

## CERTIFICATION

The undersigned, the duly appointed and acting City Clerk of the City of Macksburg, 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 Macksburg, Iowa.

1. Resolution of City of Macksburg, 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 Macksburg, Iowa;
3. Resolution Approving the Conveyance of Real Estate; and,
4. 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 7<sup>th</sup> day of DECEMBER, 1998, at Macksburg, Iowa.

Ardis Myers  
Ardis Myers  
City Clerk  
City of Macksburg, Iowa

COMPUTER ☒  
RECORDED ☒  
COMPARED ☒

REC \$ 30.00  
AUD \$         
R.M.F. \$ 1.00

FILED NO. 2345  
BOOK 45 PAGE 422

98 DEC -8 PM 2:34

MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

RESOLUTION OF CITY OF MACKSBURG, IOWA  
PROPOSING TO CONVEY REAL ESTATE  
AND SETTING PUBLIC HEARING ON THE PROPOSAL

WHEREAS, the City proposes to dispose of its interest in the real estate formerly used as a street and alley right-of-way;

WHEREAS, the City proposes to convey the following described real estate to Michael R. Carlson and Diana M. Carlson:

The Ten (10) foot Alley running East and West in Block Two (2) of Mack's Addition to the Town of Macksburg, Madison County, Iowa except the North Five (5) feet of the West Eighty-eight (88) feet of said alley.

upon the following terms and conditions: convey legal title by Quit Claim Deed in consideration of the payment of the city's expenses incurred in connection with this sale.

WHEREAS, the City proposes to convey the following described real estate to Ellen Marie Thompson:

The North Five (5) feet of the West Eighty-eight (88) feet of the Ten (10) foot Alley running East and West in Block Two (2) of Mack's Addition to the Town of Macksburg, Madison County, Iowa.

upon the following terms and conditions: convey legal title by Quit Claim Deed in consideration of the payment of the city's expenses incurred in connection with this sale.

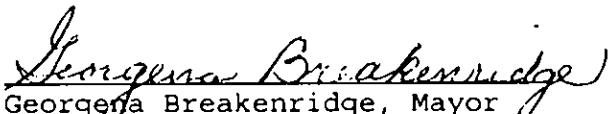
WHEREAS, Iowa Code Section 364.7 requires public notice be made on the proposal.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MACKSBURG, IOWA that proposal is hereby made to convey to the above described real estate upon the terms and conditions above provided.

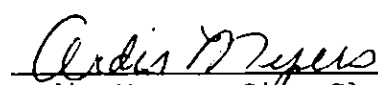
BE IT FURTHER RESOLVED that a public hearing before the City Council on this proposal shall be held on the 7<sup>th</sup> day of DECEMBER 1998 at 7:30 o'clock p.m., Central Standard Time, at the City Hall in Macksburg, Iowa.

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

PASSED by the City Council of Macksburg, Iowa and approved by the undersigned on this 23<sup>rd</sup> day of NOVEMBER, 1998, at Macksburg, Iowa.

  
Georgena Breakenridge, Mayor  
City of Macksburg, Iowa

ATTEST:

  
Ardis Myers, City Clerk  
City of Macksburg, Iowa

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

TO: ANY INTERESTED PERSON

YOU ARE HEREBY NOTIFIED that a public hearing before the City Council of Macksburg, Iowa will be held on the 7<sup>th</sup> day of DECEMBER, 1998, at 7:30 o'clock p.m., Central Standard Time, at the City Hall in Macksburg, Madison County, Iowa on the proposal by the City Council of Macksburg, Iowa to convey the real estate legally described as:

The Ten (10) foot Alley running East and West in Block Two (2) of Mack's Addition to the Town of Macksburg, Madison County, Iowa except the North Five (5) feet of the West Eighty-eight (88) feet of said alley,


to Michael R. Carlson and Diana M. Carlson upon the following terms and conditions: convey legal title to the above described real estate by Quit Claim Deed in consideration of the payment of the City's expenses incurred in connection with this sale; and,

to convey the real estate legally described as:

The North Five (5) feet of the West Eighty-eight (88) feet of the Ten (10) foot Alley running East and West in Block Two (2) of Mack's Addition to the Town of Macksburg, Madison County, Iowa,

to Ellen Marie Thompson upon the following terms and conditions: convey legal title to the above described real estate by Quit Claim Deed in consideration of the payment of the City's expenses incurred in connection with this sale.

