



Document 2024 653

Book 2024 Page 653 Type 06 009 Pages 9

Date 3/26/2024 Time 3:30:40PM

Rec Amt \$47.00

INDX

ANNO

SCAN

BRANDY MACUMBER, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

Affidavit and Resolution re Disposition of Real Property
[Pursuant to Iowa Code Section 297.22]

Recorder's Cover Sheet

Preparer Information:

Conner L. Wasson
Ahlers & Cooney P.C.
100 Court Avenue, Suite 600
Des Moines, IA 50309
(515) 243-7611

Taxpayer Information:

N/A

Return Address

Conner L. Wasson
Ahlers & Cooney P.C.
100 Court Avenue, Suite 600
Des Moines, IA 50309

Grantors: Earlham Community School District

Grantees: City of Earlham, Iowa

Legal Description: See Page 3 (Exhibit A)

Document or instrument number of previously recorded documents:

AFFIDAVIT

RE: See Exhibit A

STATE OF IOWA)
) SS
COUNTY OF MADISON)

I, Jodi Stroud, am the Secretary of the Board of Directors of the Earlham Community School District ("District") in the County of Madison, State of Iowa, and am authorized to make this Affidavit.

This Affidavit is furnished to show compliance by the District with Iowa Code Chapter 297 relative to the conveyance of certain property described herein ("Property") to City of Earlham, Iowa.

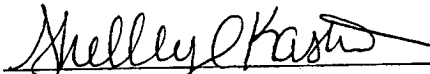
I certify that attached are true and complete copies of:

1. Proof of Publication of Notice of Public Hearing published as required by Iowa Code Section 297.22.
2. Resolution approving conveyance of the interest in the Property.



Jodi Stroud, Board Secretary
Earlham Community School District

Subscribed and sworn to before me, a notary public in and for the State of Iowa, on this 21st day of February, 2024.


Notary Public

02269549-1\14489-020

STATE OF IOWA
SS
MADISON COUNTY

AFFIDAVIT OF PUBLICATIONS

I, Todd Weber, being duly sworn, says he is publisher of EARLHAM ECHO, a once weekly paper of General circulation, published in Earlham, Iowa, and that the notice, a copy which is annexed and made part hereof was correctly published in said paper.

for the period one consecutive weeks, the last publication thereof being

on the 30th day of January 2024

Todd Weber

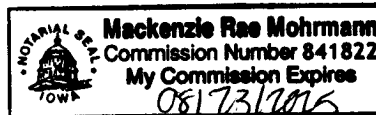
Subscribed and sworn to before me this

1st day of February 2025

Mackenzie Rae Mohrmann

NOTARY PUBLIC
In and for Madison County

Fee
\$ 30.01



**NOTICE OF PUBLIC HEARING ON A
CONVEYANCE OF REAL PROPERTY**

Notice is hereby given that the Board of Directors of the Earham Community School District will hold a public hearing on the 14th day of February, 2024 at 3:30 p.m. in the School Library located at 535 N. Chestnut Avenue, Earham, IA 50072, on the conveyance of an interest in real property, pursuant to Iowa Code Sections 279.8 and 297.22. The real estate is described as the water tower property located at the corner of NW 6th Street and NW Elm Avenue in Earham, Iowa, in the north-west corner of Madison County Tax Parcel No. 850000600015000.

At the time and place set for this public hearing, interested individuals will be given the opportunity to express their views, both orally and in writing, on the following:

Proposal to convey an interest in the above-described Property to the City of Earham, Iowa for other good and valuable consideration.

The proposal may be subject to conditions as may be stated either in the proposal, the Resolution of the Board of Directors of the Earham Community School District, or documents entered into between the parties.

A copy of the proposal may be reviewed at the District administrative offices located at 535 N. Chestnut Avenue, Earham, IA 50072.

After the public hearing, the Board may make a final determination to accept or reject the proposal as submitted, or upon condition that certain terms be changed, or the Board may defer action on the proposal until a subsequent meeting.

**BOARD OF DIRECTORS, EARHAM COMMUNITY
SCHOOL DISTRICT**

Secretary of the Board of Directors

Date: February 14, 2024

The Board of Directors of the Earlham Community School District ("District") met in open session, in the School Library located at 535 N. Chestnut Avenue, Earlham, IA 50072, on the above date. There were present President Joey Morrison, in the chair, and the following Board Directors:

Jess Tiemeyer, Kasey Henke
Ewin Christensen, Charlie Kenze

Absent:

* * * * *

The President announced that this was the time and place for the public hearing and meeting on the matter of the proposed conveyance of an interest in real property, and that notice of the proposed action had been published pursuant to the provisions of Section 297.22(1) of the Code of Iowa.

