Document 2006 1258
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MICHELLE UTSLER. COUNTY RECORDER
MADISON IOWA

COMPUTER ✓
RECORDED ✓
COMPARED

Mark Nitchals
City of Winterset
124 W. Court Avenue
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.

1. Resolution on the City of Winterset, Iowa proposing the vacation and closing of a portion a city street and setting public hearing on the proposal;

2. Notice of Hearing on proposed vacation & closing of a portion of a city street in Winterset, Iowa;

3. Resolution approving vacation and closing of a portion of a city street; and,

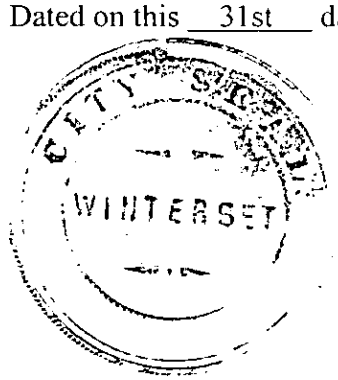
4. Affidavit of Publication with enclosure from the Madisonian Newspaper.

5. Copy of a Plat of Survey showing the portion of the city street that was vacated and closed.

The undersigned does further certify the Notice of Hearing was duly and timely served by certified mail, through the United States Postal Service, upon the persons or parties indicated on the Notice who constitute all adjoining landowners, utility companies whose facilities adjoin or are in the street right-of-way, and the Madison County Auditor.

The undersigned does further certify that the Notice of Hearing was duly and timely published in the Madisonian, a newspaper of general circulation within the City of Winterset, Iowa, and Madison County, Iowa in accordance with the Affidavit attached hereto.

Dated on this 31st day of March 2006, at Winterset, Iowa.



Mark Nitchals

Mark Nitchals, City Administrator

RESOLUTION 2005-74

RESOLUTION OF CITY OF WINTERSET, IOWA PROPOSING
THE VACATION AND CLOSING OF A PORTION OF A
CITY STREET AND SETTING PUBLIC HEARING ON THE PROPOSAL

WHEREAS, the City proposes to vacate and close that portion of a city street legally described as:

Parcel "K" which is part of Madison Street as dedicated to the City of Winterset as Lot A of Helen McCall Huntoon Addition, Plat No. 3, City of Winterset, Madison County, Iowa more particularly described as follows: Beginning at the Southeast Corner of Lot 3, Helen McCall Huntoon Addition, Plat No. 3, City of Winterset, Madison County, Iowa, thence North 15°19'57" West 125.26 feet along a line of said Lot 3; thence North 29°57'09" West 101.28 feet to the Northeast Corner of said Lot 3; thence North 55°16'05" East 60.63 feet to the Northwest Corner of Lot 4 of said Helen McCall Huntoon Addition, Plat No. 3; thence South 29°58'55" East 113.09 feet along a line of said Lot 4; thence South 15°32'45" East 142.67 feet to the Southwest Corner of said Lot 4; thence South 82°48'00" West 61.37 feet to the Point of Beginning containing 0.335 acres.

WHEREAS, Iowa Code Section 306.11 requires a public hearing on the proposal prior to being placed on final passage;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Winterset, Iowa that the Proposal is hereby made to vacate and close that portion of a public street legally described above.

BE IT FURTHER RESOLVED that a public hearing before the City Council on this proposal shall be held on the 18th day of July, 2005 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 and approved on this 20th day of June, 2005.

Jerry L. Schwertfeger, Mayor

ATTEST:

Mark Nitchals, City Administrator

NOTICE OF HEARING ON PROPOSED
VACATION AND CLOSING OF A PORTION OF
A CITY STREET IN WINTERSET, IOWA

TO: ADJOINING PROPERTY OWNERS & ANY INTERESTED PERSONS:

You are hereby notified that a public hearing before the City Council of Winterset, Iowa will be held on the 18th day of July, 2005, at 7:00 o'clock p.m. at the City Hall in Winterset, Iowa, on the proposed vacation and closing of a public street legally described as:

