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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

✓Prepared by and return to:

Andrew J. Barden, City Administrator
City of Winterset
124 W. Court Avenue
Winterset, IA 50273
(515) 462-1422

CERTIFICATION

The undersigned duly appointed and acting City Administrator of the City of Winterset, Iowa, does hereby certify the following described documents as true and authentic copies of the official records in the custody of the Office of the Clerk of the City of Winterset, Iowa:

1. Resolution of the City of Winterset, Iowa, approving the acquisition of real estate from Lucas Beeler (Resolution 2022-12).

The undersigned further certifies that the Resolution described above was duly passed by the Council and approved by the Mayor on the date shown thereon.

Dated this 18th day of April 2022 at Winterset, Madison County, Iowa.

Andrew J. Barden
City Administrator
City of Winterset, Iowa

SEAL



RESOLUTION 2022-12

RESOLUTION APPROVING THE ACQUISITION
OF REAL ESTATE OWNED BY LUCAS BEELER

WHEREAS, Resolution 2021-34 was unanimously approved the 6th day of December 2021 defining a Plat of survey including the parcel

Legal Description – A parcel of land located in and forming a part of the Southwest Quarter of the Northwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa, more particularly described as follows:

Beginning at the Northwest Corner of BIRCHWOOD ESTATES PLAT NO.2, an Official Plat, now included in and forming a part of the City of Winterset, Madison County, Iowa; thence South 00°16'08" East along the West Line of said BIRCHWOOD ESTATES PLAT NO.2, a distance of 391.56 feet to the Southwest Corner of said BIRCHWOOD ESTATES PLAT NO.2 and the South Line of the Southwest Quarter of the Northwest Quarter of said Section 36; thence North 89°22'29" West along said South Line, a distance of 226.04 feet; thence North 00°15'57" West, a distance of 389.06 feet; thence North 89°59'35" East, a distance of 225.99 feet to the Point of Beginning, containing 2.03 Acres, subject to all easements, restrictions and covenants of record; and,

WHEREAS, The afore-described parcel was later recorded as Parcel "Z" more particularly described as a parcel of land located in and forming a part of the Southwest Quarter of the Northwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa, as shown by the Plat of Survey recorded on January 5, 2022, in the Madison County Recorder's Office in Book 2022 at Page 60, Parcel ID Number 840006500014810; and,

WHEREAS, Lucas Beeler approached the City of Winterset with the first right refusal offer to purchase the aforementioned property as it is non-conforming to city plans for an initial offer of \$27,000.00 as reported to Winterset City Council on Jan 17th, 2022 by Mr Robert Hendricks. The City Attorney and City Administrator were directed to take action necessary to complete the transactions as approved on January 17th, 2022 City Council Meeting; and,

WHEREAS, the in person discussion and negotiations were documented on Jan 27th, 2022 with Lucas Beeler, City Attorney Rosien, City Planning and Zoning Official Hendricks and City Administrator Barden present and documenting the offer to buy real-estate and real estate contract; and,

WHEREAS, Resolution 2022-03 setting a date of meeting for public hearing on purchase of property owned by Luke Beeler was unanimously approved on February 7th, 2022, and,

WHEREAS, Notice of the public hearing was published on February 23rd, 2022, as required by Iowa Code; and,

WHEREAS, The public hearing was held on March 7th, 2022, and

The Mayor called for a motion to enter a Public hearing. A motion was made by Council Member Fairholm to enter public hearing and seconded by Council Member Bindel. There being no further discussion; On roll call vote, all Council Members present voted Aye.

Whereupon the Mayor declared that the motion carried. Public Hearing was opened at 7:28 p.m.

No members of the public were present to comment on the matter.

The Mayor called for a motion to exit public hearing. A motion was made by Council Member Orr to exit public hearing and seconded by Council Member Cook. There being no further discussion; On roll call vote, all Council Members present voted Aye.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Winterset, Iowa as follows:

The proposed purchase of real estate described above shall be and is hereby approved in all respects.

The Mayor, City Administrator and City Attorney shall be and are hereby authorized and directed to take all necessary steps to complete this transaction, including but not limited to tendering payment to Lucas Beeler in the sum of \$27,000.00.

The city clerk shall affix the city seal and record this document with the Madison County Recorder.

Passed and approved this 18th day of April 2022.


Philip A Macumber, Mayor

ATTEST:


Andrew J. Barden, City Administrator