Inquiry was made whether any written objections had been filed by any resident or property owner of the District regarding the sale of such real property by the District. The Secretary stated that ___ written objections had been filed. Oral objections to the sale of real property were then called for and received and ___ were made. Whereupon, the President declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

Date: February 14, 2024

The proposed action and the extent of objections thereto were then considered.

Director E. Christensen introduced the following Resolution and moved that it be adopted. Director J. Tiemeyer seconded the motion to adopt. The roll was called, and the vote was:

AYES: J. Tiemeyer, K. Henke, J. Morrison
E. Christensen, C. Lenz

NAYS: _____

Whereupon, the President declared the resolution duly adopted as follows:

RESOLUTION FOR A CONVEYANCE OF REAL PROPERTY

WHEREAS, pursuant to notice published as required by law, the Board of Directors of the Earlham Community School District on the 14th day of February, 2024 held a hearing on the proposal to convey an interest in real property and the extent of objections received from residents or property owners as to said proposed transaction has been fully considered; and, accordingly the following action is now considered to be in the best interests of the District and residents thereof:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE EARLHAM COMMUNITY SCHOOL DISTRICT:

Section 1. That the real property described herein shall be conveyed by the District to City of Earlham, Iowa for other good and valuable consideration. Conveyance by the District shall be by Deed without Warranty.

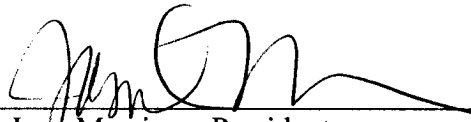
Section 2. The Board President and Secretary are authorized to sign all conveyance documents for the real property described herein.

Section 3. The Board President, Secretary, Superintendent, and administrative officers of the District are authorized to take all actions necessary to complete the above-described transaction, including execution of ancillary documents.

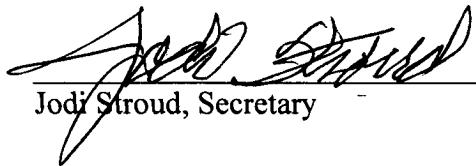
Section 4. The real property is legally described as set out on the attached Exhibit A.

PASSED AND APPROVED, this 14th day of February, 2024.

EARLHAM COMMUNITY SCHOOL DISTRICT

By: 
Jody Morrison, President

ATTEST:


Jodi Stroud, Secretary

02269548-1\14489-020

INDEX LEGEND

COUNTY: MADISON
 SUBDIVISION NAME: OUTLOTS TO ACADEMY ADDITION
 LOT(S): 2 BLOCK:
 PARCEL DESIGNATION: "S"
 CITY: EARLHAM
 PROPRIETER: EARLHAM CONSOLIDATED SCHOOL
 REQUESTED BY: GARY COFFMAN
 SURVEYOR NAME: MERLIN L. DAVIS



Document 2023 3078

Book 2023 Page 3078 Type 06 026 Pages 1
 Date 12/18/2023 Time 10:43:14AM
 Rec Amt \$7.00

INDX
 ANNO
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BRANDY MACUMBER, COUNTY RECORDER
 MADISON COUNTY IOWA

CHEK

ABACI CONSULTING, INC.