> Parcel "K" which is part of Madison Street as dedicated to the City of Winterset as Lot A of Helen McCall Huntoon Addition, Plat No. 3, City of Winterset, Madison County, Iowa more particularly described as follows: Beginning at the Southeast Corner of Lot 3, Helen McCall Huntoon Addition, Plat No. 3, City of Winterset, Madison County, Iowa, thence North 15°19'57" West 125.26 feet along a line of said Lot 3; thence North 29°57'09" West 101.28 feet to the Northeast Corner of said Lot 3; thence North 55°16'05" East 60.63 feet to the Northwest Corner of Lot 4 of said Helen McCall Huntoon Addition, Plat No. 3; thence South 29°58'55" East 113.09 feet along a line of said Lot 4; thence South 15°32'45" East 142.67 feet to the Southwest Corner of said Lot 4; thence South 82°48'00" West 61.37 feet to the Point of Beginning containing 0.335 acres.

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 proposal, if any, you may have.

Mark Nitchals
City Administrator
City of Winterset, Iowa

RESOLUTION 2005-86

RESOLUTION APPROVING VACATION AND CLOSING
OF A PORTION OF A CITY STREET IN WINTERSET, IOWA

WHEREAS, the City Council of Winterset, Iowa has proposed the vacation and closing of a city street legally described as:

> Parcel "K" which is part of Madison Street as dedicated to the City of Winterset as Lot A of Helen McCall Huntoon Addition, Plat No. 3, City of Winterset, Madison County, Iowa more particularly described as follows: Beginning at the Southeast Corner of Lot 3, Helen McCall Huntoon Addition, Plat No. 3, City of Winterset, Madison County, Iowa, thence North 15°19'57" West 125.26 feet along a line of said Lot 3; thence North 29°57'09" West 101.28 feet to the Northeast Corner of said Lot 3; thence North 55°16'05" East 60.63 feet to the Northwest Corner of Lot 4 of said Helen McCall Huntoon Addition, Plat No. 3; thence South 29°58'55" East 113.09 feet along a line of said Lot 4; thence South 15°32'45" East 142.67 feet to the Southwest Corner of said Lot 4; thence South 82°48'00" West 61.37 feet to the Point of Beginning containing 0.335 acres.

WHEREAS, the Council has fixed Notice of public hearing on the proposal;

WHEREAS, the City Administrator has published Notice of the hearing in the Winterset Madisonian, which is a newspaper of general circulation within Madison County, Iowa not less than four (4) nor more than twenty (20) days prior to the date of hearing and has delivered Notice of hearing to the adjoining land owners and the utility companies whose facilities adjoin or are on the street right-of-way by certified mail;

WHEREAS, the public hearing has been held and all interested persons have been heard on the proposal.

WHEREAS, no adjoining landowner has filed any claim in writing for damages resulting from the proposed vacation and closing.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that a public street legally described as:

> Parcel "K" which is part of Madison Street as dedicated to the City of Winterset as Lot A of Helen McCall Huntoon Addition, Plat No. 3, City of Winterset, Madison County, Iowa more particularly described as follows: Beginning at the Southeast Corner of Lot 3, Helen McCall Huntoon Addition, Plat No. 3, City of Winterset, Madison County, Iowa, thence North 15°19'57" West 125.26 feet along a line of said Lot 3; thence North 29°57'09" West 101.28 feet to the Northeast Corner of said Lot 3; thence North 55°16'05" East 60.63 feet to the Northwest Corner of Lot 4 of said Helen McCall Huntoon Addition, Plat No. 3; thence South 29°58'55" East 113.09 feet along a line of said Lot 4; thence South 15°32'45" East 142.67 feet to the Southwest Corner of said Lot 4; thence South 82°48'00" West 61.37 feet to the Point of Beginning containing 0.335 acres.

be and is hereby closed and vacated.

BE IT FURTHER RESOLVED AND ORDERED that no damage claims are allowed.

BE IT FURTHER RESOLVED that the City Administrator shall file a true copy of these proceedings with the Madison County Recorder and a true copy of this Resolution with the Madison County Auditor.

