

Mark Nitchals
City Administrator
124 W. Court Avenue
Winterset IA 50273
(515) 462-1422

MICHELLE "MICKI" UTSLER, COUNTY RECORDER
MADISON IOWA

COMPUTER	<input checked="" type="checkbox"/>
RECORDED	<input checked="" type="checkbox"/>
COMPARED	<input type="checkbox"/>

CERTIFICATION OF VOLUNTARY ANNEXATION

I, the undersigned City Clerk of the City of Winterset, Iowa, hereby certifies that the following described documents attached hereto are true and authentic copies of the official records in the custody of the Office of the City Clerk of the City of Winterset, Iowa.

1. Application for Voluntary Annexation from Christopher & Kelli Fairholm, together with legal description of the property and a map showing the location of the property in relationship to the existing city boundary.
2. Notice of consultation meeting on an application for annexation that was mailed to the Madison County Board of Supervisors and the Lincoln Township Trustees.
3. Minutes of the consultation meeting with the Madison County Board of Supervisors and the Union Township Trustees on an Application for Voluntary Annexation from Christopher & Kelli Fairholm.
4. Resolution of the Madison County Board of Supervisors supporting the annexation application.
5. Notice of public hearing on annexation application.
6. Affidavit of Publication from the Winterset Madisonian covering the publication of the notice of public hearing on annexation application.
7. Notice of public hearing on annexation application that was mailed to the Madison County Board of Supervisors, affected public utilities, and adjoining property owners.
8. Resolution 2004-87, a resolution adopted by the City Council of the City of Winterset assenting to the annexation of certain real estate to the City of Winterset, Iowa.

by hand and the City Seal this 2nd day of August, 2004




Mark Nitchals, City Clerk

APPLICATION FOR VOLUNTARY ANNEXATION

TO: CITY OF WINTERSET, IOWA

The undersigned applicants hereby apply to the City of Winterset, Iowa that the following described real estate be annexed to the City of Winterset, Iowa, to-wit:

A parcel of land in the North Half of the Northwest Quarter of the Southeast Quarter of Section 1, Township 75 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of the Southeast Quarter of Section 1, Township 75 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa thence South 00°13'44" West 655.10 feet along the East line of said Northwest Quarter of the Southeast Quarter to the Point of Beginning; thence North 89°26'17" West 546.40 feet along the South line of the North Half of said Northwest Quarter of the Southeast Quarter; thence North 00°09'45" West 330.00 feet; thence South 89°26'25" East 548.66 feet to the East line of said Northwest Quarter of the Southeast Quarter; thence South 00°13'44" West 330.00 feet to the Point of Beginning. Said parcel is made up of a Lot, which contains 3.791 acres and South 4th Avenue right-of-way, which contains 0.357 Acres.

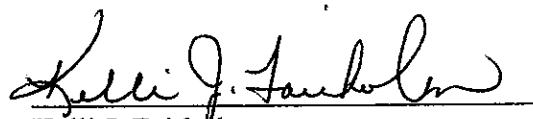
The applicants attach hereto as a part of this application a map of the said real estate to be annexed showing its location in relationship to the existing limits of the City of Winterset, Iowa.

The said real estate is not within the urbanized area of a city other than the City to which this Application is directed.

The undersigned applicants do hereby certify that they hold the said real estate by title in fee simple and they have good and lawful authority to make this Application.

Dated on this 26th day of May, 2004.


Christopher B. Fairholm


Kelli J. Fairholm



SUMMIT ST

BIR AVE

WILSON CORP. LINE S 4th AVE

PROPOSED ANNEXTION

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10-011

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10/3 10
10/3 5

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CITY of WINTERSET

124 W. COURT AVENUE
WINTERSET, IOWA 50273-1545

Jerry Schwertfeger, Mayor
Mark Nitchals, City Administrator

Phone (515) 462-1422
FAX (515) 462-1963

To: Madison County Board of Supervisors
Lincoln Township Trustees

From: Mark Nitchals, City Administrator

Date: May 26, 2004

RE: Fairholm voluntary annexation

The City of Winterset has received an Application for Voluntary Annexation from Christopher and Kelli Fairholm for a tract of land located just south of the existing Winterset city boundary, south of the High School area. State law now requires that a consultation meeting be held with the Board of Supervisors and the Trustees of the township that contains the territory to be annexed before the City Council can consider the annexation application.