CIVIL ENGINEERING - LAND SURVEYING

3000 SE Grimes Blvd., Ste 800, GRIMES, IOWA 50111, PH. (515)986-5048

* THIS SPACE RESERVED FOR RECORDER'S OFFICE USE ONLY

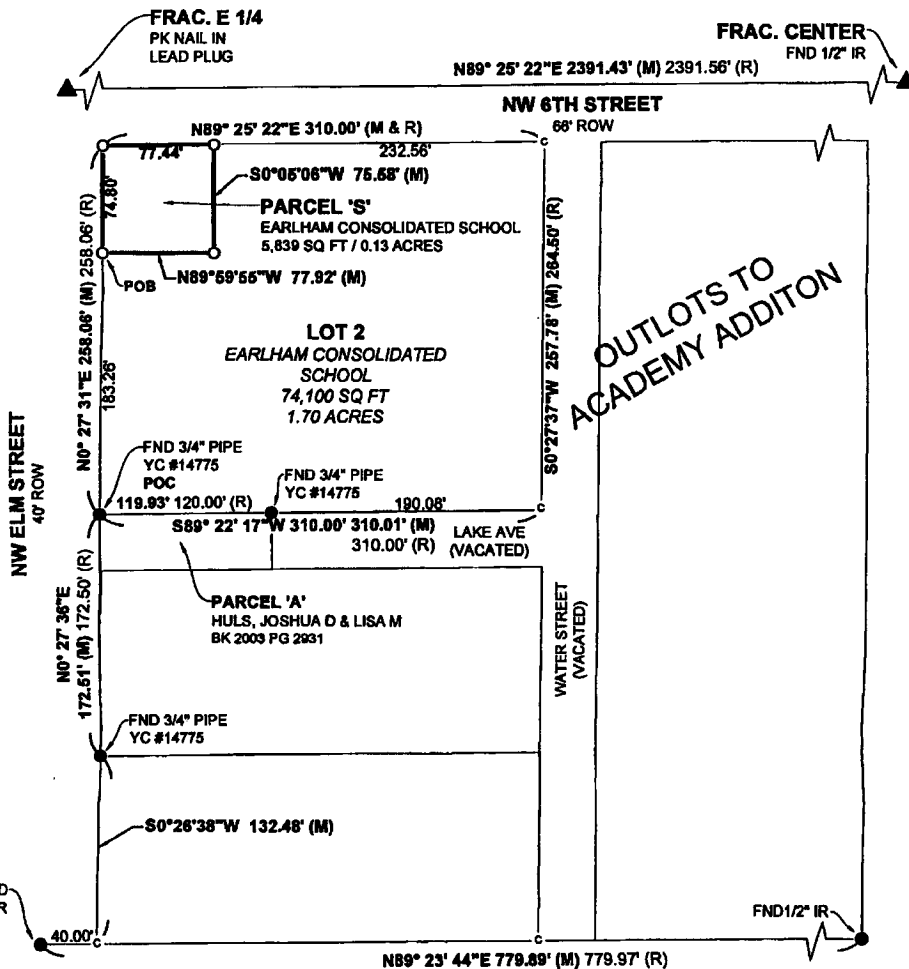
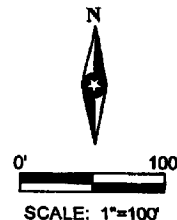
PREPARED BY & RETURN TO: ABACI CONSULTING INC., 3000 SE GRIMES BLVD, STE 800, GRIMES, IA 50111, PH.(515)986-5048

PLAT OF SURVEY

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN LOT 2 OF OUTLOTS TO ACADEMY ADDITION, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF EARLHAM, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 2, SAID CORNER BEING ALONG THE EAST RIGHT OF WAY LINE OF NW ELM STREET, THENCE NORTH 0°27'31" EAST, ALONG SAID RIGHT OF WAY, 183.26' FEET TO THE POINT OF BEGINNING; THENCE NORTH 0°27'31" EAST, 74.80' FEET TO THE SOUTH RIGHT OF WAY LINE OF NW 6TH STREET; THENCE NORTH 89°25'22" EAST, ALONG SAID RIGHT OF WAY, 77.44' FEET; THENCE SOUTH 0°05'06" WEST, 75.58' FEET; THENCE NORTH 89°59'55" WEST, 77.92' FEET TO THE POINT OF BEGINNING, CONTAINING 5,839 SQUARE FEET (0.13 ACRES) MORE OR LESS. PROPERTY SUBJECT TO ANY RESTRICTIONS OR EASEMENTS RECORDED OR UNRECORDED.



FIELD WORK DATE: 11/30/2023 DRAWING DATE: 12/01/2023 DRAFTER: MS JOB NUMBER: #23226

I HEREBY CERTIFY THAT THIS SURVEYING DOCUMENT WAS PREPARED AND THE RELATED WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

SIGNATURE: *Merlin L. Davis* DATE: 12/14/23

PRINTED OR TYPED NAME: MERLIN L. DAVIS
 IOWA LIC. NO. 19440
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2024
 THIS SHEET ONLY



LEGEND OF SYMBOLS & ABBREVIATIONS

- | | | | |
|-----|-----------------------------------|----|------------|
| R | RECORDED DISTANCE | OC | ORANGE CAP |
| M | MEASURED DISTANCE | RC | RED CAP |
| C | CALCULATED DISTANCE | IP | IRON PIPE |
| ● | CORNER MONUMENT FOUND | IR | IRON ROD |
| ○ | SET 1/2" IR OC 19440 UNLESS NOTED | | |
| ▲ | SECTION CORNER FOUND | | |
| △ | SECTION CORNER SET | | |
| ○ | OC 19440 UNLESS NOTED | | |
| POB | POINT OF BEGINNING | | |
| POC | POINT OF COMMENCEMENT | | |
| YC | YELLOW CAP | | |