

COMPUTER	✓
RECORDED	✓
COMPARED	✓

MICHELLE "MICKI" UTSLER, COUNTY RECORDER  
MADISON IOWA

✓ Mark Nitchals  
City of Winterset  
124 W. Court Ave.  
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, Iowa.

1. Resolution No. 94-130, a resolution proposing to sell real estate and setting public hearing on the proposal;
2. Notice of hearing on proposed sale of real estate by City of Winterset, Iowa;
3. Resolution No. 94-133, a resolution approving the sale of real estate;
4. The Affidavit of Publication from the Winterset Madisonian covering the publication of the Notice of Hearing.

The undersigned further certifies the Resolutions described above were duly passed by the Council and approved by the Mayor on the dates shown thereon.

The undersigned further certifies that the Notice of Hearing was duly and timely published by the Winterset Madisonian in accordance with the Affidavit attached hereto.

Dated on this 28th day of April, 2004, at Winterset, Iowa.



Mark Nitchals  
City Administrator  
City of Winterset, Iowa

RESOLUTION NO. 94-130  
RESOLUTION PROPOSING TO SELL REAL ESTATE  
SETTING PUBLIC HEARING FROM THE PROPOSAL

**WHEREAS**, the City of Winterset owns real estate legally described as:

- #1 The railroad right of way across the North Half (N $\frac{1}{2}$ ) of Lot One (1) in Laughridge & Cassiday's Addition Out Lots to the City of Winterset, Madison County, Iowa.
- #2 The North 40 feet of Lot Two (2) in Block One (1) of White & Estel's Addition to the City of Winterset, Madison County, Iowa.
- #3 The North 40 feet of Lots One (1), Two (2), Three (3), and Four (4), in Block One (1) of the Original Town of Winterset, Madison County, Iowa.
- #4 The North 40 feet of Lots One (1), Two (2), Three (3) and Four (4), in Block Two (2) of the Original Town of Winterset, Madison County, Iowa.
- #5 The railroad right of way across Lots One (1) and Two (2), in Block Seven (7) of the Original Town of Winterset, Madison County, Iowa.
- #6 East 17 feet of the North 34 feet of Lot Six (6) in Block 6 and the North 34 feet of Lots 7 and 8 in Block 6 of A.B. Shriver's Addition to the Town of Winterset, Madison County, Iowa.

**WHEREAS**, the City proposes to sell the above described real estate to the adjoining property owners by Quit Claim Deed with the proposed sale price for each parcel equal to the cost incurred by the City when acquiring these parcels by tax scavenger sale, plus subsequent property tax and assessment payments incurred since the City acquired the tax deed for these parcels, plus interest calculated at the rate of 5% per annum from the date the expenses were incurred.

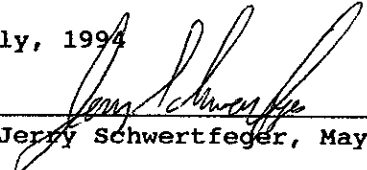
**WHEREAS**, Iowa Code §364.7 requires that a public hearing be held on proposal to sell City owned real estate.

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Winterset, Iowa that the proposal is hereby made to sell the above 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 1st day of August, 1994 at 7:30 o'clock P.M. at City Hall in Winterset, Iowa.

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

Passed and Approved this 18th day of July, 1994

  
\_\_\_\_\_  
Jerry Schwertfeger, Mayor

ATTEST:

  
\_\_\_\_\_  
Mark Nitchals, City Administrator

NOTICE OF HEARING ON PROPOSED SALE OF REAL ESTATE

BY THE CITY OF WINTERSSET, IOWA

TO: ANY INTERESTED PERSON

YOU ARE HEREBY NOTIFIED that a public hearing before the City Council of the City of Winterset, Iowa, will be held on the 1st day of August, 1994, at 7:30 PM, at the City Hall in Winterset, Iowa, on the proposal by the City Council to sell the real estate legally described as:

- #1 The railroad right of way across the North Half (N $\frac{1}{2}$ ) of Lot One (1) in Laughridge & Cassidy's Addition Out Lots to the City of Winterset, Madison County, Iowa.
- #2 The North 40 feet of Lot Two (2) in Block One (1) of White & Estel's Addition to the City of Winterset, Madison County, Iowa.
- #3 The North 40 feet of Lots One (1), Two (2), Three (3), and Four (4), in Block One (1) of the Original Town of Winterset, Madison County, Iowa.
- #4 The North 40 feet of Lots One (1), Two (2), Three (3) and Four (4), in Block Two (2) of the Original Town of Winterset, Madison County, Iowa.
- #5 The railroad right of way across Lots One (1) and Two (2), in Block Seven (7) of the Original Town of Winterset, Madison County, Iowa.
- #6 East 17 feet of the North 34 feet of Lot Six (6) in Block 6 and the North 34 feet of Lots 7 and 8 in Block 6 of A.B. Shriver's Addition to the Town of Winterset, Madison County, Iowa.

The City Council proposes to sell the above described parcels of real estate to the adjoining property owners by quit claim deed. The proposed sale price for each parcel will be equal to: the costs incurred by the City when acquiring these parcels by tax scavenger sale; plus subsequent property tax and assessment payments incurred since the City acquired the tax deed for these parcels; plus interest calculated at the rate of five percent (5%) per annum from the date expenses were incurred.

Any interested person is invited to appear and be heard at the public hearing at the time and place above described to offer any objections or comments you may have to the City Council on the proposed sale.

