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MICHELLE UTSLER, COUNTY RECORDER
MADISON IOWA

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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, Iowa.

1. Resolution of City of Winterset, Iowa proposing the auction sale of real estate and setting public hearing on the proposal;

2. Notice of Hearing on Proposed Auction Sale of Real Estate by City of Winterset, Iowa;

3. Resolution Approving the Proposed Auction Sale of Real Estate;

4. Resolution Approving the Sale of Real Estate; and,

5. 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 docs 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 16th day of June, 2006, at Winterset, Iowa.

CITY SEAL WINTERSET

Mark Nitchals
City Administrator
City of Winterset, Iowa

RESOLUTION 2006-_45___

RESOLUTION OF CITY OF WINTERSET, IOWA
PROPOSING THE AUCTION SALE OF REAL ESTATE AND
SETTING DATE FOR PUBLIC HEARING ON THE PROPOSAL

WHEREAS, the City proposes to dispose of its interest in certain real estate, legally described as:

A part of Out Lot 1 in Laughridge and Cassiday's Addition to Winterset, Madison County, Iowa, more particularly described as follows: Beginning at the northwest corner of Out Lot 1 of Laughridge and Cassiday's Addition; thence east, along the north line of said Out Lot 1, 100.0 feet; thence south, parallel with the west line of said Out Lot 1, 118.5 feet to a point 8.5 feet north of the centerline of an existing spur track; thence westerly, along a line parallel with and 8.5 feet northerly from said spur track, 100.0 feet to a point on the west line of said Out Lot 1; thence north 120.4 feet to a point of beginning. All of above parcel being in Out Lot 1 of Laughridge and Cassiday's Addition to Winterset, Madison County, Iowa.

WHEREAS, the City proposes to convey title of the above described real estate by Quit Claim Deed upon the following conditions:

The City proposes to retain an Auctioneer to auction the real estate and personal property located thereon to the highest bidder. The City will sell the property "AS IS" any prospective bidder shall have the right to inspect the property prior to the Auction by contacting the City Hall at (515) 462-1422 to arrange for a site inspection; the highest accepted bidder shall be responsible for due diligence in assessing the environmental condition of the real property; the City makes no representations whatsoever on the surface or subsurface condition of the real property; the high bid for the real estate shall be subject to the approval of the City and the City reserves the right to reject any and all bids for the real estate; the City upon acceptance of the bid for the real estate shall convey title by Quit Claim Deed; any abstracting costs shall be the responsibility of the highest accepted bidder; possession of the real estate shall be on the date of tender of the Quit Claim Deed; and, the City will accept the high bid on the sale of the personal property located on the premises without reservation.

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 sell by auction the above described real estate parcels upon the terms and conditions as above provided.

BE IT FURTHER RESOLVED that a public hearing before the City Council on this proposal shall be held on the 17th day of April 2006 at 7:00 o'clock p.m., at the City Hall in Winterset, Iowa.

BE IT FURTHER RESOLVED that the City Administrator is hereby authorized and directed to give notice of such public hearing as by law required.

Passed and approved this 3rd day of April, 2005.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

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

YOU ARE HEREBY NOTIFIED that a public hearing before the City Council of Winterset, Iowa will be held on the 17th day of April, 2006, 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 sell and convey the real estate legally described as:

A part of Out Lot 1 in Laughridge and Cassiday's Addition to Winterset, Madison County, Iowa, more particularly described as follows: Beginning at the northwest corner of Out Lot 1 of Laughridge and Cassiday's Addition; thence east, along the north line of said Out Lot 1, 100.0 feet; thence south, parallel with the west line of said Out Lot 1, 118.5 feet to a point 8.5 feet north of the centerline of an existing spur track; thence westerly, along a line parallel with and 8.5 feet northerly from said spur track, 100.0 feet to a point on the west line of said Out Lot 1; thence north 120.4 feet to a point of beginning. All of above parcel being in Out Lot 1 of Laughridge and Cassiday's Addition to Winterset, Madison County, Iowa.

upon the following terms and conditions:

The City proposes to retain an Auctioneer to auction the real estate and personal property located thereon to the highest bidder. The City will sell the property "AS IS"; any prospective bidder shall have the right to inspect the property prior to the Auction by contacting the City Hall at (515) 462-1422 to arrange for a site inspection; the highest accepted bidder shall be responsible for due diligence in assessing the environmental condition of the real property; the City makes no representations whatsoever on the surface or subsurface condition of the real property; the high bid for the real estate shall be subject to the approval of the City and the City reserves the right to reject any and all bids for the real estate; the City upon acceptance of the bid for the real estate shall convey title by Quit Claim Deed; any abstracting costs shall be the responsibility of the highest accepted bidder; possession of the real estate shall be on the date of tender of the Quit Claim Deed; and, the City will accept the high bid on the sale of the personal property located on the premises without reservation.

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

RESOLUTION 2006-_48___

RESOLUTION APPROVING THE PROPOSED AUCTION OF REAL ESTATE

WHEREAS, the City Council of the City of Winterset, Iowa has proposed to dispose of its interest in the following described real estate:

A part of Out Lot 1 in Laughridge and Cassiday's Addition to Winterset, Madison County, Iowa, more particularly described as follows: Beginning at the northwest corner of Out Lot 1 of Laughridge and Cassiday's Addition; thence east, along the north line of said Out Lot 1, 100.0 feet; thence south, parallel with the west line of said Out Lot 1, 118.5 feet to a point 8.5 feet north of the centerline of an existing spur track; thence westerly, along a line parallel with and 8.5 feet northerly from said spur track, 100.0 feet to a point on the west line of said Out Lot 1; thence north 120.4 feet to a point of beginning. All of above parcel being in Out Lot 1 of Laughridge and Cassiday's Addition to Winterset, Madison County, Iowa.

WHEREAS, the City has proposed to convey title of the above described real estate by Quit Claim Deed upon the following conditions:

The City proposes to retain an Auctioneer to auction the real estate and personal property located thereon to the highest bidder. The City will sell the property "AS IS" any prospective bidder shall have the right to inspect the property prior to the Auction by contacting the City Hall at (515) 462-1422 to arrange for a site inspection; the highest accepted bidder shall be responsible for due diligence in assessing the environmental condition of the real property; the City makes no representations whatsoever on the surface or subsurface condition of the real property; the high bid for the real estate shall be subject to the approval of the City and the City reserves the right to reject any and all bids for the real estate; the City upon acceptance of the bid for the real estate shall convey title by Quit Claim Deed; any abstracting costs shall be the responsibility of the highest accepted bidder; possession of the real estate shall be on the date of tender of the Quit Claim Deed; and, the City will accept the high bid on the sale of the personal property located on the premises without reservation.

WHEREAS, the City Council has fixed notice of public hearing upon the proposed auction of real estate pursuant to Iowa Code Section 364.7;

WHEREAS, notice of the hearing has been timely published as provided by Iowa Code Section 362.3 in the Winterset Madisonian, a newspaper published weekly and having general circulation in the City, 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,

NOW, THEREFORE, BE IT RESOLVED that the proposed auction sale of real estate legally described above, upon the terms and conditions as herein described above, be and is hereby

approved.

Passed and approved on this 17th day of April, 2006.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

STATE OF IOWA
SS.
Madison County

NOTICE OF HEARING
On Proposed Auction Sale Of Real Estate By City Of Winterset, Iowa

YOU ARE HEREBY NOTIFIED that a public hearing before the City Council of Winterset, Iowa will be held on the 17th day of April, 2006, 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 sell and convey the real estate legally described as:

A part of Out Lot 1 in Laughridge and Cassiday's Addition to Winterset, Madison County, Iowa, more particularly described as follows: Beginning at the northwest corner of Out Lot 1 of Laughridge and Cassiday's Addition; thence east, along the north line of said Out Lot 1, 100.0 feet; thence south, parallel with the west line of said Out Lot 1, 118.5 feet to a point 8.5 feet north of the centerline of an existing spur track; thence westerly, along a line parallel with and 8.5 feet northerly from said spur track, 100.0 feet to a point on the west line of said Out Lot 1; thence north 120.4 feet to a point of beginning. All of above parcel being in Out Lot 1 of Laughridge and Cassiday's Addition to Winterset, Madison County, Iowa.

upon the following terms and conditions:

The City proposes to retain an Auctioneer to auction the real estate and personal property located thereon to the highest bidder. The City will sell the property "AS IS"; any prospective bidder shall have the right to inspect the property prior to the Auction by contacting the City Hall at (515) 462-1422 to arrange for a site inspection; the highest accepted bidder shall be responsible for due diligence in assessing the environmental condition of the real property; the City makes no representations whatsoever on the surface or subsurface condition of the real property; the high bid for the real estate shall be subject to the approval of the City and the City reserves the right to reject any and all bids for the real estate; the City upon acceptance of the bid for the real estate shall convey title by Quit Claim Deed; any abstracting costs shall be the responsibility of the highest accepted bidder; possession of the real estate shall be on the date of tender of the Quit Claim Deed; and, the City will accept the high bid on the sale of the personal property located on the premises without reservation.

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 33

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 5th day of April ,20 06.

Ted Gorman

Subcribed and sworn to before me this

13th day of April ,20 06.

Pamela S. Shady

NOTARY PUBLIC
in and for Madison County

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

Fee $ 25.84

RESOLUTION 2006-_76___

RESOLUTION APPROVING THE SALE OF REAL ESTATE

WHEREAS, the City Council of the City of Winterset, Iowa has proposed to dispose of its interest in the following described real estate:

A part of Out Lot 1 in Laughridge and Cassiday's Addition to Winterset, Madison County, Iowa, more particularly described as follows: Beginning at the northwest corner of Out Lot 1 of Laughridge and Cassiday's Addition; thence east, along the north line of said Out Lot 1, 100.0 feet; thence south, parallel with the west line of said Out Lot 1, 118.5 feet to a point 8.5 feet north of the centerline of an existing spur track; thence westerly, along a line parallel with and 8.5 feet northerly from said spur track, 100.0 feet to a point on the west line of said Out Lot 1; thence north 120.4 feet to a point of beginning. All of above parcel being in Out Lot 1 of Laughridge and Cassiday's Addition to Winterset, Madison County, Iowa.

WHEREAS, the City has proposed to convey title of the above described real estate by Quit Claim Deed upon the following conditions:

The City proposes to retain an Auctioneer to auction the real estate and personal property located thereon to the highest bidder. The City will sell the property "AS IS" any prospective bidder shall have the right to inspect the property prior to the Auction by contacting the City Hall at (515) 462-1422 to arrange for a site inspection; the highest accepted bidder shall be responsible for due diligence in assessing the environmental condition of the real property; the City makes no representations whatsoever on the surface or subsurface condition of the real property; the high bid for the real estate shall be subject to the approval of the City and the City reserves the right to reject any and all bids for the real estate; the City upon acceptance of the bid for the real estate shall convey title by Quit Claim Deed; any abstracting costs shall be the responsibility of the highest accepted bidder; possession of the real estate shall be on the date of tender of the Quit Claim Deed; and, the City will accept the high bid on the sale of the personal property located on the premises without reservation.

WHEREAS, the auction of the real estate was held on June 3, 2006, with the best bid submitted by James C. Eller in the amount of $10,400.

NOW, THEREFORE, BE IT RESOLVED that the auction sale of real estate legally described above, upon the terms and conditions as herein described above, to James C. Eller, for the purchase price of $10,400, be and is hereby approved.

Passed and approved on this 5th day of June, 2006.

James C. Olson

James C. Olson, Mayor

ATTEST:

Mark Nitchals

Mark Nitchals, City Administrator