. To Randy R. Harbach: All of the vacated alley lying between Lots 3 and 10, and Lots 4 and 9.

The following portions of vacated Lexington Street between 4th Street and 5th Streetm, lying North of Block 5, Original Town of Delhi, Delaware County, Iowa, according to the plat recorded in Book A, L.D., Pages 128-129.

1. To Frank E. and Carol A. O'Connell: The North ½ of vacated Lexington Street, between 4th Street and 5th Street, lying North of the East 30 feet of Lot 1, Block 5, Original Town of Delhi, Delaware County, Iowa, according to the plat recorded in Book A, L.D., Pages 128-129.

2. To Barry Vorwald: The South 1/2 of vacated Lexington Street lying North of Lots 1 and 2 in Block 5.

3. To St. John's Cemetery: The North 1/2 of vacated Lexington Street between 4th Street and 5th Street, lying North of Lots 2, 3, 4, 5, 6 and the West 36 feet of Lot 1, Block 5, Original Town of Delhi, Delaware County, Iowa, according to the Plat recorded in Book A, L.D., Pages 128-129.

4. To Randy R. Harbach: The South 1/2 of vacated Lexington Street lying North of Lots 3 and 4 in Block 5.

5. To Jeffrey L. Goldsmith and Pamela R. Goldsmith: The South 1/2 of vacated Lexington Street lying North of Lots 5 and 6, Block 5.

The Mayor and City Clerk of this City be, and they are hereby authorized and directed on behalf of the City of Delhi, Iowa, to execute and deliver to the purchasers as indicated a Quit Claim Deed relinquishing and conveying all of the right title and interest of the City in and to the above described property.

Passed and approved this 11 day of April, 1995.

Roy Atkinson
ROY ATKINSON, Mayor

ATTEST:

Janet L Cords
JANET L. CORDS, City Clerk