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MICKI UTSLER  
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, Iowa.


1. Resolution of City of Winterset, Iowa proposing to convey real estate and setting public hearing on the proposal;
2. Notice of Hearing on Proposed Conveyance of Real Estate by City of Winterset, Iowa;
3. Resolution Approving the Conveyance of Real Estate; and,
3. The Affidavit of Publication from the Madisonian.

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 the Notice of Hearing was duly and timely published by the Madisonian in accordance with the Affidavit attached hereto.

Dated on this 8th day of November, 2001, at Winterset, Iowa.



  
\_\_\_\_\_  
Mark Nitchals  
City Administrator  
City of Winterset, Iowa

RESOLUTION 2001-88

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 certain real estate, legally described as:

The North Forty-four feet of Lot Three (3) in Block Eleven (11) of the Original Town of Winterset, Madison County, Iowa.

WHEREAS, the City proposes to convey the real estate to Dale E. Tuttle and Nancy L. Tuttle upon the following terms and conditions: to convey legal title to the above described real estate by Warranty Deed to satisfy terms of a settlement agreement involving litigation between the Dale E. Tuttle and Nancy L. Tuttle and the City of Winterset, Iowa.

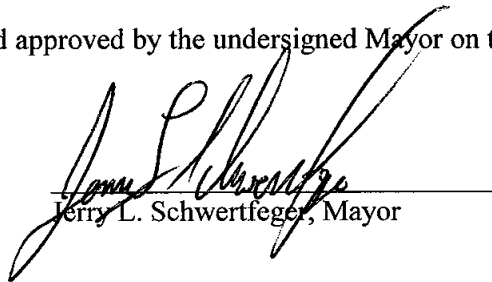
WHEREAS, Iowa Code Section 364.7 requires public notice be made on the proposal.

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 20th day of August, 2001 at 7:00 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 by the City Council of Winterset, Iowa and approved by the undersigned Mayor on this 6<sup>th</sup> day of August, 2001, at Winterset, Iowa.

  
Jerry L. Schwertfege, Mayor

ATTEST:

  
Mark Nitchals, City Administrator

NOTICE OF HEARING ON PROPOSED CONVEYANCE  
OF REAL ESTATE BY CITY OF WINTERSET, IOWA

TO: ANY INTERESTED PERSON

YOU ARE HEREBY NOTIFIED that a public hearing before the City Council of Winterset, Iowa will be held on the 20<sup>th</sup> day of August, 2001, at 7:00 o'clock p.m, at the City Hall in Winterset, Madison County, Iowa on the proposal by the City Council of Winterset, Iowa to convey the real estate legally described as:

The North Forty-four feet of Lot Three (3) in Block Eleven (11) of the Original Town of Winterset, Madison County, Iowa.

to Dale E. Tuttle and Nancy L. Tuttle upon the following terms and conditions: to convey legal title to the above described real estate by Warranty Deed to satisfy terms of a settlement agreement involving litigation between the Dale E. Tuttle and Nancy L. Tuttle and the City of Winterset, Iowa.

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

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Mark J. Nitchals  
City Administrator  
City of Winterset, Iowa

RESOLUTION 2001- 93

RESOLUTION APPROVING THE CONVEYANCE OF REAL ESTATE

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

The North Forty-four feet of Lot Three (3) in Block Eleven (11) of the Original Town of Winterset, Madison County, Iowa.

WHEREAS, the City Council has proposed to convey the above described real estate to Dale E. Tuttle and Nancy L. Tuttle upon the following terms and conditions: to convey legal title to the above described real estate by Warranty Deed to satisfy terms of a settlement agreement involving litigation between the Dale E. Tuttle and Nancy L. Tuttle and the City of Winterset, Iowa.

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, not less than 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,

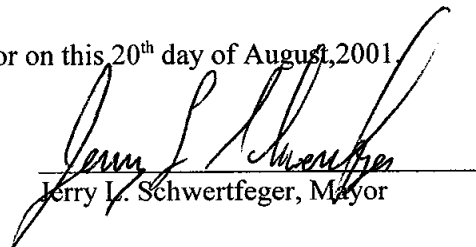
WHEREAS, the City Council now determines that the conveyance of the real estate above described should be approved in all respects as proposed.

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 Warranty 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 20<sup>th</sup> day of August, 2001

  
Jerry L. Schwertfeger, Mayor

ATTEST:

  
Mark Nitchals, City Administrator

**AFFIDAVIT OF PUBLICATION**

STATE OF IOWA  
SS.  
Madison County

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 8th day of August, 2001.

*Ted Gorman*

Subscribed and sworn to before me this

8th day of August, 2001.

*[Signature]*  
NOTARY PUBLIC

In and for Madison County



Fee \$ 11.63

**Pi**

Legal documents are printed  
as received at the Madisonian.

**NOTICE OF HEARING ON PROPOSED CONVEYANCE  
OF REAL ESTATE BY CITY OF WINTERSET, IOWA**

TO: ANY INTERESTED PERSON

YOU ARE HEREBY NOTIFIED that a public hearing before the City Council of Winterset, Iowa will be held on the 20<sup>th</sup> day of August, 2001, at 7:00 o'clock p.m. at the City Hall in Winterset, Madison County, Iowa on the proposal by the City Council of Winterset, Iowa to convey the real estate legally described as:

The North Forty-four feet of Lot Three (3) in Block Eleven (11) of the Original Town of Winterset, Madison County, Iowa.

to Dale E. Tuttle and Nancy L. Tuttle upon the following terms and conditions: to convey legal title to the above described real estate by Warranty Deed to satisfy terms of a settlement agreement involving litigation between the Dale E. Tuttle and Nancy L. Tuttle and the City of Winterset, Iowa.

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

Mark Nitchals  
City Administrator  
City of Winterset, Iowa