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RECORDED ✓
MICKI UTSLER
RECORDER
COMPALED ✓
MADISON COUNTY, IOWA

Preparer
Information: Jerrold B. Oliver P.O. Box 230 Winterset (515)462-3731

Affidavit

STATE OF IOWA :
 :SS
MADISON COUNTY : :

I, Ardis Myers, being first duly sworn on oath, state that I am the City Clerk of the City of Macksburg, Madison County, Iowa. I further state that this Affidavit concerns the east-west alley located in Block 9 of Macks Addition to the City of Macksburg, Madison County, Iowa.

I further state that on September 6, 2000, the City Council of the City of Macksburg, Iowa, adopted a Resolution-Vacation of Alley No. 04-9-00, a copy of which is attached hereto and marked Exhibit "A". Pursuant to said Resolution, Notice of Proposal to Dispose of Real Estate was posted on the 20 day of September, 2000, in three public places, which places have been designated by ordinance as required by ordinance of the City of Macksburg, Iowa, in Section 362.3 of the Code of Iowa. See copy of Notice attached hereto and marked Exhibit "B". On October 2, 2000, a Resolution concerning the sale of said alley was adopted by the City Council of the City of Macksburg, Iowa. See copy of said Resolution attached hereto and marked Exhibit "C". On October 2, 2000, an ordinance vacating said alley was passed and adopted in a manner provided by law by the City Council of the City of Macksburg, Iowa. A copy of said ordinance is attached hereto and marked Exhibit "D".

Ardis Myers
Ardis Myers

Subscribed and sworn to before me by the said Ardis Myers on this 7th day of MAY, 2001.

Georgena Breakenridge
Notary Public in and for the State of Iowa



EXHIBIT "A"

RESOLUTION - VACATION OF ALLEY

NO. 04-9-00

WHEREAS, the City of Macksburg, Iowa proposes to pass an ordinance for the vacation of a portion of the East-West alley in Block Nine (9) of Macks Addition to the City of Macksburg, Madison County, Iowa.

WHEREAS, the City of Macksburg, Iowa proposes to sell tracts to adjacent property owners.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Macksburg, Iowa:

1. The City of Macksburg, Iowa proposes to pass an ordinance vacating said alley described above.

2. The City of Macksburg, Iowa proposes to sell the vacated alley as set forth above. The consideration for said sale shall be the expenses incurred by the City of Macksburg, Iowa.

3. Hearing on said proposal to sell said vacated alley shall be held on the 2nd day of October, 2000, at 7:30 P.M. before the City Council.

4. Notice of such hearing shall be given by posting a notice of hearing in three (3) public places in the City, which places have been designated by ordinance as required by ordinances of the City of Macksburg, Iowa and Section 362.3 of the Code of Iowa.

Approved this 6th day of September, 2000



Mayor, City of Macksburg

ATTEST:

Ardis Myers, City Clerk

Posted 9-20-00

EXHIBIT "B"


NOTICE OF PROPOSAL TO DISPOSE OF REAL ESTATE

Notice is hereby given that the City of Macksburg, Iowa, proposes to vacate a portion of the East-West alley in Block Nine (9) of Macks Addition to the Town of Macksburg.

Notice is further given that the City of Macksburg, Iowa proposes to sell the real estate to adjacent property owners. The consideration for said sale shall be the expenses incurred by the City of Macksburg, Iowa.

Notice is further given that at a meeting of the City Council of the City of Macksburg, Iowa, to be held at 7:30 P.M. on the second day of October, 2000, at City Hall, in Macksburg, Iowa, the City Council will act upon said proposal.

CITY OF MACKSBURG, IOWA


Don Garrett, Mayor

ATTEST:

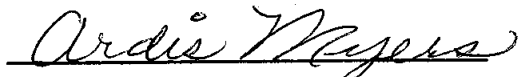

Ardis Myers, City Clerk

EXHIBIT "C"

ORDINANCE NO. 3-10-00

AN ORDINANCE VACATING AND CLOSING THE EAST - WEST ALLEY IN BLOCK NINE (9) OF MACK'S ADDITION TO THE TOWN OF MACKSBURG, IOWA.

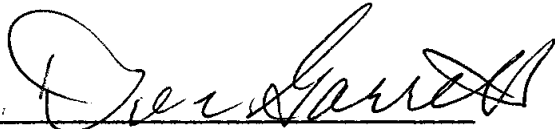
BE IT ENACTED by the City Council of the City of Macksburg, Iowa:

SECTION ONE. The East - West alley in Block Nine (9) of Mack's Addition to the Town of Macksburg, Iowa, is hereby vacated and closed and declared vacated and closed.

SECTION TWO. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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

Passed and approved this second day of October, 2000.



Don Garrett, Mayor

ATTEST:



Ardis Myers, City Clerk

EXHIBIT "D"

RESOLUTION CONCERNING THE SALE OF A PORTION
OF THE EAST-WEST ALLEY IN BLOCK NINE OF MACK'S
ADDITION TO THE TOWN OF MACKSBURG, IOWA

WHEREAS, ON SEPTEMBER 6, 2000, the City Council passed a resolution proposing to vacate a portion of the East-West alley in Block Nine (9) of Mack's Addition to the City of Macksburg, Iowa; and

WHEREAS, on OCTOBER 2, 2000, an Ordinance was passed by the City Council of the City of Macksburg to vacate said alley; and

WHEREAS, a hearing on said proposal to sell the vacated alley was held on October 2, 2000, at 7:30 P.M. before the City Council; and

WHEREAS, notice of such hearing was given by posting in three (3) public places as required by ordinances of the City of Macksburg and Section 362.3 of the Code of Iowa.

NOW THEREFORE, BE IT RESOLVED by the City Council of Macksburg, Iowa;

That warranty deeds should be executed by the City of Macksburg, to adjacent property owners.

The consideration for said sale shall be the expenses incurred by the City of Macksburg, Iowa.

Passed and approved this 2nd day of October, 2000.


Don Garrett, Mayor

ATTEST: 
Ardis Myers, City Clerk