ORDINANCE TO VACATE

ALLEY

Prepared by: Timothy T. Schloss, 118 West Mission St., Strawberry Point, IA 52076 563-933-2029

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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Ew Sandra Klostermann 509 Main St Colesburg IA 52035

STATE OF IOWA)
)SS
COUNTY OF DELAWARE)

I, Tara Holub, 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. 132 entitled "AN ORDINANCE TO VACATE AND DISPOSE OF THAT PORTION OF AN ALLEY IN THE CITY OF COLESBURG, IOWA, BEING SITUATED BETWEEN LOT 10 AND LOT 11 IN BLOCK ONE OF FIRST NORTHERN ADDITION TO THE CITY OF COLESBURG, IOWA," which ordinance was passed by the City Council of the City of Colesburg, Iowa, on the 12th day of December, 2011, 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. 132 was published as required by law.

Signed and the Seal of the City of Colesburg affixed this 26th day of January, 2012.

Tara Holub
City Clerk

STATE OF IOWA)
) ss.
COUNTY OF DELAWARE)

On this 26th day of January, 2012, before me the undersigned, a Notary Public in and for said State, personally appeared Tara Holub, 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.

NOTARIAL SEAL IOWA
MARILYN ATKINSON
COMMISSION NUMBER 192283
My Comm. Exp. 9/5/2012

Marilyn Atkinson
Notary Public in and for the State of Iowa

ORDINANCE NO. 132

AN ORDINANCE TO VACATE AND DISPOSE OF THAT PORTION OF AN ALLEY IN THE CITY OF COLESBURG, IOWA, BEING SITUATED BETWEEN LOT 10 AND LOT 11 IN BLOCK ONE OF FIRST NORTHERN ADDITION TO THE CITY OF COLESBURG, IOWA.

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:

That portion of an alley in the City of Colesburg, Iowa, situated between Lot 10 and Lot 11 in Block One of First Northern Addition to the City of Colesburg, Iowa

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

The North Half of the vacated alley between Lot 10 and Lot 11 in Block One of First Northern Addition to the City of Colesburg, Iowa,

To Amy Neuhaus Rolfes 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 Two Hundred Fifty Dollars ($250.00), and other valuable consideration, with the Buyer paying one-half of 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 South Half of the vacated alley between Lot 10 and Lot 11 in Block One of First Northern Addition to the City of Colesburg, Iowa,

To Sandra Klostermann, 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 Two Hundred Fifty Dollars ($250.00), and other valuable consideration, with the Buyer paying one-half of 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 Deeds 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 12th day of December, 2011.

Richard Sampson
Mayor

ATTEST: Tara Holub
CITY CLERK

COLESBURG CITY COUNCIL PROCEEDINGS FOR REGULAR MEETING DECEMBER 12, 2011

Mayor Rich Sampson called the regular meeting of the Colesburg City Council to order at 6:00 p.m. Monday, December 12, 2011. On roll were Mitch Every, Leo Roling and Roger Waterman. Jamie Amling and Tim Breitbach were absent. Waterman motioned to approve consent agenda, seconded by Roling. All ayes, carried. Consent agenda included approval of agenda, November minutes, November claims, and the Treasurer's Report, as follows:

Alliant Energy – electric utilities	1335.12
Bi-County Disposal – garbage pickup/tags	1746.25
Black Hills – gas utilities	399.75
Blakesley Drug – ambulance supplies	30.82
Bodensteiner Implement – mower repair	60.63
Colesburg FD – officer salaries	1100.00
Cory Schenke – postage reimbursement	10.24
Dennis Payne – FD equipment reimbursement	74.89
EAC Submissions – ambulance claims	7.80
Edgewood Reminder – publishing	46.79
EFTPS – monthly payroll taxes	923.86
Every's – fuel and supplies	976.90
Holiday Lites – Christmas bulbs	67.27
IA Firemen's Assoc. – annual dues	242.00
IA Rural Water – annual dues	200.00
IPERS – monthly payment	644.47
Keystone Labs – water testing	52.50
MARC – mtc. supplies	156.73
Midwest Business Products – copy count, toner	110.42
NICC – FD conference	49.00
Pat's Repair – ambulance repair	229.75
Sandol Labs – wastewater testing	59.00
The Store – FD/city supplies	115.54
Tim Schloss – city attorney fees	234.00
US Cellular – ambulance phone	22.66
US Postmaster – stamps	132.00
Windstream – phone utilities	266.62
Total November payroll	5284.61

Revenues	**Expenditures**
General Fund: 16,395.89	General Fund: 10,601.41
Road Use Tax: 2627.58	Road Use Tax: 972.73
Trust & Agency: 2427.91	Trust & Agency: 1848.49
Water Utility: 19,560.46	Water Utility: 1638.38
Sewer Utility: 7660.13	Sewer Utility: 1135.41
Local Option: 2983.75	Local Option: 0.00
Total Revenues: 51,655.72	**Total Expenditures: 16,196.42**

Council turned down a donation request from Community Action Partnership, as well as a request from Guttenberg Press to be the city's newspaper.

