

Release

Document 2005 4277

Book 2005 Page 4277 Type 05 005 Pages 5
Date 9/06/2005 Time 11:28 AM
Rec Amt \$27.00

MICHELLE UTSLER. COUNTY RECORDER
MADISON IOWA

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

Prepared by & Return To:
Samuel H. Braland
P.O. Box 370
Earlham, IA 50072

CERTIFICATION

The undersigned, being the duly appointed and acting City Clerk of the City of Earlham, Iowa, does hereby certify that the attached document is a true and authentic copy of Resolution No. 02-20 passed by the City Council of the City of Earlham, Iowa on July 8, 2002.

Dated this 2nd day of September, 2005, at Earlham, Iowa.

Marilyn Sesker
Marilyn Sesker
City Clerk
City of Earlham, Iowa.

Subscribed and sworn to before me and in my presence by the said Marilyn Sesker this 2nd day of September, 2005.

Samuel H. Braland
Notary Public in and for the State of Iowa.

(CITY SEAL)

TOWN SEAL

SEAL OF SAMUEL H. BRALAND
NOTARY PUBLIC
IOWA

Council Member Waugh introduced the following resolution:

RESOLUTION NO. 02-20

RESOLUTION APPROVING INSTRUMENT OF EASEMENT
RELEASE.

WHEREAS, pursuant to Resolution No. 02-10 adopted by the City Council of the City of Earlham, Iowa on March 11, 2002, the Mayor of the City of Earlham, Iowa was appointed to execute an instrument of release on behalf of the City releasing and abandoning the City's easement for temporary ingress/egress and turn around purposes over and on the following described real estate, to-wit:

A part of Lot 10 of Clearview Third Addition to the City of Earlham, Madison County, Iowa, to-wit:

Commencing at the Southwest Corner of Lot 10 of Clearview Third Addition to the City of Earlham, Madison County, Iowa, thence North 00°12'22" West 110.00 feet along the West line of said Lot 10 to the Point of Beginning. Thence continuing North 00°12'22" West 90.00 feet; thence South 89°52'22" East 90.00 feet; thence South 00°12'22" East 90.00 feet; thence North 89°52'12" West 90.00 feet to the Point of Beginning.

WHEREAS, the Mayor has executed the Release and the City Clerk has attested the Mayor's execution;

BE IT RESOLVED by the City Council of the City of Earlham, Iowa that said Release of Easement is hereby approved.

Council Member Hunter seconded the motion to adopt. The roll was called and the vote was,

Ayes: Waugh, Hunter, Beisner, Payne

Nays: None

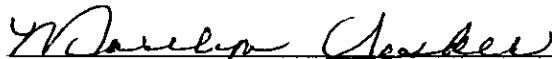
Abstain: Arnburg

Whereupon the Mayor Pro Tem declared the foregoing resolution duly adopted this 8th day of July, 2002.



Richard Rothert, Mayor

Attest:



Marilyn Sesker, City Clerk

Prepared By: Samuel H. Braland, P.O. Box 370, Earlham, Iowa 50072 (515) 758-2267
Address Tax Statement: City of Earlham, Iowa, P.O. Box 518, Earlham, Iowa 50072

RELEASE OF EASEMENT

For the consideration of One Dollar and other valuable consideration, the CITY OF EARLHAM, MADISON COUNTY, IOWA, does hereby release and abandon its temporary ingress/egress and turn around easement and right-of-way under, over, on, through, across and within the following described real estate situated in Madison County, Iowa, to-wit:

A part of Lot 10 of Clearview Third Addition to the City of Earlham, Madison County, Iowa, to-wit:

Commencing at the Southwest Corner of Lot 10 of Clearview Third Addition to the City of Earlham, Madison County, Iowa, thence North 00°12'22" West 110.00 feet along the West line of said Lot 10 to the Point of Beginning. Thence continuing North 00°12'22" West 90.00 feet; thence South 89°52'22" East 90.00 feet; thence South 00°12'22" East 90.00 feet; thence North 89°52'12" West 90.00 feet to the Point of Beginning,

acquired under an easement grant recorded on March 19, 1996 in Book 60, Page 790, in the Office of the Recorder of Madison County, Iowa. Pursuant to Section 428A.2(17), Code of Iowa, this transfer is exempt from the Iowa real estate transfer tax and declaration of value and groundwater hazard statement filing requirements.

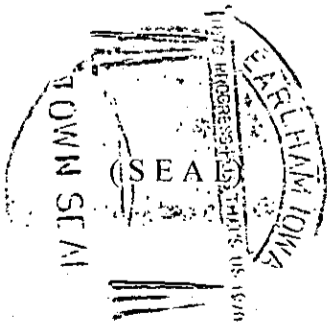
Dated this 11 day of March, 2002.

City of Earlham, Madison County, Iowa.

By Richard Rothert
Richard Rothert, Mayor

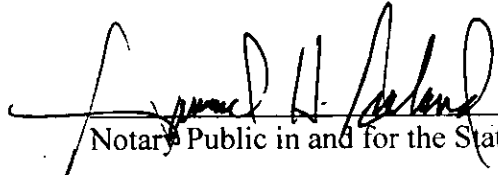
ATTEST:

Marilyn Sesker
Marilyn Sesker, City Clerk



STATE OF IOWA)
) SS
MADISON COUNTY)

On this 11th day of March, 2002, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Richard Rothert and Marilyn Sesker to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Earlham, Madison County, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation by authority of its City Council as contained in Resolution No. 02-10 adopted by the City Council under roll call no. 1 of the City Council on the 11th day of March, 2002, and that Richard Rothert and Marilyn Sesker acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.



Notary Public in and for the State of Iowa.

