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MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

CERTIFICATION

The undersigned, being 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 the Clerk of the City of Winterset:


1. Notice of hearing on the proposed vacation of the public utility easements by the City of Winterset, Iowa;
2. Resolution approving the vacation of the public utility easement within the Watts and Corkrean Addition, Plat No.2, to the City of Winterset, Iowa; and,
3. The Affidavit of publication from the Madisonian.
4. Municipal Utility Easement granted by Russell & Carol L. Parker to the City of Winterset.

The undersigned further certifies the Resolution described above were duly passed by the City Council and approved by the Mayor on the date shown thereon.

The undersigned further certifies that notice of hearing was duly and timely published by the Madisonian in accordance with the Affidavit attached hereto.

Dated on this 13th day of June, 1997 at Winterset, Iowa.




Mark J. Nitchals
City Administrator
City of Winterset, Iowa

NOTICE OF HEARING ON PROPOSED VACATION OF A
PORTION OF A PUBLIC UTILITY EASEMENT UPON
LOT 2 OF THE WATTS AND CORKREAN ADDITION, PLAT NO. 2,
TO THE CITY OF WINTERSSET, MADISON COUNTY, IOWA

TO: ANY INTERESTED PERSON

YOU ARE HEREBY NOTIFIED that a public hearing for the City Council of Winterset, Iowa will be held on the fifth day of May, 1997 at 7:30 o'clock P.M., Central Daylight Time, at the City Hall in Winterset, Madison County, Iowa on the proposed vacation of that portion of the public utility easements upon and across the real estate legally described as:

The South 30.00 feet of the East 174.50 feet of Lot 2, Watts and Corkrean Addition, Plat No. 2, City of Winterset, Madison County, Iowa.

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.

/s/ Mark Nitchals

Mark J. Nitchals
City Administrator
City of Winterset, Iowa

* * *

Publication date: April 30, 1997
Affidavit of Publication requested

RESOLUTION NO. 97-37

RESOLUTION APPROVING VACATION OF A PORTION OF THE
PUBLIC UTILITY EASEMENTS IN THE WATTS AND CORKREAN ADDITION,
PLAT NO. 2, TO THE CITY OF WINTERSET, MADISON COUNTY, IOWA

WHEREAS, the City Council of Winterset, Iowa has proposed the vacation of that portion of the public utility easement upon and across the real estate legally described as:

The South 30.00 feet of the East 174.50 feet of Lot 2,
Watts and Corkrean Addition, Plat No. 2, City of
Winterset, Madison County, Iowa.

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

WHEREAS, the City Administrator has published notice of the hearing in the Madisonian, which is a newspaper of general circulation within Madison County, Iowa at least three (3) days nor more than twenty (20) days prior to the date of hearing as shown by the Affidavit of publication on file with the City Administrator;

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

WHEREAS, the adjoining proprietors have been duly notified of the time, date and place of this public hearing and have neither made nor filed written or oral objections to the proposal and the time for doing so has now lapsed and expired;

WHEREAS, the City Council concludes that the public utility easement as described above is deemed to be of no benefit to the public.

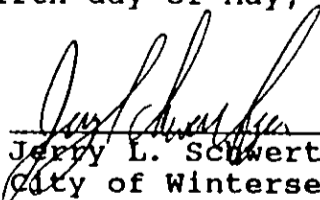
NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the portion of the public utility easement legally described as:

The South 30.00 feet of the East 174.50 feet of Lot 2,
Watts and Corkrean Addition, Plat No. 2, City of
Winterset, Madison County, Iowa.

within Winterset, Madison County, Iowa be and is hereby vacated.

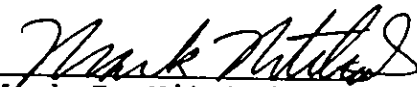
BE IT FURTHER RESOLVED that the City Administrator shall file a true copy of these proceedings with the Madison County Recorder as provided by Iowa Code Section 354.23.

PASSED AND APPROVED on this fifth day of May, 1997.



Jerry L. Schwertfeger, Mayor
City of Winterset, Iowa

ATTEST:


Mark J. Nitchals
City Administrator
City of Winterset, Iowa

AFFIDAVIT OF PUBLICATION

STATE OF IOWA
SS.
Madison County

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 30th day of April, 1997.

Ted Gorman

Subscribed and sworn to before me this

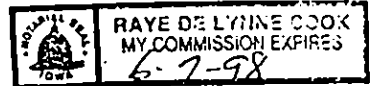
30th day of April, 1997.