The purpose of this letter is to provide notice of the consultation meeting on the Fairholm voluntary annexation application. This consultation meeting will be held on June 4, 2004 at 2:00 PM at the Winterset City Hall.

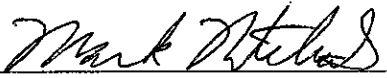
State Code provides that the County and the Township may designate one of its members to attend the consultation meeting. The Code also provides that you may make written recommendations for modifications to the proposed annexation within seven business days after the consultation meeting. State law also provides that not later than 30 days after the consultation, the Board of Supervisors shall, by resolution, state whether or not it supports the annexation application or whether it takes no position on the annexation application. A copy of this resolution is to be filed with the City and shall be considered by the City Council when taking action on the application.

Enclosed is a copy of the Application for Voluntary Annexation together with the legal description of the property, and a map showing the location of the property in relationship to the existing city boundary.

If you have any questions regarding this matter, please feel free to call.

Minutes of consultation meeting with Madison County Board of Supervisors and Lincoln Township Trustees held on June 4, 2004.

A consultation meeting on the annexation petition filed by Christopher and Kelli Fairholm was held at 2:00 PM on June 4, 2004. The meeting was opened by City Administrator Mark Nitchals. No one representing either Madison County or Lincoln Township was in attendance. It was noted that Kay Billeter from the County Supervisor's office had called earlier and indicated that the County Supervisors were not opposed to the proposed annexation and that no one would be attending the consultation meeting. She had stated that the County Supervisors would adopt a resolution with regards to the annexation petition.



Mark Nitchals, City Administrator

RESOLUTION

WHEREAS the City of Winterset has received an Application for Voluntary Annexation from Christopher and Kelli Fairholm for a tract of land located just south of the existing Winterset city boundary, south of the High School area, legally described as:

A parcel of land in the North Half of the Northwest Quarter of the Southeast Quarter of Section 1, Township 75 north, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa, more particularly described as:
Commencing at the Northeast Corner of the Northwest Quarter of the Southeast Quarter of Section 1, Township 75 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa thence South 00 degrees 13'44" West 655.10 feet along the East line of said Northwest Quarter of the Southeast Quarter to the Point of Beginning; thence North 89 degrees 26'17" West 546.40 feet along the South line of the North Half of said Northwest Quarter of the Southeast Quarter; thence North 00 degrees 09'45" West 330.00 feet; thence South 89 degrees 26'25" East 548.66 feet to the East line of said Northwest Quarter of the Southeast Quarter; thence South 00 degrees 13'44" West 330.00 feet to the Point of Beginning. Said Parcel is made up of a Lot, which contains 3.791 acres and South 4th Avenue right-of-way, which contains 0.357 acres.

HEREBY BE IT RESOLVED that the Madison County Board of Supervisors supports the annexation application as presented.

MADISON COUNTY BOARD OF SUPERVISORS

AYE

NAY

[Signature]

[Signature]

[Signature]

ATTEST: Jean Welch

DATE: 6-15-04

NOTICE OF PUBLIC HEARING ON ANNEXATION APPLICATION

PUBLIC NOTICE is hereby given that the City Council of the City of Winterset, Iowa will conduct a public hearing on a voluntary annexation petition on the 19th day of July, 2004 at 7:00 PM at the City Hall, 124 W. Court Avenue, Winterset, Iowa. The subject of the public hearing will be an application for annexation submitted by Christopher & Kelli Fairholm for the following described real estate:

A parcel of land in the North Half of the Northwest Quarter of the Southeast Quarter of Section 1, Township 75 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa more particularly described as follows:
Commencing at the Northeast Corner of the Northwest Quarter of the Southeast Quarter of Section 1, Township 75 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa thence South 00°13'44" West 655.10 feet along the East line of said Northwest Quarter of the Southeast Quarter to the Point of Beginning; thence North 89°26'17" West 546.40 feet along the South line of the North Half of said Northwest Quarter of the Southeast Quarter; thence North 00°09'45" West 330.00 feet; thence South 89°26'25" East 548.66 feet to the East line of said Northwest Quarter of the Southeast Quarter; thence South 00°13'44" West 330.00 feet to the Point of Beginning. Said parcel is made up of a Lot, which contains 3.791 acres and South 4th Avenue right-of-way, which contains 0.357 Acres.

