P.O. of Colesburg
P.O. Box 96
Colesburg, IA
52035

DELAWARE COUNTY IOWA
FILED
2001 JUL 12 PM 3:37
BOOK 200, PAGE 845
DEPUTY LEYTON
DELAWARE COUNTY RECORDER
41.00

Prepared by: Timothy T. Schloss, 118 W Mission St, Strawberry Pt, IA, (563) 933-2029

STATE OF IOWA)
)SS
DELAWARE COUNTY)

I, Gina Clute, do hereby certify that I am the City Clerk for the City of Colesburg, Iowa; that attached hereto is a true and correct copy of the following:

a) Ordinance No. 107 entitled "An Ordinance to Vacate and Dispose of Real Estate Consisting of the Northern most alley in Block Two (2) of First Western Addition to Town of Colesburg, Iowa " which ordinance was passed by the City Council of the City of Colesburg, Iowa, on the 4th day of June 2001, and signed by the Mayor on the same day.

b) The Minutes of the City Council of the meeting of the City of Colesburg, Iowa, showing the passage of said Ordinance.

c) The Notice of proposal to vacate and dispose of this property with Proof of Publication attached thereto.

I further certify that Ordinance No. 107 was published as required by law.

Signed and the Seal of the City of Colesburg affixed this 29th day of June, 2001.

Gina Clute
City Clerk

STATE OF IOWA)
) ss.
COUNTY OF DELAWARE)

On this 29th day of June, 2001, before me the undersigned, a Notary Public in and for said State, personally appeared Gina Clute, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.

CORPORATE SEAL I·O·W·A OF COLESBURG

LINDA LOU CLEMEN IOWA NOTARIAL SEAL

Linda Lou Clemen
Notary Public in and for the
State of Iowa.
Linda Lou Clemen

ORDINANCE NO. 107

AN ORDINANCE TO VACATE AND DISPOSE OF REAL ESTATE CONSISTING OF THE NORTHERN MOST ALLEY IN BLOCK TWO (2) OF FIRST WESTERN ADDITION TO TOWN OF COLESBURG, IOWA, PER PLAT RECORDED IN L. D. BOOK D, PAGE 299.

Be It Enacted by the Council of Colesburg, Iowa:

SECTION 1. PROPERTY VACATED AND CONVEYANCE AUTHORIZED. The public use is hereby vacated and conveyance is hereby authorized by the City of Colesburg, Iowa, to real estate described as follows:

The Northern most alley in Block Two (2) of First Western Addition to the Town of Colesburg, Iowa, per plat recorded in L. D., Book D, page 299.

SECTION 2. QUIT CLAIM AND RESERVATION OF EASEMENT. The above-described real estate is hereby conveyed by Quit Claim Deed as follows:

The West One Hundred Twenty (120) feet of the vacated Northern most alley in Block Two (2) of First Western Addition to the Town of Colesburg, Iowa, per plat recorded in L. D., Book D, page 299

The intent being to vacate and convey the West One-half (1/2) of vacated alley bounded on the North by the South line of Lot Eight (8) and bounded on the South by the North line of Lot Nine (9), all being in Block Two (2) of First Western Addition to the Town of Colesburg, Iowa,

to Colesburg Community Development Group, Inc. subject to any easements for existing sewer, water, and all other public utilities which may be presently located within the area, and reserving to the City the right of ingress and egress for the purpose of repair, maintenance and replacement of any such public utilities; for and in consideration of the sum of Five Hundred Dollars ($500.00) and other valuable consideration, with the Buyer paying all legal publication, recording, abstracting, special council meeting and any other miscellaneous costs in regard to the sale. The City of Colesburg shall not be required to furnish abstract of title, and

The East One Hundred Twenty (120) feet of the vacated Northern most alley in Block Two (2) of First Western Addition to the Town of Colesburg, Iowa, per plat recorded in L. D., Book D, page 299

The intent being to vacate and convey the East One-half (1/2) of vacated alley bounded on the North by the South line of Lot Five (5) and bounded on the South by

the North line of Lot Four (4), all being in Block Two (2) of First Western Addition to the Town of Colesburg, Iowa,

to John R. and Carolyn Hogan. subject to any easements for existing sewer, water, and all other public utilities which may be presently located within the area, and reserving to the City the right of ingress and egress for the purpose of repair, maintenance and replacement of any such public utilities; for and in consideration of the sum of Five Hundred Dollars ($500.00) and other valuable consideration, with the Buyer paying all legal publication, recording, abstracting, special council meeting and any other miscellaneous costs in regard to the sale. The City of Colesburg shall not be required to furnish abstract of title, and

The Mayor and City Clerk are directed to execute and deliver Quit Claim Deeds, without abstract, as described above. Said deeds shall be made subject to any easements for existing sewer, water, and all other public utilities which may be presently located within the area, and reserving to the City the right of ingress and egress for the purpose of repair, maintenance and replacement of any such public utilities.