Raye De Lynne Cook

NOTARY PUBLIC

In and for Madison County

Fee \$ 11.25



NOTICE OF HEARING

**On Proposed Vacation Of A Portion Of A Public
Utility Easement Upon Lot 2 Of The Watts And
Corkrean Addition, Plat No. 2, To The City Of
Winterset, Madison County, Iowa**

TO: ANY INTERESTED PERSON

YOU ARE HEREBY NOTIFIED that a public hearing for the City Council of
Winterset, Iowa will be held on the 5th day of May, 1997 at 7:30 o'clock P.M., CDT, at
the City Hall in Winterset, Madison County, Iowa on the proposed vacation of that portion
of the public utility easements upon and across the real estate legally described as:

The South 30.00 feet of the East 174.50 feet of Lot 2, Watts and Corkrean Addition,
Plat No. 2, City of Winterset, Madison County, Iowa.

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 J. Nitchals
City Administrator
City of Winterset, Iowa

MUNICIPAL UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENCE:

The undersigned owners, Russell & Carol L. Parker hereafter called the Grantor, in consideration of the sum of one dollar and other valuable considerations, receipt of which is acknowledged, does hereby grant to the City of Winterset, Iowa, hereafter called the Grantee, the perpetual right and easement to construct, install, repair, maintain, operate, inspect, patrol and remove municipal storm sewer facilities including buried pipe, manholes and accessories for the same and all necessary appurtenances as may be reasonably necessary for the convenient construction, repair, maintenance, operation, inspection, patrolling and removal of the facilities over, along, across and under the following described property situated in Madison County, Iowa, to-wit:

PERMANENT EASEMENT The North 10.00 feet and the West 10.00 feet of Lot 2, Watts and Corkrean Addition, Plat No. 2, City of Winterset, Madison County, Iowa.

The Grantor warrant and covenant to the Grantee that, subject to liens and encumbrances of record at the date of this easement, they are the owner of the above described land and has full right and authority to validly grant this easement, and the Grantee may quietly enjoy its estate in the premises.

Grantee is given the right to trim, cut and clear away any trees, limbs and brush, whether located on the above described easement property or adjacent to or overhanging the same, and the right to remove from the above described easement property any obstruction, including inflammable materials, brush, structures of any kind or other obstructions wherever in its judgment such will interfere with or endanger the construction, operation or maintenance of the utilities; and to renew, replace, and to otherwise change the utilities or any part thereof and all appurtenances thereto and the location thereof within the easement property; and to pass along the easement property to and from adjoining lands and to have reasonable access to this property from Grantor's adjoining lands.

In consideration of such grant, Grantee agrees it will repair or pay for any damage which may be caused to crops, fences or other property of the undersigned by the construction, operation, maintenance,

inspection, patrolling or removal of this line.

The Grantors covenant that no act will be permitted within the easement property which is inconsistent with the rights hereby granted; that no buildings or structures will be erected upon said property and that the present grade or ground level thereof will not be changed by excavation or filling.

This Agreement shall run with the land and bind and inure to the benefit of the heirs, successors and assigns of the parties.

Dated this 26 day of March, 1997.

Grantor: Russell & Carol L. Parker

Grantee: CITY OF WINTERSET, IOWA

By [Signature]

By [Signature]

Jerry Schwertfeger, Mayor

By [Signature]

By [Signature]

Mark Nitchals,
City Administrator

STATE OF IOWA)
Madison COUNTY) SS

On this 26 day of March, 1997 before me, the undersigned, a Notary Public in and for said State, personally appeared Russell Parker and Carol L. Parker to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged to me that they executed the same as their voluntary act and deed.

