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RECORDER
MADISON COUNTY, IOWA

Mark Nitchals
City of Winterset
101 E. Jefferson
Winterset IA 50273

CERTIFICATION

The undersigned, the 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 Clerk of the City of Winterset.

1. Resolution No. 90-30, Resolution Proposing the Vacation and Closing of a Portion of City Street and Setting Public Hearing on the Proposal;

2. Resolution No. 90-36, Resolution Approving Vacation and Closing of a Portion of City Street in Winterset, Iowa;

3. Resolution No. 90-37, Resolution of City of Winterset, Iowa Proposing to Convey Real Estate and Setting Public Hearing on the Proposal;

4. Resolution No. 90-42, Resolution Approving the Conveyance of Real Estate;

The undersigned does further certify that the notice of hearing on vacating and closing a portion of city street and the notice of hearing on conveying real estate were both duly and timely published in the Winterset Madisonian, a newspaper of general circulation within the City of Winterset, Iowa.

Dated on this 6th day of April, 2000, at Winterset, Iowa.

CITY OF WINTERSET

Mark Nitchals, City Administrator

RESOLUTION 90-30
RESOLUTION PROPOSING THE VACATION AND CLOSING OF A PORTION OF A CITY STREET AND SETTING PUBLIC HEARING ON THE PROPOSAL

WHEREAS, the City proposes to vacate and close a portion of a street legally described as:

> That part of Hutchings Street described as beginning at the Southeast corner of Block 3, W.A. Jenkin's Addition to the City of Winterset, Madison County, Iowa; thence South 17.0 feet; thence West 330.0 feet; thence North 17.0 feet to the Southwest corner of said Block 3; thence East 330.0 feet, along the South line of said Block 3, to the point of beginning. Also, that part of Hutchings Street described as beginning at the Southeast corner of Block 4, W.A. Jenkin's Addition to the City of Winterset, Madison County, Iowa; thence South 17.0 feet; thence West 264.0 feet; thence North 17.0 feet to the Southwest corner of said Block 4; thence East 264.0 feet, along the South line of said Block 4, to the point of beginning.

WHEREAS, Iowa Code Section 306.11 requires a public hearing on the proposal prior to being placed on final passage;

WHEREAS, Iowa Code Section 306.12 requires Notice to be made on the time, date an place of such public hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Winterset, Iowa, that the Proposal is hereby made to vacate and close that portion of a street legally described as:

> That part of Hutchings Street described as beginning at the Southeast corner of Block 3, W.A. Jenkin's Addition to the City of Winterset, Madison County, Iowa; thence South 17.0 feet; thence West 330.0 feet; thence North 17.0 feet to the Southwest corner of said Block 3; thence East 330.0 feet, along the South line of said Block 3, to the point of beginning. Also, that part of Hutchings Street described as beginning at the Southeast corner of Block 4, W.A. Jenkin's Addition to the City of Winterset, Madison County, Iowa; thence South 17.0 feet; thence West 264.0 feet; thence North 17.0 feet to the Southwest corner of said Block 4; thence East 264.0 feet, along the South line of said Block 4, to the point of beginning.

BE IT FURTHER RESOLVED that a public hearing before the City Council on this proposal shall be held on the 16th day of April, 1990 at 7:30 o'clock P.M. at the City Hall in Winterset, Iowa.

BE IT FURTHER RESOLVED that the City Administrator be and is hereby authorized and directed to give Notice of such public hearing as by law required.

PASSED and APPROVED this 2nd day of April, 1990.

Robert W. Howell, Mayor

ATTEST:

Mark Nitchals, City Administrator

Whereupon the Mayor declared that the following resolution was duly adopted.

RESOLUTION 90-36
RESOLUTION APPROVING VACATION AND CLOSING OF A PORTION
OF CITY STREET IN WINTERSET, IOWA

WHEREAS, the City Council of Winterset, Iowa has proposed the vacation and closing of that portion of Ninth (9th) Street legally described as:

> That part of Hutchings Street described as beginning at the Southeast corner of Block 3, W.A. Jenkin's Addition to the City of Winterset, Madison County, Iowa; thence South 17.0 feet; thence West 330.0 feet; thence North 17.0 feet to the Southwest corner of said Block 3; thence East 330.0 feet, along the South line of said Block 3, to the point of beginning. Also, that part of Hutchings Street described as beginning at the Southeast corner of Block 4, W.A. Jenkin's Addition to the City of Winterset, Madison County, Iowa; thence South 17.0 feet; thence West 264.0 feet; thence North 17.0 feet to the Southwest corner of said Block 4; thence East 264.0 feet, along the South line of said Block 4, to the point of beginning.

WHEREAS, the Council has fixed Notice of public hearing on the proposal;

WHEREAS, the City Administrator has published Notice of the hearing in the Madisonian, which is a newspaper of general circulation within Madison County, Iowa at least twenty (20) days prior to the date of hearing and has delivered Notice of hearing to the adjoining land owners, utility companies whose facilities adjoin the street right-of-way, and the Madison County Auditor by certified mail, return receipt, as shown by the returns of service and Affidavit of Publication on file with the City Administrator;

WHEREAS, the public hearing has been held and all interested persons have been heard on the proposal;

WHEREAS, no adjoining landowner has filed any claim in writing for damages resulting from the proposed vacation and closing.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the portion of Ninth (9th) Street, legally described as:

> That part of Hutchings Street described as beginning at the Southeast corner of Block 3, W.A. Jenkin's Addition to the City of Winterset, Madison County, Iowa; thence South 17.0 feet; thence West 330.0 feet; thence North 17.0 feet to the Southwest corner of said Block 3; thence East 330.0 feet, along the South line of said Block 3, to the point of beginning. Also, that part of Hutchings Street described as beginning at the Southeast corner of Block 4, W.A. Jenkin's Addition to the City of Winterset, Madison County, Iowa; thence South 17.0 feet; thence West 264.0 feet; thence North 17.0 feet to the Southwest corner of said Block 4; thence East 264.0 feet, along the South line of said Block 4, to the point of beginning.

within Winterset, Madison County, Iowa be and is hereby closed and vacated.

