

MICHELLE "MICKI" UTSLER, COUNTY RECORDER  
MADISON IOWA

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

✓ Prepared by: Jerrold B. Oliver, POB 230, Winterset, IA 50273 515/462-3731

**AFFIDAVIT**

STATE OF IOWA :  
 : ss  
MADISON COUNTY :

I, Denise Sprague, first duly sworn on oath state that I am the City Clerk of the City of St. Charles, Madison County, Iowa. I further state that the City of St. Charles on June 8, 2004, passed Resolution Number 6A-2004, a copy of which is attached, hereto and marked Exhibit "A". Also on June 8, 2004, the City of St. Charles passed Ordinance Number 137-A, a copy of which is attached, hereto as part of Exhibit "B". On June 23, 2004, the published Notice of Proposal to Dispose of Real Estate and the Affidavit of Publication is attached hereto as part of Exhibit "B". On July 5, 2004, the city council of the City of St. Charles adopted Resolution C7-04, a copy of which is attached hereto and marked Exhibit "C".

  
Denise Sprague

Subscribed and sworn to before me on this 23 day of August, 2004.



Linda K. Dutton  
Notary Public in and for the State of Iowa

RESOLUTION

6A-2004

WHEREAS, the City of St. Charles, Iowa, proposes to convey all of its right, title and interest in and to the following-described real estate:

All that portion of Austin Blvd. lying immediately East of Half (1/2) of Block Three (3) of Sowder's Addition to the Town of St. Charles, Madison County, Iowa,

to Billy R. Austin and Robyn A. Austin by quit claim deed; and

WHEREAS, the City of St. Charles, Iowa, proposes to make said conveyance to said purchaser for a price equal to the cost of the proceedings to convey said real estate to said purchaser,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Charles, Iowa:

1. The City of St. Charles, Iowa, proposes to sell said real estate to said purchasers upon

the terms and conditions set forth above.

2. Hearing on said proposal to sell said real estate shall be held on the 5<sup>th</sup> day of July, 2004, at 7:00 o'clock P. M. before the City Council at the City Hall in St. Charles, Iowa. Notice of hearing shall be given ~~by posting notice of hearing in three (3) places in the City which have been designated by ordinance as required by the ordinances of the City of St. Charles, Iowa, and~~ by publication in the Winterset Madisonian.

APPROVED this 8<sup>th</sup> day of June, 2004

EXHIBIT "A"

CITY OF ST. CHARLES, IOWA

By Joan Brown  
Joan Brown Mayor

ATTEST:  
Denis Sprague  
Denis Sprague City Clerk

**NOTICE OF PROPOSAL  
TO DISPOSE OF REAL ESTATE**

Notice is hereby given that the city of St. Charles, Iowa, proposes to sell the following-described real estate:

All that portion of Austin Blvd. lying immediately East of Half (1/2) Block Three of Sowder's Addition to the town of St. Charles, Madison County, Iowa

Notice is further given that the city of St. Charles, Iowa, proposes to sell said real estate to Billy R. Austin and Robyn A. Austin for a price equal to the cost of proceedings to sell real estate to said purchaser.

Notice is further given that a meeting of the city council of the city of St. Charles, Iowa, will be held at 7 o'clock p.m. on the 5th day of July, 2004, at the city hall in St. Charles, Iowa, and at such time, the city council will act upon said proposal.

City of St. Charles, Iowa  
By Joan Brown, Mayor

Attest: Denise Sprague, City Clerk

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**AFFIDAVIT OF PUBLICATION**

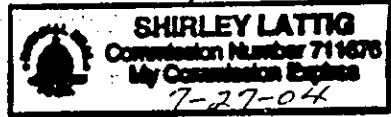
TED GORMAN BEING DULY SWORN SAYS HE IS PUBLISHER OF THE WINTERSET MADISONIAN, a once weekly newspaper of general circulation, published in Winterset, Iowa, and that the notice, a copy which is annexed and made part hereof, was correctly published in said newspaper

for the period of One consecutive weeks, the last publication thereof being on the 23 day of June, 2004

Jack Sprague  
Subscribed and sworn to before me this 23 day of June, 2004

Shirley Lattig  
NOTARY PUBLIC  
In and for Madison County

Fee \$ 10.95



Legal documents are printed as received at the *Madisonian*.

**ORDINANCE NO. 137A  
An Ordinance Vacating A Public Street  
In The City Of St. Charles, Iowa:**

Be it ordained by the City Council of the City of St. Charles, Iowa.  
SECTION 1. All that portion of Austin Blvd. lying immediately East of Half (1/2) Block Three (3) of Sowder's Addition to the Town of St. Charles, Madison County, Iowa, is hereby vacated.

SECTION 2. This ordinance shall be in full force and effect from and after its passage, approval and publication, as provided by law.

Passed and approved this 8th day of June 2004. 3e  
Joan Brown, Mayor Attest: Denise Sprague, City Clerk

EXHIBIT "B"

**AFFIDAVIT OF PUBLICATION**

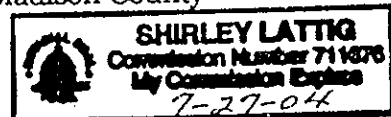
TED GORMAN BEING DULY SWORN SAYS HE IS PUBLISHER OF THE WINTERSET MADISONIAN, a once weekly newspaper of general circulation, published in Winterset, Iowa, and that the notice, a copy which is annexed and made part hereof, was correctly published in said newspaper

for the period of One consecutive weeks, the last publication thereof being on the 16 day of June, 2004

Jack Sprague  
Subscribed and sworn to before me this 22 day of June, 2004

Shirley Lattig  
NOTARY PUBLIC  
In and for Madison County

Fee \$ 5.37



C7-04  
RESOLUTION

On this 8<sup>th</sup> day of June 2004, the City Council of the City of St. Charles, Iowa, passed a resolution proposing to sell the following-described real estate:

All that portion of Austin Blvd. lying immediately East of Half (½) Block Three (3) of Sowder's Addition to the Town of St. Charles, Madison County, Iowa,

to Billy R. Austin and Robyn A. Austin.

WHEREAS, a hearing on said proposal to sell said real estate was held on the 5<sup>th</sup> day of July, 2004, at 7 o'clock P.M. before the City Council of the City of St. Charles, Iowa.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Charles, Iowa,

1. That the proposed sale of real estate to Billy R. Austin and Robyn A. Austin at a price equal to the cost of the proceedings to convey said real estate to said purchasers is hereby approved.
2. The Mayor and City Clerk are authorized and directed to deliver a quit claim deed to purchaser of said real estate.

APPROVED this 5<sup>th</sup> day of July, 2004.

CITY OF ST. CHARLES, IOWA

By Joan Brown  
Joan Brown Mayor

CITY OF ST. CHARLES, IOWA

By *Joan Brown*  
Joan Brown Mayor

ATTEST:

*Denise Sprague*  
Denise Sprague City Clerk