SECTION 3. EXECUTED DEED APPROVED.
Thereafter, the authorized Quit Claim deeds being fully executed by the Mayor and City Clerk conveying the above described real estate was presented to the council and the same is hereby approved. The Clerk is hereby authorized and directed to deliver said Deed upon the receipt of the consideration therefore.

SECTION 4. This Ordinance shall take effect and be in full force and effect from and after its passage and publication as provided by law.

Passed and approved this 4th day of June, 2001.

Richard Sampson
Mayor

ATTEST: Nina Clute
CITY CLERK

Colesburg City Council Proceedings
Monday, June 4, 2001

Meeting was called to order by Mayor Sampson at 7:30 p.m. On roll: Amling, Bush, Domeyer, Steinfadt, and Waterman. Motion by Domeyer, seconded by Steinfadt and carried to approve the tentative agenda. Motion Waterman, seconded by Amling and carried to approve minutes of May 7, 2001.

Motion Bush, second Amling and carried to approve the following claims:

Alliant Energy-utilities	1918.79
Baker & Taylor-library books	253.13
Book-library subscription	20.00
Brown, Ken-ins. reimb.	230.80
Brown, Ken-mileage reimb.	68.20
Brown, Ken-net wages	1557.04
Clute, Gina-mileage reimb	8.80
Clute, Gina-net wages	612.21
Delaware County Landfill-May	73.65
ECIA-membership	164.80
Ed M. Feld Equipment Co. Inc.-fire dept. cutter blade	894.50
Edgewood Reminder-council proceedings	131.83
Every's Auto & Tire Center-gas	166.06
Farmer's Savings Bank-pool change	120.00
Farmers Savings Bank-payroll taxes	834.90
Highsmith, Inc.-library library supplies	23.69
Hoeger's Grocery-library & pool supplies	21.51
IA Dept. of Natural Resources-water & sewer certification	120.00
IMWCA-work comp premium	1559.00
Iowa Telecom-phone service	192.55
IPERS-May	322.98
J & M Display, Inc.-fireworks	1800.00
Klaus Insurance Service-insurance	11145.00
Meyers Cox Co.-pool concessions	452.32
Moore Medical-ambulance supplies	51.70
Pasker, Jill-library mileage reimb.	12.00
Pasker, Jill-net wages	431.66
Peoples Natural Gas-utilities	91.12
Pepsi-Cola Bottling Co.-pool concessions	92.30
Pettersburg Appliance-pool pump rewire	29.60
Pool Tech Midwest Inc.-pool chemicals & pump	1546.10
Randy's Sanitation-May pick-up & tags	1709.50
Schloss, Timothy-sale of alley preparation	305.00
Simons, Lester-community center deposit reimb.	10.00
Steve's Trustworthy Hardware-supplies	60.41
Treasurer, State of Iowa-withholding taxes	117.00
U.S. Cellular-ambulance cell phone	20.53
Verizon-phone long distance service	34.85
TOTAL	**27203.53**

Motion Steinfadt, second Waterman and carried to approve the May 2001 treasurer's report as follows:

	Revenues	Expenditure
General	18828.72	33880.30
Road Use Tax	2415.71	3445.14
Debt Service	8651.87	0.00
Trust & Agency	0.00	0.00
Water	190.66	1811.66
Sewer	451.82	1241.96
Local Options	1399.71	0.00
TOTAL	31938.49	40379.06

Proposals to fill cracks on numerous streets were received from Kluesner Construction, Inc. and Municipal Street Improvements, Inc. Motion by Steinfadt, seconded by Domeyer to accept the proposal to fill cracks from Kluesner Construction, Inc. and also have them seal cracks between the gutter and the street. Motion carried.

Motion by Bush, seconded by Steinfadt to approve a building permit for the Colesburg United Methodist Church for a new 78' x 32' parsonage. Motion carried.

Discussion regarding Howard McDowell's & Jeff Simon's building permit. Motion by Bush, seconded by Domeyer to reject both of these permits. Motion carried.

Discussion of request to remove water meter at Loras Matt and Linda Hansel residence. It was the consensus of the council to have them move the meter inside the trailer.

Discussion of sewer problems on the west end of town.

Chad Shryock, the Delaware County Economic Development Director was present to introduce himself to the council and presented an overview of their activities.

Chuck Niehaus and Leo Clute were present on behalf of the fire department informing the council of the grant received by the Dubuque Racing Association. Also discussion on siren being blown during storm watch.

Library report was read by the council.