BE IT FURTHER RESOLVED AND ORDERED that no damage claims are allowed.

BE IT FURTHER RESOLVED that the City Administrator shall file a true copy of these proceedings with the Madison County Recorder and a true copy of this Resolution with the Madison County Auditor.

PASSED and APPROVED this 16th day of April, 1990.

Robert W. Howell, Mayor

ATTEST:

Mark Nitchals, City Administrator

RESOLUTION 90-37
RESOLUTION OF CITY OF WINTERSET, IOWA
PROPOSING TO CONVEY REAL ESTATE AND
SETTING PUBLIC HEARING ON THE PROPOSAL

WHEREAS, the City proposes to dispose of its interest in the real estate formerly used as a street right-of-way;

WHEREAS, the real estate is legally described as:

> That part of Hutchings Street described as beginning at the Southeast corner of Block 3, W.A. Jenkin's Addition to the City of Winterset, Madison County, Iowa; thence South 17.0 feet; thence West 330.0 feet; thence North 17.0 feet to the Southwest corner of said Block 3; thence East 330.0 feet, along the South line of said Block 3, to the point of beginning. Also, that part of Hutchings Street described as beginning at the Southeast corner of Block 4, W.A. Jenkin's Addition to the City of Winterset, Madison County, Iowa; thence South 17.0 feet; thence West 264.0 feet; thence North 17.0 feet to the Southwest corner of said Block 4; thence East 264.0 feet, along the South line of said Block 4, to the point of beginning.

WHEREAS, the City proposes to convey legal title of the real estate to adjacent property owners by Quit Claim Deed for the costs of the proceedings, including the cost of publication.

WHEREAS, Iowa Code Section 364.7 requires public notice be made on the proposal.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WINTERSET, IOWA that proposal is hereby made to convey to the above described real estate upon the terms and conditions above provided.

BE IT FURTHER RESOLVED that a public hearing before the City Council on this proposal shall be held on the 23rd day of April, 1990 at 7:30 o'clock p.m., Central Standard Time, at the City Hall in Winterset, Iowa.

BE IT FURTHER RESOLVED that the City Administrator be and is hereby authorized and directed to give notice of such public hearing as by law required.

PASSED by the City Council of Winterset, Iowa and approved by the undersigned on this 16th day of April, 1990, at Winterset, Iowa.

Robert W. Howell, Mayor

ATTEST:

Mark Nitchals, City Administrator

RESOLUTION 90-42
RESOLUTION APPROVING THE CONVEYANCE OF REAL ESTATE

WHEREAS, the City Council of Winterset, Iowa has proposed the conveyance of the following described real estate:

> That part of Hutchings Street described as beginning at the Southeast corner of Block 3, W.A. Jenkin's Addition to the City of Winterset, Madison County, Iowa; thence South 17.0 feet; thence West 330.0 feet; thence North 17.0 feet to the Southwest corner of said Block 3; thence East 330.0 feet, along the South line of said Block 3, to the point of beginning. Also, that part of Hutchings Street described as beginning at the Southeast corner of Block 4, W.A. Jenkin's Addition to the City of Winterset, Madison County, Iowa; thence South 17.0 feet; thence West 264.0 feet; thence North 17.0 feet to the Southwest corner of said Block 4; thence East 264.0 feet, along the South line of said Block 4, to the point of beginning.

WHEREAS, the City Council has proposed to convey legal title of described real estate by Quit Claim Deed to the adjacent property owners,

WHEREAS, the City Council has fixed notice of public hearing upon the proposed conveyance of real estate pursuant to Iowa Code Section 364.7;

WHEREAS, notice of the hearing has been published as provided by Iowa Code Section 362.3 in the Madisonian which is a newspaper published weekly and having general circulation in the City, at least four (4) days nor more than twenty (20) days before the date of hearing as evidenced by the Affidavit of Publication from the Madisonian on file in the Office of the City Administrator;

WHEREAS, the public hearing has been held and all interested persons have been heard on the proposal;

WHEREAS, the City Council now determines that the conveyance of the real estate above described should be approved in all respects as proposed.

NOW, THEREFORE, BE IT RESOLVED that the proposed conveyance of real estate described above be and is hereby approved in all respects as provided by the prior Resolution of the City Council of Winterset, Iowa.

BE IT FURTHER RESOLVED that the Mayor and City Administrator be and are hereby authorized and directed to take all necessary steps to complete this transaction including, but not limited to, the tender of a Quit Claim Deed to the buyer.

BE IT FURTHER RESOLVED that the City Administrator shall file a true copy of these proceedings with the Madison County Recorder.

PASSED by the City Council and approved by the Mayor on this 23rd day of April, 1990.

Robert W. Howell, Mayor

ATTEST:

Mark Nitchals, City Administrator