Carol Kiernan Notary Public in and for said State

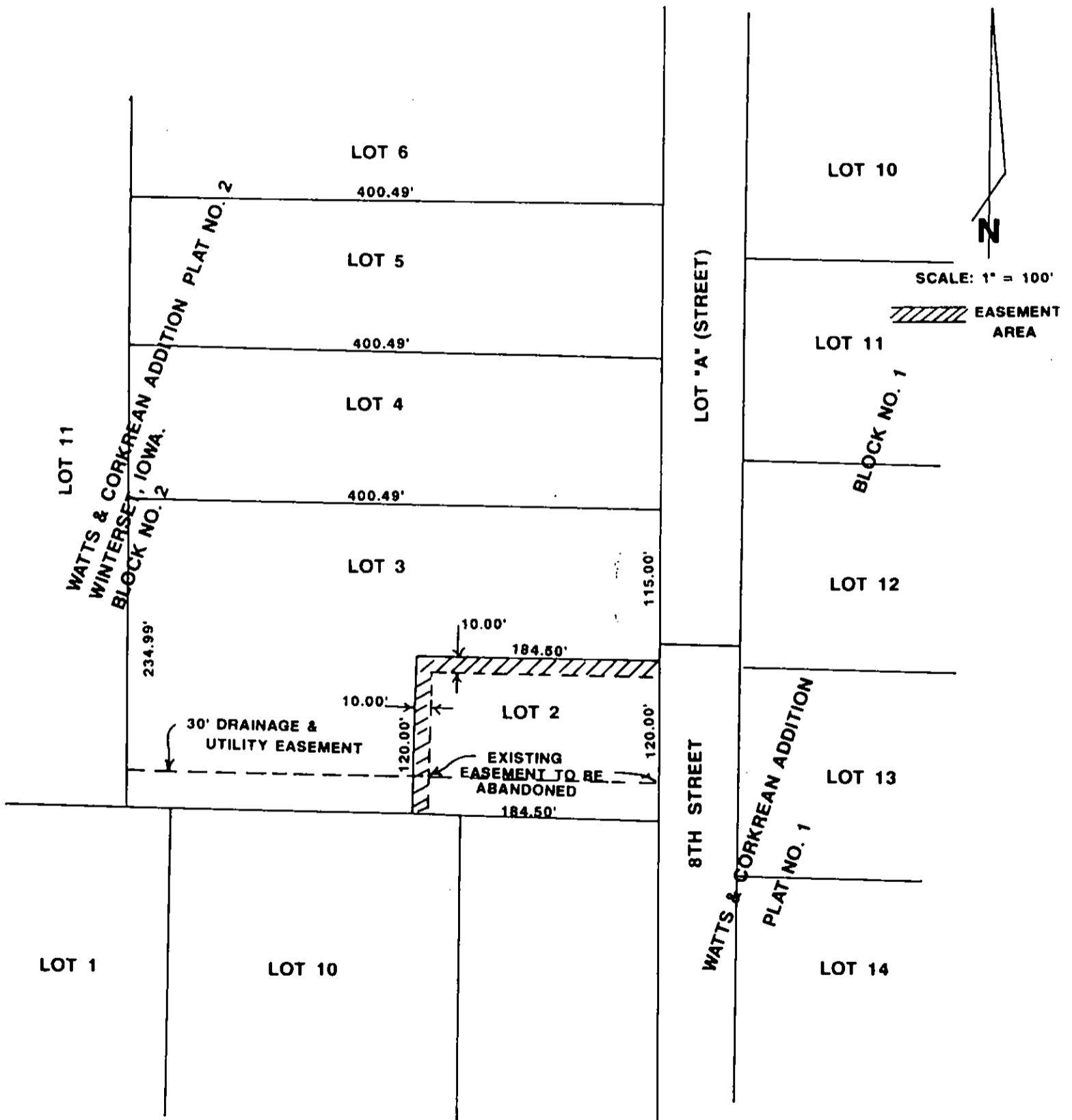
STATE OF IOWA)
MADISON COUNTY) SS

On this 5th day of May A.D., 1997, before me, Cindy M. Bush, a Notary Public in and for said County and State, personally appeared Jerry Schwertfeger and Mark Nitchals, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Administrator, respectively, of the City of Winterset, Iowa; that the seal affixed thereto is the seal of said corporation; and that said authority of its City Council, as contained in the Resolution adopted by the City Council of the City on the 5th day of May, 1997; and, that Mark Nitchals and Jerry Schwertfeger acknowledge 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.



Cindy M. Bush
Notary Public

PLAT OF AN EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF A STORM SEWER MAIN LOCATED IN LOT 2, WATTS & CORKREAN ADDITION, PLAT NO. 2, CITY OF WINTERSET, MADISON COUNTY, IOWA.



STORM SEWER EASEMENT DESCRIPTION:

A PERMANENT EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF A STORM SEWER MAIN DESCRIBED AS THE NORTH 10.00 FEET AND THE WEST 10.00 FEET OF LOT 2, WATTS & CORKREAN ADDITION, PLAT NO. 2, CITY OF WINTERSET, MADISON COUNTY, IOWA.