/s/ Mark Nitchals  
City Administrator  
City of Winterset, Iowa

RESOLUTION NO. 94-133

RESOLUTION APPROVING THE SALE OF REAL ESTATE

WHEREAS, the City of Winterset has proposed the sale of the following described real estate:

The North 40 feet of Lot Two (2) in Block One (1) of White & Estel's Addition to the City of Winterset, Madison County, Iowa.

The North 40 feet of Lots One (1), Two (2), Three (3), and Four (4), in Block One (1) of the Original Town of Winterset, Madison County, Iowa.

The North 40 feet of Lots One (1), Two (2), Three (3) and Four (4), in Block Two (2) of the Original Town of Winterset, Madison County, Iowa.

The railroad right of way across Lots One (1) and Two (2), in Block Seven (7) of the Original Town of Winterset, Madison County, Iowa.

East 17 feet of the North 34 feet of Lot Six (6) in Block 6 and the North 34 feet of Lots 7 and 8 in Block 6 of A.B. Shriver's Addition to the Town of Winterset, Madison County, Iowa.

WHEREAS, the City Council has proposed to sale the above described real estate to the adjoining property owners for the cost of \$1.00 with title to be transferred by Quit Claim Deed; and

WHEREAS, the City Council has held the public hearing upon the proposed the sale of real estate pursuant to Iowa Code §364.7; and

WHEREAS, notice of the hearing has been as provided by Iowa Code §362.3 in the Winterset Madisonian which is a newspaper published weekly and having general circulation in the City, said publication was made at least 4 days but not more than 20 days before the date of the hearing as evidenced by the affidavit of the publication from the Winterset Madisonian which is on file in the office of the City Administrator; and

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

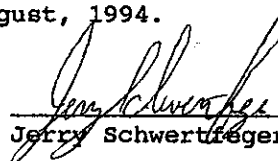
WHEREAS, the City Council now determines that the sale of the real estate described above should be approved in all aspects.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Winterset, Iowa that the proposed sale of real estate described above be and is hereby approved in all aspects.

BE IT FURTHER RESOLVED that the Mayor and City Administrator are hereby authorized and directed to take all necessary steps to implement this resolution.

BE IT FURTHER RESOLVED that the City Administrator is hereby authorized to file a true and correct copy of these proceedings with the Madison County Recorder.

Passed and Approved this 1st day of August, 1994.

  
\_\_\_\_\_  
Jerry Schwertfeger, Mayor

ATTEST:

  
\_\_\_\_\_  
Mark Nitchals, City Administrator

# AFFIDAVIT OF PUBLICATION

STATE OF IOWA  
Madison County SS.

TED GORMAN BEING DULY SWORN  
SAYS HE IS PUBLISHER OF THE  
WINTERSET MADISONIAN, a once weekly  
newspaper of general circulation, published in  
Winterset, Iowa, and that the notice, a copy which is  
annexed and made part hereof, was correctly  
published in said newspaper

## NOTICE OF HEARING on Proposed Sale of Real Estate by the City of Winterset, Iowa

TO: ANY INTERESTED PERSON  
YOU ARE HEREBY NOTIFIED that a public hearing before the City Council of the  
City of Winterset, Iowa, will be held on the 1st day of August, 1994, at 7:30 PM, at the  
City Hall in Winterset, Iowa, on the proposal by the City Council to sell the real es-  
tate legally described as:

- #1 The railroad right of way across the North Half (N1/2) of Lot One (1) in Laugh-  
ridge & Cassidy's Addition Out Lots to the City of Winterset, Madison County, Iowa.
- #2 The North 40 feet of Lot Two (2) in Block One (1) of White & Estel's Addition to  
the City of Winterset, Madison County, Iowa.
- #3 The North 40 feet of Lots One (1), Two (2), Three (3), and Four (4), in Block One  
(1) of the Original Town of Winterset, Madison County, Iowa.
- #4 The North 40 feet of Lots One (1), Two (2), Three (3), and Four (4), in Block Two  
(2) of the Original Town of Winterset, Madison County, Iowa.
- #5 The railroad right of way across Lots One (1) and Two (2), in Block Seven (7) of  
the Original Town of Winterset, Madison County, Iowa.
- #6 East 17 feet of the North 34 feet of Lot Six (6) in Block 6 and the North 34 feet  
of Lots 7 and 8 in Block 6 of A.B. Shriver's Addition to the Town of Winterset, Madison  
County, Iowa.

The City Council proposes to sell the above described parcels of real estate to the  
adjoining property owners by quit claim deed. The proposed sale price for each parcel  
will be equal to: the costs incurred by the City when acquiring these parcels by tax  
scavenger sale; plus subsequent property tax and assessment payments incurred  
since the City acquired the tax deed for these parcels; plus interest calculated at the  
rate of five percent (5%) per annum from the date expenses were incurred.

Any interested person is invited to appear and be heard at the public hearing at  
the time and place above described to offer any objections or comments you may  
have to the City Council on the proposed sale.

/s/ Mark Nitchals  
City Administrator  
City of Winterset, Iowa

17.82

for the period of one consecutive weeks,  
the last publication thereof being on the 27th day  
of July, 1994.

Ted Gorman  
Subscribed and sworn to before me this 27th day of  
July, 1994

Lynn Sheer



NOTARY PUBLIC  
In and for Madison County

Fee \$ 17.82