DELAWARE COUNTY IOWA
FILED
2003 OCT 15 AM 8:50
BOOK 2003 PAGE 5034
DEBORAH L. FRETTY
DELAWARE CO. AUDITOR
10.00

Prepared by City Clerk Cindy Kudrna, 316 Franklin Street, PO Box 225, Delhi, Iowa 52223 563-922-2588

CORRECTED RESOLUTION 05-2003

RESOLUTION AUTHORIZING THE CITY OF DELHI, IOWA, TO VACATE THAT PORTION OF CITY ALLEY LOCATED BETWEEN LOTS THREE (3) AND FOUR (4), BLOCK SEVENTEEN (17) AND LOCATED BETWEEN LOTS SEVEN (7) AND EIGHT (8) OF BLOCK SEVENTEEN (17) IN THE CITY OF DELHI AND CONVEY THE SAME TO ADJOINING LANDOWNERS.

WHEREAS, no persons have objected personally or in writing the vacation of the aforesaid real estate or its sales to the adjoining landowner and that Notice of a Public Hearing was given as provided by law by the City of Delhi and the Public Hearing was indeed held on April 8, 2003 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 portion of the vacated alley be sold in the following, description, and in the name of said purchasers as follows:

1. To TES, LLC the North ½ of the West One hundred thirty-two (132) feet of the alley running East and West in Block Seventeen (17), of the Original Town of Delhi, Iowa. The intent being to convey the North One-half (N ½) of that portion of the alley lying South of and adjacent to the South lines of Lots Three (3) and Four (4) in said Block seventeen (17), of the Original Town of Delhi, Iowa.

2. To Steven Novak, the South ½ of the West One hundred thirty-two (132) feet of the alley running East and West in Block Seventeen (17), of the Original Town of Delhi, Iowa. The intent being to convey the South One-half (S ½) of that portion of the alley lying North of and adjacent to the North lines of Lots Seven (7) and Eight (8) in said of Block Seventeen (17), of the Original Town of Delhi, Iowa.

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 10 day of June, 2003

Correction made this 3 day of September, 2003

The original resolution 05-2003 was recorded in Book 2003 page 3906.

Roy Atkinson

Roy Atkinson, Mayor

Attest: Cindy Kudrna

Cindy Kudrna, City Clerk

On this 3rd day of September, 2003, before me, Judy Whitehead, a Notary Public in and for the State of Iowa, personally appeared Roy Atkinson and Cindy Kudrna to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Delhi, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Corrected Resolution 05-2003 by the City Council, under Roll Call of the City Council on the 10th day of June, 2003 and that Roy Atkinson and Cindy Kudrna acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Notary Public, my commission expires

Judy Whitehead

NOTARIAL SEAL IOWA

JUDY WHITEHEAD
Commission Number 224953
MY COMMISSION EXPIRES
OCTOBER 8, 2005

CITY OF DELHI INCORPORATED 1852 DELHI IOWA