DELAWARE COUNTY IOWA
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DEBORAH L. FENTON
DELAWARE CO. RECORDER
$ 16.00

Prepared by Karen K. Cole, City Clerk 208 E Main Street, Manchester, Iowa 52057 319-917-3636

AFFIDAVIT RE: VACATION OF PORTION OF CITY STREET AND DISPOSAL OF CITY PROPERTY:

STATE OF IOWA)
COUNTY OF DELAWARE) ss.

RE: Portion of vacated street described as that part of South Second Street abutting the East line of Lot 859 of the City of Manchester, Iowa, said parcel being 115 feet in length and 66 feet in width; and that part of South Second Street abutting the East line of Lot 898 of the City of Manchester, Iowa, said parcel being 115 feet in length and 66 feet in width

I, Karen K. Cole, first being duly sworn, on oath, state:

1. That I am City Clerk of the city of Manchester, Iowa

2. That attached hereto are true copies of the items relating to the vacating of a portion of South Second Street and the sale by the City of the above described property, these items being: (1) R-034-99 Resolution Setting Public Hearing for Vacation of Public Street, said resolution having been passed at the City Council meeting of March 15, 1999; (2) the proof of publication of notice of the public hearing, publication having been made on March 23, 1999; (3) Ordinance 007-99 An Ordinance Vacating Parts of South Second Street Located in the City of Manchester, Iowa, said Ordinance having been finally adopted on May 3, 1999; (4) Resolution 044-99 Resolution Setting Public Hearing for the Sale/Disposition of Real Estate including Prrof of publication of notice of the Public Hearing and (5) Resolution R-058-99 Resolution Directing the Sale of an Interest in Real Property Following the Public Hearing, said resolution having been adopted by the City Council on May 17, 1999.

3. That the above items are a part of the public records in my custody as City Clerk and that all above mentioned Ordinances, Resolutions, Motion have been approved by the City Council of the City of Manchester, Iowa

Dated at Manchester, Iowa, this 16th day of June, 1999.

Karen K. Cole

Karen K. Cole, City Clerk

Subscribed and Sworn to before me by the said Karen K. Cole, City Clerk of the City of Manchester, Iowa this 16th day of June, 1999.

Cynthia J. Summers

Cynthia J Summers, Notary
Term expires 8-12-2000

RESOLUTION 034-99

RESOLUTION SETTING PUBLIC HEARING FOR
VACATION OF PUBLIC STREET

WHEREAS, the City Council for the City of Manchester, Iowa, has been requested to consider the vacation of parts of South Second Street located in the City of Manchester, Iowa, described as follows:

That part of South Second Street abutting the East line of Lot 859 of the City of Manchester, Iowa, said parcel being 115 feet in length and 66 feet in width; and that part of South Second Street abutting the East line of Lot 898 of the City of Manchester, Iowa, said parcel being 115 feet in length and 66 feet in width; and

WHEREAS, the City Council has determined that a public hearing should be held for consideration of the vacation of the above-described portions of South Second Street;

BE IT THEREFORE RESOLVED as follows:

1. That a public hearing shall be held on the 5th day of April, 1999, at 7:15 o'clock p.m. in City Council Chambers, 204 E. Main Street, Manchester, Iowa 52057, to consider the vacation of that portion of South Second Street as described above.

Passed and adopted this 15th day of March, 1999.

Milt L. Kramer
Milt L. Kramer, Mayor

ATTEST:
Karen K. Cole
Karen K. Cole, 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 City of Manchester in case of Notice of Public Hearing - Vacating S. 2nd St a copy of which is hereto attached, was published in said newspaper for 1 weeks consecutively; the first publication having been made on the 23 day of March A.D. 19 99, and the last on the 23 day of March A.D. 1999

Publication fee, $ 7.65

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 23 day of March A.D. 1999

Witness my hand and seal the date last above written.

Peggy A. McElhaney, Notary Public

PEGGY A. McELHANEY
NOTARIAL SEAL
IOWA
MY COMMISSION EXPIRES
8-13-00

NOTICE OF PUBLIC HEARING
FOR VACATION
OF PORTIONS OF SOUTH
SECOND STREET

YOU ARE HEREBY NOTIFIED that the City Council of the City of Manchester, Iowa, will meet on the 5th day of April, 1999, at 7:15 o'clock p.m. in the Council Chambers of the City Hall at 204 East Main Street, Manchester, Iowa, for the purpose of considering whether or not the following-described portions of South Second Street should be vacated:

That part of South Second Street abutting the East line of Lot 859 of the City of Manchester, Iowa, said parcel being 115 feet in length and 66 feet in width; and That part of South Second Street abutting the East line of Lot 898 of the City of Manchester, Iowa, said parcel being 115 feet in length and 66 feet in width.