Passed and Approved on this 18th day of July, 2005.

Jerry L. Schwertfeger, Mayor

ATTEST:

Mark Nitchals, City Administrator

STATE OF IOWA
SS.
Madison County

NOTICE OF HEARING ON PROPOSED VACATION AND CLOSING OF A PORTION OF A CITY STREET IN WINTERSET, IOWA

TO: ADJOINING PROPERTY OWNERS & ANY INTERESTED PERSONS:

You are hereby notified that a public hearing before the City Council of Winterset, Iowa will be held on the 18th day of July, 2005, at 7:00 o'clock p.m. at the City Hall in Winterset, Iowa, on the proposed vacation and closing of a public street legally described as:

Parcel "K" which is part of Madison Street as dedicated to the City of Winterset as Lot A of Helen McCall Huntoon Addition, Plat No. 3, City of Winterset, Madison County, Iowa more particularly described as follows: Beginning at the Southeast Corner of Lot 3, Helen McCall Huntoon Addition, Plat No. 3, City of Winterset, Madison County, Iowa, thence North 15°19'57" West 125.26 feet along a line of said Lot 3; thence North 29°57'09" West 101.28 feet to the Northeast Corner of said Lot 3; thence North 55°16'05" East 60.63 feet to the Northwest Corner of Lot 4 of said Helen McCall Huntoon Addition, Plat No. 3; thence South 29°58'55" East 113.09 feet along a line of said Lot 4; thence South 15°32'45" East 142.67 feet to the Southwest Corner of said Lot 4; thence South 82°48'00" West 61.37 feet to the Point of Beginning containing 0.335 acres.

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 proposal, if any, you may have.

Mark Nitchals, City Administrator
City of Winterset, Iowa

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AFFIDAVIT OF PUBLICATION

TED GORMAN being duly sworn says he is publisher of WINTERSET MADISONIAN a once weekly paper 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 paper.

