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

DELAWARE COUNTY IOWA
FILED
2004 MAR 11 PM 12:02
BOOK 2004 PAGE 711
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
36.00

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

STATE OF IOWA)
)SS
DELAWARE COUNTY)

I, Tabitha Rhines, 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. 109 entitled "An Ordinance to Vacate and Dispose of A portion of Hubbard Street in the City of Colesburg, Iowa, being Parcel H in the NW ¼ SE ¼ Section 4, T90N, R3W, according to the plat recorded in Book 2003, page 3564." which ordinance was passed by the City Council of the City of Colesburg, Iowa, on the 3rd day of November, 2003, 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. 109 was published as required by law.

Signed and the Seal of the City of Colesburg affixed this 3rd day of November, 2003.

CORPORATE SEAL OF COLESBURG 1-0-97-A

Tabatha Rhines
City Clerk

STATE OF IOWA)
) ss.
COUNTY OF DELAWARE)

On this ~~3rd day of November, 2003~~ 10th day of March 2004, before me the undersigned, a Notary Public in and for said State, personally appeared Tabitha Rhines, 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.

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

NOTARIAL SEAL IOWA
LINDA LOU CLEMEN
COMMISSION NUMBER 114143
My Comm. Exp. 2-18-05

ORDINANCE # 109

AN ORDINANCE TO VACATE AND DISPOSE OF
A PORTION OF HUBBARD STREET IN THE CITY OF COLESBURG,
IOWA, BEING PARCEL H IN THE NW ¼ SE ¼ SECTION 4, T90N, R3W
ACCORDING TO THE PLAT RECORDED IN BOOK 2003 PAGE 3564

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:

A portion of Hubbard Street in the City of Colesburg, Iowa, being Parcel H in the NE ¼ SE Section 4, T90N, R3W, according to the plat recorded in Book 2003, page 3564.

SECTION 2. DEED AND RESERVATION OF EASEMENT.
The above-described real estate is hereby conveyed by Warranty Deed to Colesburg Masonic Temple Association, 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 trade of real estate described a Parcel G in lot 4, NW ¼-SE ¼, Section 4, T90N, R3W, Part of Amended Plat of Colesburg, Delaware County, Iowa, and other valuable consideration, and the City will pay an additional three hundred dollars ($300.00) for this exchange of real estate.

The Mayor and City Clerk are directed to execute and deliver a Warranty Deed as described above. Said deed 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 replacement of any such public utilities.

SECTION 3. EXECUTED DEED APPROVED.
Thereafter, the authorized Warranty deed 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 and payment of the consideration therefore.

SECTION 4. The 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 3rd day of November 2003.

Richard Sampson - Mayor

ATTEST: Tabatha Rhines
City Clerk

COLESBURG CITY COUNCIL PROCEEDINGS FOR NOVEMBER 3, 2003
1

Mayor Sampson called the regular meeting of the Colesburg City Council to order at 7:00 p.m. on Monday November 3, 2003. On roll: Amling, Bush, Domeyer, Waterman, and Wessel. Motion by Bush to approve the Tentative Agenda, second Wessel. Ayes-all, nays-none, motion carried. Motion Domeyer to approve the October 6, 2003 minutes, second Waterman. Ayes-all, nays-none, motion carried. Motion by Waterman to approve the October claims as well as bill paid prior, second by Amling. Ayes-all, nays-none, motion carried. Motion by Amling to approve the October Treasurers Report, second by Waterman. Ayes-all, nays-none, motion carried.

Alliant Energy - Library Utilities	5.22
Alliant Energy - Utilities	976.85
Aquila - Utilities	118.76
Batteries Included - Fire Department Equipment	155.00
BFI Waste Services - Monthly Contract	1647.00
Bi-County Disposal-dumpster for fire dept. remodel	175.00
BOSS - Recorder & Misc. office supplies	84.39
Chuck Niehaus - Fire Dept. Equip. Reimbursement	50.00
Delaware County Landfill Commission	73.65
Duane Staner - Fire School Reimbursement	163.16
Edgewood Reminder - Publishing	65.47
Every's Auto & Tire - Fuel and Maintenance on FD & Maint. Vehicles	288.25
Farmers Savings Bank - October Payroll Liability	1206.78
IMFOA - Fall Conference Registration	70.00
Iowa Association of Municipal Utilities - Meeting Registration	150.00
Iowa Telecom - Communication Utilities	253.45
Iowa Workforce & Development - Unemployment Tax	104.55
IPERS - October Payroll Benefits	476.09
Ken Brown - Mileage Reimbursement	51.48
Ken Brown - Mileage Reimbursement	20.52
Ken Brown-Ins. Reimbursement	301.02
Kuehl Construction - Backhoe/Hand work for water/sewer repairs	222.50
Kuhlman Construction - Stone for Street Bank	379.38
Life Line Emergency Vehicles - Ambulance Repair	172.16
Northern Safety Co/FSB-Reimburse FSB for Fire Dept Equipment	58.53
October Net Payroll	5037.89
Petersburg Appliance - Repair to Street Light poles	187.77
Petersburg Appliance - Repairs to Fire Department Lights	826.00
Rex Meyer - Fire School Reimbursement	90.63
Sandol Laboratories - Wastewater Testing	124.00
Sandry Fire Supply - Fire Department Equipment	6253.00
Steve's Hardware-fire dept. supplies, maint. Supplies	222.96
Tabatha Rhines - Ins. Reimbursement	100.00
Treasurer State of Iowa - Sales Tax for 3rd Qtr 2003	915.41
US Cellular - Communication Utilities	53.41
	21080.28