Any interested person may appear and be heard at the public hearing to offer comments or objections to the proposed annexation.

Mark Nitchals
City Administrator
City of Winterset, Iowa

AFFIDAVIT OF PUBLICATION

STATE OF IOWA
SS.
Madison County

**NOTICE OF PUBLIC HEARING
ON ANNEXATION APPLICATION**

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Any interested person may appear and be heard at the public hearing to offer comments or objections to the proposed annexation.

Mark Nitchals, City Administrator
City of Winterset, Iowa

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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

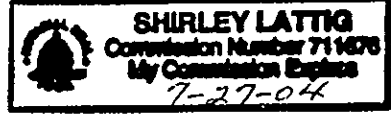
for the period of 04 consecutive
weeks, the last publication thereof being

on the 23 day of June 2004

Ted Gorman
Subscribed and sworn to before me this
23 day of June, 2004

Shirley Lattig
NOTARY PUBLIC
In and for Madison County

Fee \$ 18.25



CITY of WINTERSET

124 W. COURT AVENUE
WINTERSET, IOWA 50273-1545

Jerry Schwertfeger, Mayor
Mark Nitchals, City Administrator

Phone (515) 462-1422
FAX (515) 462-1963

To: Madison County Board of Supervisors
Affected public utilities
Adjoining property owners

From: Mark Nitchals, City Administrator *MN*

Date: June 25, 2004

RE: Fairholm voluntary annexation

The City of Winterset has received an Application for Voluntary Annexation from Christopher & Kelli Fairholm for a tract of land located just south of the existing Winterset city limits, south of the High School area. The Winterset City Council will hold a public hearing on the annexation application on July 19, 2004 at 7:00 PM. State law requires that notice of this public hearing be mailed to the County Board of Supervisors, to affected public utilities that serve the area to be annexed, and to the owners of adjoining property (unless the adjoining property is located within the city).

Enclosed is a copy of the notice of public hearing on the Application for Voluntary Annexation from Chris & Kelli Fairholm. The public hearing will be held at the Winterset City Hall located at 124 W. Court Avenue.

Also enclosed is a copy of the Application for Voluntary Annexation together with the legal description of the property, and maps showing the location of the property in relationship to the existing city boundary.

If you have any questions regarding this matter, please feel free to call.

RESOLUTION 2004- 87

RESOLUTION ASSENTING TO THE ANNEXATION
OF CERTAIN REAL ESTATE
TO THE CITY OF WINTERSET, IOWA

WHEREAS, the City of Winterset, State of Iowa, is a duly organized municipal corporation;

WHEREAS, there has been presented to the City Council of said City an Application for Annexation, as required by Section 368.7 of the Code of Iowa, executed by Christopher & Kelli Fairholm, the owners of the real estate to be annexed;

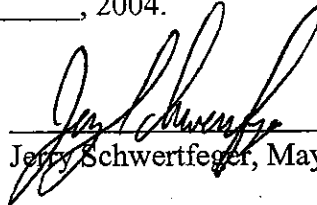
WHEREAS, said real estate described on the Application is adjacent to the existing City limits of the City as shown on the accompanying plat in Exhibit "A" attached hereto; and,

WHEREAS, the City of Winterset, Iowa desires to annex said territory upon the Application presented.

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

1. That the Application for Annexation of the real estate as described in Exhibit "A" attached hereto is hereby approved.
2. That on the passage of this Resolution this territory shall thereafter be and become a part of the City of Winterset, Iowa.
3. That the Clerk shall forthwith cause this Resolution and the exhibit attached hereto to be filed with the City Development Board, the Madison County Recorder, the Iowa Secretary of State, each affected public utility and the District Office of the Iowa Department of Transportation as required by Section 368.7 of the Code of Iowa.

Passed and approved this 19th day of July, 2004.



Jerry Schwertfeger, Mayor

ATTEST:



Mark Nitchals, City Administrator