Motion by Waterman, seconded by Steinfadt to approve Ordinance No. 107-An Ordinance to Vacate and Dispose of Real Estate Consisting of the Northern most Alley in Block Two(2) of First Western Addition to Town of Colesburg, Iowa, Per Plat Recorded in L.D. Book D, Page 299. Motion carried. Motion by Domeyer, seconded by Amling to dispense with the second and third readings and to adopt said ordinance on the first reading. Motion carried.

Motion by Bush, seconded by Steinfadt to approve cigarette permits for Every's Auto & Tire Center, Hoeger's Grocery, The Hub, J.R. Willie's, and the Lone Pine Country Club. Motion carried.

Discussion of maintenance overtime hours. It was the consensus of the council and the maintenance man to pay 80 hours of overtime pay and to bank the rest so that they can be used as compensatory time.

Motion by Bush, seconded by Waterman to raise the maintenance and city clerk's wages by 4% beginning July 1, 2001. Motion carried.

Motion by Bush, seconded by Waterman to adjourn the meeting at 9:17 p.m. Motion carried.

Attest: Gina Clute Richard Sampson
Gina Clute, Clerk Richard Sampson, Mayor

EDGEWOOD REMINDER

Box 458 Phone: 319-928-6876
Hometown Weekly Newspaper
EDGEWOOD, IOWA 52042

AFFIDAVIT OF PUBLICATION

STATE OF IOWA, CLAYTON COUNTY, ss.

I, Julie A. Miller, being duly sworn, depose and say that I am the publisher of the Edgewood Reminder, a weekly newspaper printed and published at Edgewood in said County, and that the notice, a copy of which is hereto attached was published in said newspaper in the issue of 4-24-01.

Julie A. Miller

Julie A. Miller

Subscribed and sworn to before me by the above named Julie A. Miller this 1st day of May A.D., 2001.

Fee _____
Affidavit_____
Total_____

Regina R. Seloover

Notary Public

REGINA R. SELOOVER
MY COMMISSION EXPIRES
05/18/04

Notice of Proposal to Vacate and Dispose of the of the Northern Most Alley in Block Two (2) of First Western Addition to Town of Colesburg, Per Plat recorded in L.D. Book D. Page 299

To Whom It May Concern:

You are hereby notified that by enactment of the City Council of Colesburg, Iowa, resolution # 268 on the 2nd day of April, 2001, it has been proposed to vacate and dispose of the right, title and interest of the City of Colesburg, Iowa, in real estate described as:

The Northern most alley in Block Two (2) of First Western Addition to the Town of Colesburg, Iowa, per plat recorded in L. D. Book D, page 299.

The intent being to vacate Sixteen (16) foot wide alley bounded on the North by the south lines of Lots Five (5) and Eight (8) and bounded on the South by the North lines of Lots Four (4) and Nine (9), all being in Block Two of First Western Addition to the Town of Colesburg.

It is proposed that such real estate be conveyed as follows:

The West one hundred twenty (120) feet of the vacated Northern most alley in Block Two (2) of First Western Addition to the Town of Colesburg, per plat recorded in L. D. Book D, page 299.

The intent being to vacate the West one-half (1/2) of vacated alley bounded on the North by the South line of Lot Eight (8) and bounded on the South by the North line of Lot Nine (9), all being in Block Two of First Western Addition to the Town of Colesburg

to Colesburg Community Development Group, Inc. subject to any easements for existing sewer, water, and all other public utilities which may be presently located within the area, and reserving to the City the right of ingress and egress for the purpose of repair, maintenance and replacement of any such public utilities.

And

The East one hundred twenty (120) feet of the vacated Northern most alley in Block Two (2) of First Western Addition to the Town of Colesburg, per plat recorded in L. D. Book D, page 299.

The intent being to vacate the East one-half (1/2) of vacated alley bounded on the North by the South line of Lot Five (5) and bounded on the South by the North line of Lot Four (4), all being in Block Two of First Western Addition to the Town of Colesburg

to John R. and Carolyn Hogan subject to any easements for existing sewer, water, and all other public utilities which may be presently located within the area, and reserving to the City the right of ingress and egress for the purpose of repair, maintenance and replacement of any such public utilities

For and in consideration of the sum Five Hundred Dollars ($500.00) each with the Buyer paying all legal publication, recording, abstracting, attorney fees, filing fees and any other miscellaneous costs in regard to the sale and recording of the above described real estate. The City of Colesburg shall not be required to furnish abstract of title.

You are further notified that a hearing on said proposed conveyance will be held at a meeting of the City Council of the City of Colesburg, Iowa, at 8:00 o'clock PM in the Council Chambers in City Hall on the 7th day of May, 2001, at Colesburg, Iowa.

Any and all persons desiring to be heard for or against this proposed conveyance may then appear and be heard. Published by order of the City Council of the City of Colesburg, Iowa.

CITY COUNCIL OF COLESBURG, IOWA