DELAWARE COUNTY IOWA
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BOOK 800 PAGE 192
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
26.00

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: Parcel J and Parcel K being part of Lot 1 in Railroad Addition and part of the South 16.5 feet of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter (NW1/4SE1/4NW1/4) all being in Section 29, Township 89 North, Range 5 West of the 5th P.M., City of Manchester, Delaware County, Iowa, per plat recorded in Book 1999, Page 3562 and, The South one rod in width off from the Northeast Quarter of the Southwest Quarter of Northwest Quarter (NE1/4SW1/4NW1/4) and the North one rod in width off from the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE1/4SW1/4NW1/4) of Section 29, Township 89 North, Range 5, West of the 5th P.M., making a strip two rods in width for street purposes, same being a continuation of the street west from the west side of Lot No. 1 in Railroad Addition of Manchester.

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 Public Street/alley/roadway west of Tanglewood Drive in the City of Manchester, Iowa and the sale by the City of the above described property, these items being: (1) R-107-99 Resolution Setting Public Hearing for Vacation of Public Street/Alley/Roadway, said resolution having been passed at the City Council meeting of October 4, 1999; (2) the proof of publication of notice of the public hearing, publication having been made on October 12, 1999; (3) Ordinance 019-99 An Ordinance Vacating Public Street/Alley/Roadway West of Tanglewood Drive in the City of Manchester, Iowa, said Ordinance having been finally adopted on November 15, 1999; (4) the proof of publication of Ordinance 019-99, publication having been made on November 23, 1999 (5) Resolution 125-99 Resolution Setting Public Hearing for the Sale/Disposition of Real Estate including Proof of publication of notice of the Public Hearing and (5) Resolution R-142-99 Resolution Directing the Sale of an Interest in Real Property Following the Public Hearing, said resolution having been adopted by the City Council on December 20, 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, motions have been approved by the City Council of the City of Manchester, Iowa

Dated at Manchester, Iowa, this 5th day of January, 2000.

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 5th day of January, 2000

Julie A. Swanson

Julie A. Swanson, Notary #224151
Term expires 8-23-2002

RESOLUTION 107-99

RESOLUTION SETTING PUBLIC HEARING FOR VACATION OF PUBLIC STREET/ALLEY/ROADWAY

WHEREAS, the City Council for the City of Manchester, Iowa, has been requested to consider the vacation of street/alley/roadway lying West of Tanglewood Drive in the City of Manchester, Iowa, described as follows:

Parcel J and Parcel K being part of Lot 1 in Railroad Addition and part of the South 16.5 feet of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter (NW1/4SE1/4NW1/4) all being in Section 29, Township 89 North, Range 5 West of the 5th P.M., City of Manchester, Delaware County, Iowa, per plat recorded in Book 1999, Page 3562 and, The South one rod in width off from the Northeast Quarter of the Southwest Quarter of Northwest Quarter (NE1/4SW1/4NW1/4) and the North one rod in width off from the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE1/4SW1/4NW1/4) of Section 29, Township 89 North, Range 5, West of the 5th P.M., making a strip two rods in width for street purposes, same being a continuation of the street west from the west side of Lot No. 1 in Railroad Addition of Manchester.

WHEREAS, the City Council has determined that a public hearing should be held for consideration of the vacation of the above-described street/alley/roadway lying West of Tanglewood Drive,

BE IT THEREFORE RESOLVED as follows:

1. That a public hearing shall be held on the 18th day of October, 1999, at 4:15 o'clock p.m. in City Council Chambers, 204 E. Main Street, Manchester, Iowa 52057, to consider the vacation of street/alley/roadway lying west of Tanglewood Drive as described above.

Passed and adopted this 4th day of October, 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 a copy of which is hereto attached, was published in said newspaper for 1 weeks consecutively; the first publication having been made on the 12 day of Oct A.D. 19 99, and the last on the 12 day of Oct A.D. 1999

Publication fee, $ ____

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 12 day of Oct A.D. 1999

Witness my hand and seal the date last above written.