	Revenues	Expenses
General Fund	19766.88	13933.30
Road Use Tax Fund	2977.54	1379.30
Debt Service	8547.81	0.00
Trust & Agency/Special Rev. Fund	1459.02	317.88
Water Enterprise	3628.99	2856.86
Sewer Enterprise	960.91	1586.29
Local Option/Special Rev. Fund	2298.84	0.00
	39639.99	20073.63

Lenny Phelps was present with thanks to Mayor Sampson and Julie Wessel, from the coffee club, for enabling them to meet at the community center each morning for coffee. They also expressed wishes to continue using the community center until they found another place to meet. To show their appreciation they asked if they could purchase a coffeepot and coffee to be kept at the community center for anyone to use. It was the general agreement of the council that this would be a suitable arrangement. Fire Chief Payne was present to report on repairs needed to the Tanker and the Fire Station roof. He will be bringing estimates for these repairs to the next meeting. He also expressed thanks for those who attended the Fire Department Open House. Chief Payne suggested the Township Trustees attend a Colesburg City Council meeting to discuss their contracts. The clerk was instructed to send a notice to the eligible townships inviting them to attend the next council meeting.
Motion by Waterman that Wessel and the Clerk attend the MLA, Dubuque meeting, second by Amling. Ayes-all, nays-none, motion carried. Motion by Domeyer to have the Clerk attend the budget meeting, second by Wessel. Ayes-all, nays-none, motion carried. Motion Amling to have Kenny attend the IAMU meeting in Des Moines to attain CEU's, second by Waterman. Ayes-all, nays-none, motion carried. Committees: Streets & Sidewalks: Council reviewed proposals from River City Paving for work on Jackson and Delaware streets. Tabled until bid letting. Discussion followed concerning snow removal and reminders to citizens, especially those who park on Main Street, to have their **cars moved off the streets from midnight until 6 a.m.** Motion Waterman to correspond with the owners of abandoned vehicles, second by Bush. Ayes-all, nays-none, motion carried. Building Permits: Motion by Wessel to approve Jim Pasker's permit for a roof, second by Domeyer. Ayes-all, nays-none, motion carried. Water & Sewer: Delinquent accounts were reviewed and discussed. Progress on the water & sewer rate study was discussed. Motion by Domeyer to approve a Resolution #284 setting time and place for a Public Hearing on the proposed adoption of a new Colesburg City Code, second by Waterman. Roll call: Ayes: Domeyer, Amling, Wessel, Waterman, & Bush. Nays: none, motion carried.
Mayor Sampson declared the public hearing to vacate and dispose of a portion of Hubbard Street in the City of Colesburg, Iowa, being parcel H in the NW ¼ section SE ¼ section 4, T90N, R3W was open at 8:15 p.m. There being no oral objections or discussion the hearing was closed at 8:17 p.m. Motion by Bush, second by Amling to dispense with the second and third readings and to adopt said ordinance on the first reading. Roll call vote as follows: Ayes- Bush, Amling, Wessel, Waterman, and Domeyer. Nays- none. Motion carried. Motion by Wessel, second by Waterman to adopt Ordinance #109- an Ordinance to vacate and dispose of a portion of Hubbard Street being parcel H in the NW ¼ SE ¼ Section 4, T90N, R3W. Roll call vote as follows: Ayes- Amling, Wessel, Bush, Waterman, and Domeyer. Nays- none. Motion carried.
Discussion followed concerning community planning and future projects and purchases. Motion by Bush, second by Waterman to raise clerks hourly wage to 11.20, to be effective Jan. 1, 2004. Roll call vote as follows: Ayes- Amling, Wessel, Bush, Waterman, Domeyer. Nays- none. Motion carried.
There being no further business meeting adjourned at 9:00 p.m.

Richard Sampson

Richard Sampson, Mayor

ATTEST: Kathy Rhines
City clerk

EDGEWOOD REMINDER

Box 458 **Phone: 563-928-6876**
Hometown Weekly Newspaper
EDGEWOOD, IOWA 52042

AFFIDAVIT OF PUBLICATION

STATE OF IOWA, CLAYTON COUNTY, ss.

I, Sherri Clauson 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 10-21-03.

Sherri Clauson

Sherri Clauson

Subscribed and sworn to before me by the above named Sherri Clauson this 21 day of October A.D., 2003.

Fee _____
Affidavit _____
Total _____

NOTARIAL SEAL IOWA

Elise Bergan
COMMISSION NUMBER 711108
My Commission Expires
7-2-04

Elise Bergan

Notary Public

LEGAL NOTICES

Notice Of Proposal To Vacate And Dispose Of A Portion Of Hubbard Street In The City Of Colesburg, Iowa, Being Parcel H In The NW 1/4 SE 1/4 Section 4, T90N, R3W According To The Plat Recorded In Book 2003 Page 3564.

To Whom It May Concern:

You are hereby notified that by enactment of the City Council of Colesburg, Iowa, resolution #283 on the 6th day of October, 2003, 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:

A portion of Hubbard Street in the City of Colesburg, Iowa, being Parcel H in the NW 1/4 SE 1/4 Section 4, T90N, R3W, according to the plat recorded in Book 2003, Page 3564.

It is proposed that such real estate be conveyed by Warranty Deed to Colesburg Masonic Temple Association, 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 trade of real estate described as Parcel G In Lot 4, NW 1/4, SE 1/4, Section 4, T90N, R3W, part of amended plat of Colesburg, Delaware County, Iowa, and other valuable consideration, and the City will pay an additional three hundred dollars ($300.00) for this exchange of Real Estate. You Are Further Notified That A Hearing On Said Proposed Conveyance Will Be Held At A Meeting Of The City Council Of