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.

  
\_\_\_\_\_  
Ardis Myers  
City Clerk  
City of Macksburg, Iowa

**AFFIDAVIT OF PUBLICATION**

STATE OF IOWA  
SS.  
Madison County

**NOTICE OF HEARING  
On Proposed Conveyance Of Real  
Estate By City Of Macksburg, Iowa**

TO: ANY INTERESTED PERSON:

YOU ARE HEREBY NOTIFIED that a public hearing before the City Council of Macksburg, Iowa will be held on the 7th day of December, 1998, at 7:30 o'clock p.m., Central Standard Time, at the City Hall in Macksburg, Madison County, Iowa on the proposal by the City Council of Macksburg, Iowa to convey the real estate legally described as:

The Ten (10) foot Alley running East and West in Block Two (2) of Mack's Addition to the Town of Macksburg, Madison County, Iowa except the North Five (5) feet of the West Eighty-eight (88) feet of said alley.

to Michael R. Carlson and Diana M. Carlson upon the following terms and conditions: convey legal title to the above described real estate by Quit Claim Deed in consideration of the payment of the City's expenses incurred in connection with this sale; and, to convey the real estate legally described as:

The North Five (5) feet of the West Eighty-eight (88) feet of the Ten (10) foot Alley running East and West in Block Two (2) of Mack's Addition to the Town of Macksburg, Madison County, Iowa.

to Ellen Marie Thompson upon the following terms and conditions: convey legal title to the above described real estate by Quit Claim Deed in consideration of the payment of the City's expenses incurred in connection with this sale.

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.

Ardis Myers  
City Clerk

City of Macksburg, Iowa

27

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 25<sup>th</sup> day of November, 1998

*Ted Gorman*

Subscribed and sworn to before me this

25<sup>th</sup> day of November, 1998.

*[Signature]*

NOTARY PUBLIC

In and for Madison County

Fee \$ 15.50



## RESOLUTION

## APPROVING

## THE CONVEYANCE OF REAL ESTATE

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

The Ten (10) foot Alley running East and West in Block Two (2) of Mack's Addition to the Town of Macksburg, Madison County, Iowa except the North Five (5) feet of the West Eighty-eight (88) feet of said alley to Michael R. Carlson and Diana M. Carlson; and,

The North Five (5) feet of the West Eighty-eight (88) feet of the Ten (10) foot Alley running East and West in Block Two (2) of Mack's Addition to the Town of Macksburg, Madison County, Iowa to Ellen Marie Thompson.

WHEREAS, the City Council has proposed to convey the above described real estate to the respective adjoining property owners upon the following terms and conditions: convey legal title to the above described real estate by Quit Claim Deed in consideration of the payment of the City's expenses incurred in connection with this sale.

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, at least 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 Clerk;

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 Macksburg, Iowa.

PAGE -2-

BE IT FURTHER RESOLVED that the Mayor and City Clerk 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 Quit Claim Deed to the Buyer.

BE IT FURTHER RESOLVED that the City Clerk shall file a true copy of these proceedings with the Madison County Recorder.

7<sup>th</sup> Passed by the City Council and approved by the Mayor on this day of DECEMBER 1998, at Macksburg, Iowa.

Georgena Breakenridge  
Georgena Breakenridge, Mayor  
City of Macksburg, Iowa

ATTEST:

Ardis Myers  
Ardis Myers  
City Clerk  
City of Macksburg, Iowa

P:\DOCUMENTS\GOVERNMENT CLERK\Macksburg conveyance to Carlson & Thompson