for the period One consecutive weeks, the last publication thereof being

on the 13th day of July ,20 05

Ted Gorman

Subcribed and sworn to before me this

14th day of July ,20 05

Pamela S. Shady

NOTARY PUBLIC
in and for Madison County

PAMELA S. SHADY
Commission Number 734602
My Commission Expires
5-20-08

Fee $ 18.13

Document 2006 679

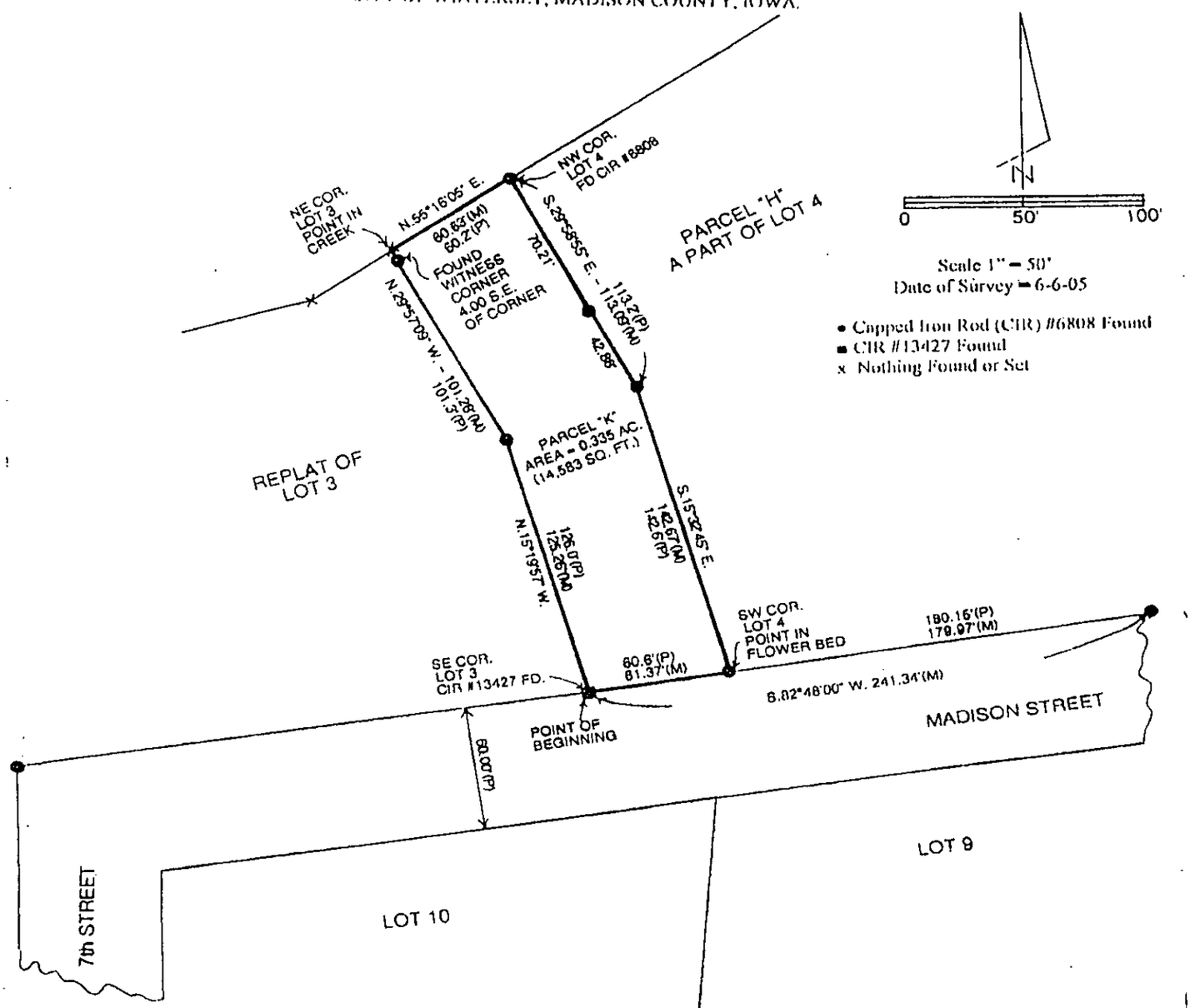
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COMPARED

MICHELLE UTSLER. COUNTY RECORDER
MADISON IOWA

VANCE & HOCHSTETLER, P.C. CONSULTING ENGINEERS, WINTERSET, IOWA (515) 462-3995
CHARLES T. VANCE, 110 WEST GREEN ST., WINTERSET, IOWA 50273
JAMES M HOCHSTETLER, 110 WEST GREEN ST., WINTERSET, IOWA 50273

PLAT OF SURVEY FOR THE CITY OF WINTERSET OF A PORTION OF MADISON STREET IN HELEN McCALL HUNTOON ADDITION, PLAT NO. 3, CITY OF WINTERSET, MADISON COUNTY, IOWA.



LEGAL DESCRIPTION:

Parcel "K" which is a part of Madison Street as dedicated to the City of Winterset as Lot A of Helen McCall Huntoon Addition, Plat No. 3; City of Winterset, Madison County, Iowa more particularly described as follows:

Beginning at the Southeast Corner of Lot 3, Helen McCall Huntoon Addition, Plat No. 3, City of Winterset, Madison County, Iowa thence North 15°19'57" West 125.26 feet along a line of said Lot 3; thence North 29°57'09" West 101.28 feet to the Northeast Corner of said Lot 3; thence North 55°16'05" East 60.63 feet to the Northwest Corner of Lot 4 of said Helen McCall Huntoon Addition, Plat No. 3; thence South 29°58'55" East 113.09 feet along a line of said Lot 4; thence South 15°32'45" East 142.67 feet to the Southwest Corner of said Lot 4; thence South 82°48'00" West 61.37 feet to the Point of Beginning containing 0.335 acres.

LICENSED LAND SURVEYOR
J. M. HOCHSTETLER
#6808
IOWA

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

J. M. Hochstetler

J.M. HOCHSTETLER
Licence number 6808 Date 2/3/06
My license renewal date is December 31, 2007
Pages or sheets covered by this seal: 1