CITY OF MANCHESTER, IOWA
By: /S/Karen K. Cole, City Clerk

3

P88

ORDINANCE 007-99

AN ORDINANCE VACATING PARTS OF SOUTH SECOND STREET LOCATED IN THE CITY OF MANCHESTER, IOWA

BE IT ENACTED by the City Council of the City of Manchester, Iowa:

SECTION 1. The following described portions of South Second Street located in the City of Manchester, Iowa, are hereby vacated and closed from public use:

That part of South Second Street abutting the East line of Lot 859 of the City of Manchester, Iowa, said parcel being 115 feet in length and 66 feet in width; and that part of South Second Street abutting the East line of Lot 898 of the City of Manchester, Iowa, said parcel being 115 feet in length and 66 feet in width; and

SECTION 2. The City Council shall retain title to said property until public hearing is held to consider the disposition of the vacated portions of South Second Street.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or 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 5. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the 3rd day of May, 1999, and approved this 3rd day of May, 1999.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

Public Hearing: April 5, 1999
1st Consideration & Adoption: April 5, 1999
2nd Consideration & Adoption: April 19, 1999
3rd Consideration & Final Adoption: May 3, 1999

I, Karen K. Cole, City Clerk of the City of Manchester, Iowa, do hereby certify that Ordinance 007-99 was duly published on the 11th day of May, 1999 in The Manchester Press, as provided by law, a copy of said being hereby attached and by this reference incorporated herein.

Karen K. Cole, City Clerk

RESOLUTION 044-99

RESOLUTION SETTING PUBLIC HEARING FOR
THE SALE/DISPOSITION OF REAL ESTATE

WHEREAS, the City Council for the City of Manchester, Iowa, has recently vacated portions of South Second Street in the City of Manchester, Iowa; and

WHEREAS, the City Council has now determined that it would be appropriate to consider disposal of the City's interest in such property in addition to a portion of Lot 939 adjacent to the vacated street property; and

WHEREAS, the City Council has determined that public hearing should be set as soon as possible for consideration of the proposed disposition of real estate;

BE IT THREFORE RESOLVED that a hearing shall take place at the City Council Chambers, 204 E. Main Street, in the City of Manchester, Iowa, at 4:10 p.m. on the 17th day of May, 1999, to consider the sale or disposition of the following described real estate:

That part of South Second Street abutting the East line of Lot 859 of the City of Manchester, Iowa, said parcel being 115 feet in length and 66 feet in width; and that part of South Second Street abutting the East line of Lot 898 of the City of Manchester, Iowa, said parcel being 115 feet in length and 66 feet in width; and that part of Lot Nine Hundred Thirty-nine (939) of the City of Manchester, lying South of the North line of Kane Street extended, except the South 326 feet of the West 100 feet thereof, and except the South 241 feet of the remainder of said tract.

Passed and adopted this 3rd day of May, 1999.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen K. Cole, 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 _____ City of Manchester in case of Notice of Public Hearing for Sale - Lot 939 a copy of which is hereto attached, was published in said newspaper for _____ weeks consecutively; the first publication having been made on the 11 day of May A.D. 19 99, and the last on the 11 day of May A.D. 1999

Publication fee, $ 9.35

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 11 day of May A.D. 1999

Witness my hand and seal the date last above written.

Peggy A McElhaney Notary Public

PEGGY A. McELHANEY
MY COMMISSION EXPIRES
8-13-00

NOTICE OF PUBLIC HEARING FOR SALE OR DISPOSITION OF REAL ESTATE PORTIONS OF SOUTH 2ND STREET AND LOT 939

YOU ARE HEREBY NOTIFIED that the City Council of the City of Manchester, Iowa, will meet on the 17th day of May, 1999, at 4:10 o'clock p.m. in the City Council Chambers of the City Hall at 204 E. Main Street, Manchester, Iowa, for the purpose of considering the proposed disposition or sale of the following described real estate:

That part of South Second Street abutting the East line of Lot 859 of the City of Manchester, Iowa, said parcel being 115 feet in length and 66 feet in width; and that part of South Second Street abutting the East line of Lot 898 of the City of Manchester, Iowa, said parcel being 115 feet in length and 66 feet in width; and that part of Lot Nine Hundred Thirty-nine (939) of the City of Manchester, lying South of the North line of Kane Street extended, except the South 326 feet of the West 100 feet thereof, and except the South 241 feet of the remainder of said tract.

CITY OF MANCHESTER, IOWA
BY: /S/ KAREN K. COLE, CITY CLERK
P75

RESOLUTION R-058-99

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

WHEREAS, the City Council has held on this date a Public Hearing on the sale of the property described as the vacated portion of S. 2nd Street abutting the East line of Lot 859 of the City of Manchester, Iowa, said parcel being 115 feet in length and 66 feet in width; and that part of South Second Street abutting the East line of Lot 898 of the City of Manchester, Iowa, said parcel being 115 feet in length and 66 feet in width; and that part of Lot Nine Hundred Thirty-nine (939) of the City of Manchester, lying South of the North line of Kane Street extended, except the South 326 feet of the West 100 feet thereof, and except the South 241 feet of the remainder of said tract, City of Manchester, Iowa. This property is commonly known as being directly east and north of 305 Lincoln Street, Manchester, Iowa.

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA that Helen and Ray Chamberlain shall purchase that part of Vacated South Second Street abutting the East line of Lot 898 of the City of Manchester, Iowa, said parcel being 115 feet in length and 66 feet in width; and that part of Lot Nine Hundred Thirty-nine (939) of the City of Manchester, lying South of the North line of Kane Street extended, except the South 326 feet of the West 100 feet thereof, and except the South 241 feet of the remainder of said tract, City of Manchester, Iowa for the sum of $500.00 and Robert L. & Laurie L. Tibbott shall purchase vacated portion of S. 2nd Street abutting the East line of Lot 859 of the City of Manchester, Iowa, said parcel being 115 feet in length and 66 feet in width for the sum of $300.00. At closing, the City shall provide a Quit Claim Deed to the above described property.

This Resolution shall be in force and effect upon its passage and approval as provided by law.

Passed and adopted this 17th day of May, 1999.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk