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Martin S. Ramsey
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MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

Prepared By: Martin S. Ramsey, P.O. Box 370, Earlham, IA 50072 (515) 758-2267

CERTIFICATION

STATE OF IOWA)
) SS
MADISON COUNTY)

I, Kay Billeter, Secretary to the Board of Supervisors of Madison County, Iowa do hereby certify as follows:

1. In 1998 Madison County, Iowa was in control of unused road right-of-way legally described as follows, to-wit:

A. Parcel "E" in the Southwest Quarter of the Southeast Quarter of Section 19, Township 76 North, Range 27 West of the 5TH P.M., Madison County, Iowa, more particularly described as follows:

Commencing at the South Quarter Corner of Section 19, Township 76 North, Range 27 West of the 5TH P.M., Madison County, Iowa; thence South 88°47'19" East 653.45 feet along the South line of the Southeast Quarter of said Section 19 to the centerline of a County Road; thence North 00°53'40" East 827.58 feet along the centerline of the County Road extended to the Point of Beginning; thence continuing North 00°53'40" East 422.87 feet; thence South 89°06'20" East 33.00 feet; thence South 00°53'40" West 329.11 feet to a point on the Northwesterly right-of-way line of said county road; thence Southerly 99.43 feet along a 1333.24 foot radius curve concave Southeasterly with a 99.40 foot long chord bearing South 20°17'05" West to the Point of Beginning containing 0.283 acres.

- 2.
- B. Parcel "F" in the Northwest Quarter of the Southeast Quarter of Section 19, Township 76 North, Range 27 West of the 5TH P.M.; Madison County, Iowa, more particularly described as follows:

Commencing at the South Quarter Corner of Section 19, Township 76 North, Range 27 West of the 5TH P.M., Madison County, Iowa; thence South 88°47'19" East 653.45 feet along the South line of the Southeast Quarter of said Section 19 to the centerline of a County Road; thence North 00°53'40" East 1540.45 feet along the centerline of the County Road extended to the Point of Beginning; thence continuing North 00°53'40" East 19.05 feet; thence North 83°19'43" East 759.20 feet to a point on the Northwest right-of-way line of a county road; thence Southwesterly 108.38 feet along a 1333.24 foot radius curve concave Southeasterly with a 108.32 foot long chord bearing South 65°35'57" West; thence South 83°19'34" West 552.19 feet; thence North 89°06'20" West 107.28 feet to the Point of Beginning containing 0.518 acres.

2. Pursuant to Iowa Code § 306.23(1) (1997), the Board of Supervisors of Madison County, Iowa caused the right-of-way described in paragraph 1 to be appraised by an independent appraiser who determined that the fair market value of said right-of-way as of August 31, 1998 was as follows, to-wit:

Parcel "E" and Parcel "F" were appraised together at \$3,500.00.

3. At the direction of the Board of Supervisors, a notice setting forth Madison County's intent to sell and the appraised fair market value of each unused parcel of right-of-way described in paragraph 1 was sent by certified mail on November 16, 1998 to the last known addresses of the present owners of the adjacent land from which the right-of-way was originally purchased or condemned for highway purposes, and to the persons who owned the land at the time it was purchased or condemned for highway purposes, pursuant to Iowa Code § 306.23 (1997). An affidavit of mailing notice is attached hereto and by this reference incorporated herein.

4. Pursuant to Iowa Code § 306.23(2)(1997), the present owners of the adjacent land from which the unused right-of-way was originally purchased or condemned for highway purposes, made offers to the Board of Supervisors to purchase the right-of-way described in paragraph 1 being sold. All offers were received within sixty (60) days of the date the notice of intent to sell unused right-of-way was mailed.

5. At a regular meeting of the Madison County Board of Supervisors on December 29, 1998, the Board accepted the following offers to purchase the right-of-way described in paragraph 1, as follows:

\$125.00 from Lori Ryner for Parcel "E";

\$125.00 from Beth Flander for Parcel "F".

6. Each successful offer equaled or exceeded the amount of any other offer received. At said meeting, the Madison County Board of Supervisors took action to accept the offer of Lori Ryner to purchase Parcel "E" for the sum of \$125.00, and to accept the offer of Beth Flander to purchase Parcel "F" for the sum of \$125.00, and to authorize the execution and delivery of a deed conveying title thereto to each purchaser, for less than the appraised value, pursuant to Iowa Code §306.23(2) (1997).

I certify that the foregoing proceedings were adopted by the Board of Supervisors of Madison County, Iowa on the dates indicated, and that all notices were mailed as shown by the Affidavit of Mailing attached hereto.

Kay Billeter
Kay Billeter, Secretary
Madison County Board of Supervisors

(COUNTY SEAL)

Subscribed and sworn to before me and in my presence by the said Kay Billeter this 23rd day of July, 1999.

M. S. Ramsey
Notary Public in and for the State of Iowa.



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AFFIDAVIT OF MAILING NOTICE

STATE OF IOWA)
) SS
MADISON COUNTY)

Comes now Martin S. Ramsey, who on oath deposes and states: That he is the County Attorney in and for Madison County, Iowa. That under the direction of the Board of Supervisors of Madison County, Iowa, a Notice of Intent to Sell Unused Right-of-Way was mailed to the following named persons by certified mail, such Notice being mailed in a sealed envelope with proper postage thereon, addressed to the said persons at their last known post office addresses, by depositing the same in a United States Post Office Mail Receptacle on November 16, 1998, to-wit:

Dan Ryner
1776 North River Trail
Winterset, Iowa 50273
(Adjacent Landowner/
Successor in Interest to Original Grantor)

Lori Ryner
1776 North River Trail
Winterset, Iowa 50273
(Adjacent landowner/
Successor in Interest to Original Grantor)

Leonard Flander
P.O. Box 67
Winterset, Iowa 50273
(Adjacent Landowner)

Beth Flander
P.O. Box 67
Winterset, Iowa 50273
(Adjacent Landowner)


Lakeview Country Club
Rural Route 2
Winterset, Iowa 50273
(Adjacent Landowner/Original Grantor)

A true copy of the Notice mailed is attached hereto and made a part hereof.



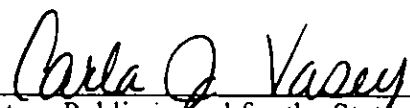
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Further this affiant sayeth not.



Martin S. Ramsey

Subscribed and sworn to before me and in my presence by the said Martin S. Ramsey this 22 day of July, 1999.



Notary Public in and for the State of Iowa.



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NOTICE OF INTENT TO SELL UNUSED RIGHT-OF-WAY

TO:

Mr. Dan Ryner
1776 North River Trail
Winterset, Iowa 50273
ADJACENT LANDOWNER/
SUCCESSOR IN INTEREST TO ORIGINAL GRANTOR

Ms. Lori Ryner
1776 North River Trail
Winterset, Iowa 50273
ADJACENT LANDOWNER/
SUCCESSOR IN INTEREST TO ORIGINAL GRANTOR

Mr. Leonard Flander
P.O. Box 67
Winterset, Iowa 50273
ADJACENT LANDOWNER

Ms. Beth Flander
P.O. Box 67
Winterset, Iowa 50273
ADJACENT LANDOWNER

Lakeview Country Club
Rural Route 2
Winterset, Iowa 50273
ADJACENT LANDOWNER / ORIGINAL GRANTOR

YOU ARE HEREBY NOTIFIED that Madison County intends to sell the following described unused Rights-of-Way, to-wit:

1. Parcel "E" in the Southwest Quarter of the Southeast Quarter of Section 19, Township 76 North, Range 27 West of the 5TH P.M., Madison County, Iowa, more particularly described as follows:

Commencing at the South Quarter Corner of Section 19, Township 76 North, Range 27 West of the 5TH P.M., Madison County, Iowa; thence South 88°47'19" East 653.45 feet along the South line of the Southeast Quarter of said Section 19 to the centerline of a County Road; thence North 00°53'40" East 827.58 feet along the centerline of the County Road extended to the Point of Beginning; thence continuing North 00°53'40" East 422.87 feet; thence South 89°06'20" East 33.00 feet; thence South 00°53'40" West 329.11 feet to a point on the Northwesterly right-of-way line of said county road; thence Southerly 99.43 feet along a 1333.24 foot radius curve concave Southeasterly with a 99.40 foot long chord bearing South 20°17'05" West to the Point of Beginning containing 0.283 acres.

2. Parcel "F" in the Northwest Quarter of the Southeast Quarter of Section 19, Township 76 North, Range 27 West of the 5TH P.M.; Madison County, Iowa, more particularly described as follows:

Commencing at the South Quarter Corner of Section 19, Township 76 North, Range 27 West of the 5TH P.M., Madison County, Iowa;



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thence South 88°47'19" East 653.45 feet along the South line of the Southeast Quarter of said Section 19 to the centerline of a County Road; thence North 00°53'40" East 1540.45 feet along the centerline of the County Road extended to the Point of Beginning; thence continuing North 00°53'40" East 19.05 feet; thence North 83°19'43" East 759.20 feet to a point on the Northwest right-of-way line of a county road; thence Southwesterly 108.38 feet along a 1333.24 foot radius curve concave Southeasterly with a 108.32 foot long chord bearing South 65°35'57" West; thence South 83°19'34" West 552.19 feet; thence North 89°06'20" West 107.28 feet to the Point of Beginning containing 0.518 acres.

In preparation for sale, the above-described parcels were appraised by Patricia J. Weeks, of Hayes Appraisal Associates, Inc., and determined to have a value of \$3,500.00. As adjoining landowners, original grantors, and/or successors in interest to the original grantors, you are entitled to preference of sale pursuant to Iowa Code §306.23 (1) (1997).

YOU ARE FURTHER NOTIFIED that you have **SIXTY (60)** days from the date of this notice to make an offer on the above-described real estate. Offers shall be submitted in writing to the Madison County Secondary Road Department, c/o Mr. Todd Hagan, County Engineer, P.O. Box 152, Madison County Courthouse, Winterset, Iowa, 50273. Offers received after sixty (60) days of the date of this notice will not be considered.

An offer which equals or exceeds in amount any other offer received and which equals or exceeds the fair market value of the property shall be given preference. If no offers are received within sixty days or if no offer equals or exceeds the fair market value of the land, the Madison County Department of Secondary Roads will transfer the land for a public purpose or proceed with the sale of the above described property.

Dated this 16th day of November 1998.



Martin S. Ramsey,
Madison County Attorney