Peggy A. McElhaney
Notary Public

NOTARIAL SEAL IOWA
PEGGY A. McELHANEY
MY COMMISSION EXPIRES
3-1-00

NOTICE OF PUBLIC HEARING FOR VACATION OF PUBLIC STREET/ALLEY/ROADWAY WEST OF TANGLEWOOD DRIVE

YOU ARE HEREBY NOTIFIED that the City Council of the City of Manchester, Iowa, will meet on the 18th day of October, 1999, at 4:15 o'clock pm. 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 Street/Alley/Roadway located west of Tanglewood Drive in Northwest Manchester should be vacated:

Parcel J and Parcel K being part of Lot 1 in Railroad Addition and part of the South 16.5 feet of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter (NW1/4SE1/4NW1/4) all being in Section 29, Township 89 North, Range 5 West of the 5th P.M., City of Manchester, Delaware County, Iowa, per plat recorded in Book 1999, Page 3562 and, The South one rod in width off from the Northeast Quarter of the Southwest Quarter of Northwest Quarter (NE1/4SW1/4NW1/4) and the North one rod in width off from the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE1/4SW1/4NW1/4) of Section 29, Township 89 North, Range 5, West of the 5th P.M., making a strip two rods in width for street purposes, same being a continuation of the street west from the west side of Lot No. 1 in Railroad Addition of Manchester.

CITY OF MANCHESTER, IOWA
By: /S/ Karen K. Cole, City Clerk
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ORDINANCE 019-99

AN ORDINANCE VACATING PUBLIC STREET/ALLEY/ROADWAY
WEST OF TANGLEWOOD DRIVE
IN THE CITY OF MANCHESTER, IOWA

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

SECTION 1. The following described Public Street/Alley/Roadway west of Tanglewood Drive and located in the City of Manchester, Iowa, is hereby vacated and closed from public use:

Parcel J and Parcel K being part of Lot 1 in Railroad Addition and part of the South 16.5 feet of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter (NW1/4SE1/4NW1/4) all being in Section 29, Township 89 North, Range 5 West of the 5th P.M., City of Manchester, Delaware County, Iowa, per plat recorded in Book 1999, Page 3562 and, The South one rod in width off from the Northeast Quarter of the Southwest Quarter of Northwest Quarter (NE1/4SW1/4NW1/4) and the North one rod in width off from the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE1/4SW1/4NW1/4) of Section 29, Township 89 North, Range 5, West of the 5th P.M., making a strip two rods in width for street purposes, same being a continuation of the street west from the west side of Lot No. 1 in Railroad Addition of Manchester.

SECTION 2. DISPOSITION. The City Council shall retain title to said property until public hearing is held to consider the disposition of the vacated alley.

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 15th day of November, 1999, and approved this 15th day of November, 1999.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

Public Hearing: October 18, 1999
1st Consideration & Adoption: October 18, 1999
2nd Consideration & Adoption: November 1, 1999
3rd Consideration & Final Adoption: November 15, 1999

I, Karen K. Cole, City Clerk of the City of Manchester, Iowa, do hereby certify that Ordinance 019-99 was duly published on the 23rd day of November, 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

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 Ordinance # 019-99 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 Nov A.D. 19 99, and the last on the 23 day of Nov A.D. 1999

Publication fee, $ _____

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 29 day of Nov A.D. 1999

Witness my hand and seal the date last above written.

Peggy A. McElhaney Notary Public

NOTARIAL SEAL IOWA
PEGGY A. McELHANEY
MY COMMISSION EXPIRES
5-13-00

LEGAL NOTICE

NOTICE IS HEREBY GIVEN pursuant to Chapter 380 of the 1999 Code of Iowa of the final adoption of ORDINANCE 019-99 by the City Council of the City of Manchester, Iowa on the 15th day of November, 1999.

ORDINANCE 019-99

AN ORDINANCE VACATING PUBLIC STREET/ALLEY/ROADWAY WEST OF TANGLEWOOD DRIVE IN THE CITY OF MANCHESTER, IOWA

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

SECTION 1. The following described Public Street/Alley/Roadway west of Tanglewood Drive and located in the City of Manchester, Iowa, is hereby vacated and closed from public use:

Parcel J and Parcel K being part of Lot 1 in Railroad Addition and part of the South 16.5 feet of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter (NW1/4SE1/4NW1/4) all being in Section 29, Township 89 North, Range 5 West of the 5th P.M., City of Manchester, Delaware County, Iowa, per plat recorded in Book 1999, Page 3562 and, The South one rod in width off from the Northeast Quarter of the Southwest Quarter of Northwest Quarter (NE1/4SW1/4NW1/4) and the North one rod in width off from the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE1/4SW1/4NW1/4) of Section 29, Township 89 North, Range 5, West of the 5th P.M., making a strip two rods in width for street purposes, same being a continuation of the street west from the west side of Lot No. 1 in Railroad Addition of Manchester.

SECTION 2. DISPOSITION. The City Council shall retain title to said property until public hearing is held to consider the disposition of the vacated alley.

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 15th day of November, 1999, and approved this 15th day of November, 1999.