Mayor Sampson opened the public hearing for two alley sales at 6:19. Having no public comments, the hearing closed at 6:22. Waterman motioned to approve Ordinance 132: Vacate and Dispose of Alley Portion Between Lot 10 and Lot 11 in Block One of First Northern Addition, seconded by Roling. All ayes, carried. Every motioned to waive the 2nd and 3rd readings of the ordinance, seconded by Waterman. All ayes, carried. Waterman motioned to approve Ordinance 133: Vacate and Dispose of Alley Portion Between Lot 1 and Lot 2 in Block One of Colony Addition, seconded by Every. All ayes, carried. Roling motioned to waive the 2nd and 3rd readings, seconded by Every. All ayes, carried.

Waterman motioned to approve building permit for a lean-to at 128 Main St., seconded by Roling. All ayes, carried.

Other items discussed included sewer project, city well repairs, and pool equipment.

Waterman motioned to adjourn at 7:00.

Richard Sampson Mayor

Attest: Tam Holub City Clerk

Coles

EDGEWOOD REMINDER

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

AFFIDAVIT OF PUBLICATION

STATE OF IOWA, CLAYTON COUNTY, ss.

I, Karie Miller being duly sworn, depose and say that I am the agent for 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 11-29-2011.

Karie Miller

Karie Miller, Agent For the Publisher of the Edgewood Reminder

Subscribed and sworn to before me by the above named Julie A. Miller or agent this 29th day of December A.D., 2011.

Fee _____
Affidavit _____
Total _____

NOTARIAL SEAL
Elise Bergan
COMMISSION NUMBER 711108
My Commission Expires
8-16-2013

Elise Bergan

Notary Public

LEGAL NOTICE

City of Colesburg

NOTICE OF PROPOSAL TO VACATE AND DISPOSE OF THAT PORTION OF AN ALLEY IN THE CITY OF COLESBURG, IOWA, BEING SITUATED BETWEEN LOT 10 AND LOT 11 BLOCK ONE OF FIRST NORTHERN ADDITION TO THE CITY OF COLESBURG, IOWA.

TO WHOM IT MAY CONCERN:

You are hereby notified that by enactment of the City Council of Colesburg, Iowa, resolution #2011-11 on the 14th day of November, 2011, 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:

That portion of an alley in the City of Colesburg, Iowa, situated between Lot 10 and Lot 11 in Block One of First Northern Addition to the City of Colesburg, Iowa.

It is proposed that upon vacation such real estate be conveyed by Quit Claim Deed, the north half of the vacated alley to Amy Neuhaus Rolfes and the south half of the vacated alley to Sandra Klostermann, 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 Two Hundred Fifty Dollars ($250.00) from each Buyer, plus one-half of the expenses of this sale from each buyer, and other valuable consideration.

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 6:00 o'clock p.m. in the Community Center on the 12th day of December, 2011, 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.

LEGAL NOTICE

NOTICE OF PROBATE

THE IOWA DISTRICT COURT
CLAYTON COUNTY

IN THE MATTER OF THE ESTATE OF ELMER DETTBARN, Deceased. Probate No. ESPR006188. NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS.

To All Persons Interested in the Estate of ELMER DETTBARN, Deceased, who died on or about 28th day of October, 2008: You are hereby notified that on the 1st day of November, 2011, the last will and testament of Elmer Dettbarn, deceased, bearing date of the 30th day of July, 1974, and Codicil to Last Will and Testament of Elmer Dettbarn dated 7 June 2005 was admitted to probate in the above named court and that Kenneth E. Dettbarn was appointed executor of the estate. Any action set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Notice is further given that all persons indebted to the estate are requested to make immediate payment to the unjdersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated this 3rd day of November, 2011.

Kenneth E. Dettbarn, Executor of Estate,
Box 11, Elkader, IA 52043.

Michael J. Schuster, ICIS PIN No: AT0007123, Attorney for executor. Firm Name: Schuster & Mick Law Office. Address: 318 South River Park Drive, PO Box 609, Guttenberg, IA 52052.

Parents, Grandparents Give the Gift of 4-H Camp this Holiday Season

Parents and grandparents can simplify the holiday gift hunt with a "Gift of Camp." This year, give a present children will remember-the opportunity to spend time at the Iowa 4-H Center