/S/Milt L. Kramer, Mayor

ATTEST:
/S/Karen K. Cole, City Clerk

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RESOLUTION R-125-99

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 public street/alley/roadway west of Tanglewood Drive 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, and

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

BE IT THEREFORE RESOLVED that a hearing shall take place at the City Council Chambers, 204 E. Main Street, in the City of Manchester, Iowa, at 4:15 p.m. on the 20th day of December, to consider the sale or disposition of the following described real estate:

Parcel J and Parcel K being part of Lot 1 in Railroad Addition and part of the South 16.5 feet of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter (NW1/4SE1/4NW1/4) all being in Section 29, Township 89 North, Range 5 West of the 5th P.M., City of Manchester, Delaware County, Iowa, per plat recorded in Book 1999, Page 3562 and, The South one rod in width off from the Northeast Quarter of the Southwest Quarter of Northwest Quarter (NE1/4SW1/4NW1/4) and the North one rod in width off from the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE1/4SW1/4NW1/4) of Section 29, Township 89 North, Range 5, West of the 5th P.M., making a strip two rods in width for street purposes, same being a continuation of the street west from the west side of Lot No. 1 in Railroad Addition of Manchester.

It is hereby proposed that the property be deeded as follows:
Parcel K to Harlan F. & Wanda Lee Allison for the sum of $1.00 and other valuable consideration, Parcel J and the remaining portion of the vacated roadway to Riverland Development Corp. for the sum of $860.00.

Passed and adopted this 6th day of December, 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 Hearin a copy of which is hereto attached, was published in said newspaper for 1 weeks consecutively; the first publication having been made on the 14 day of Dec A.D. 19 99, and the last on the 14 day of Dec A.D. 1999

Publication fee, $

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 14 day of Dec A.D. 19 99

Witness my hand and seal the date last above written.

Peggy A McElhaney Notary Public

NOTARIAL SEAL IOWA

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

NOTICE OF PUBLIC HEARING FOR SALE OR DISPOSITION OF REAL ESTATE

YOU ARE HEREBY NOTIFIED that the City Council of the City of Manchester, Iowa, will meet on the 20th day of December, 1999, at 4:15 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 located west of Tanglewood Drive:

Parcel J and Parcel K being part of Lot 1 in Railroad Addition and part of the South 16.5 feet of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter (NW1/4-SE1/4NW1/4) all being in Section 29, Township 89 North, Range 5 West of the 5th P.M., City of Manchester, Delaware County, Iowa, per plat recorded in Book 1999, Page 3562 and, The South one rod in width off from the Northeast Quarter of the Southwest Quarter of Northwest Quarter (NE1/4SW1/4NW1/4) and the North one rod in width off from the Southeast Quarter of the Southwest Quarter of the Northwest Quarter th (SE1/4SW1/4NW1/4) of Section 29, Township 89 North, Range 5, West of the 5th P.M., making a strip two rods in width for street purposes, same being a continuation of the street west from the west side of Lot No. 1 in Railroad Addition of Manchester.

It is proposed that the property be sold and Quit Claim Deeds issued as follows:

Parcel K to Harlan F. & Wanda Lee Allison for the sum of $1.00 and other valuable consideration, Parcel J and the remaining portion of the vacated roadway to Riverland Development Corp. for the sum of $860.00.

CITY OF MANCHESTER, IOWA
By: /S/ Karen K. Cole, City Clerk
P108

RESOLUTION R-142-99

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 public street/alley/roadway west of Tanglewood Drive and consisting of approximately 914 feet in length and 33 feet wide, in the City of Manchester, Iowa,

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA that the following described property:

Parcel J and Parcel K being part of Lot 1 in Railroad Addition and part of the South 16.5 feet of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter (NW1/4SE1/4NW1/4) all being in Section 29, Township 89 North, Range 5 West of the 5th P.M., City of Manchester, Delaware County, Iowa, per plat recorded in Book 1999, Page 3562 and, The South one rod in width off from the Northeast Quarter of the Southwest Quarter of Northwest Quarter (NE1/4SW1/4NW1/4) and the North one rod in width off from the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE1/4SW1/4NW1/4) of Section 29, Township 89 North, Range 5, West of the 5th P.M., making a strip two rods in width for street purposes, same being a continuation of the street west from the west side of Lot No. 1 in Railroad Addition of Manchester,

be sold and Quit Claim Deeds issued as follows:

Parcel K to Harlan F. & Wanda Lee Allison for the sum of $1.00 and other valuable consideration, Parcel J and the remaining portion of the vacated roadway to Riverland Development Corp. for the sum of $860.00.

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 20th day of December, 1999.

Milt L. Kramer
Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole
Karen K. Cole, City Clerk