

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 city street and setting public hearing on the proposal;
2. Notice of Hearing on proposed vacation and closing of city street in Winterset, Iowa;
3. Resolution approving vacation and closing of city street; and,
4. Affidavit of Publication with enclosure from the Madisonian Newspaper.

The undersigned does further certify the Notice of Hearing was duly and timely served personally by certified mail, return receipt, 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 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 27th day of March, 1992, at Winterset, Iowa.



Mark Nitchals
Mark Nitchals
City Administrator
City of Winterset, Iowa

COMPARED

FILED NO. 2302
BOOK 57 PAGE 393
92 MAR 30 AM 8:33
MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA
Fee \$25.00

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

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

The East and West Alley which is 16.50 feet in width across Block 12 of the Original Town of Winterset, Madison County, Iowa, subject to perpetual easements for public utilities.

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

WHEREAS, Iowa Code Section 306.12 requires Notice to be made on the time, date and place of such public hearing.

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 the city alley legally described as:

The East and West Alley which is 16.50 feet in width across Block 12 of the Original Town of Winterset, Madison County, Iowa, subject to perpetual easements for public utilities.


BE IT FURTHER RESOLVED that a public hearing before the City Council on this proposal shall be held on the 17th day of Feb., 1992 at 7:30 o'clock P.M., Central Standard Time, 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 3rd day of Feb., 1992 at Winterset, Iowa.


Robert W. Howell, Mayor

ATTEST:


Mark Nitchals
City Administrator

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

TO: ANY INTERESTED PERSON

You are hereby notified that a public hearing before the City Council of Winterset, Iowa will be held on the 17th day of Feb., 1992, at 7:30 o'clock p.m., Central Standard Time, at the City Hall in Winterset, Madison County, Iowa, on the proposed vacation and closing of that portion of the City alley, legally described as:

The East and West Alley which is 16.50 feet in width across Block 12 of the Original Town of Winterset, Madison County, Iowa, subject to perpetual easements for public utilities.

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 Nitchals
City Administrator
City of Winterset, Iowa

RESOLUTION

APPROVING

VACATION AND CLOSING OF A PORTION OF CITY ALLEY IN WINTERSSET, IOWA

WHEREAS, the City Council of Winterset, Iowa has proposed the vacation and closing of that portion of the City alley legally described as:

The East and West Alley which is 16.50 feet in width across Block 12 of the Original Town of Winterset, Madison County, Iowa, subject to perpetual easements for public utilities.

WHEREAS, the 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 twenty (20) days prior to the date of hearing and has delivered Notice of hearing to the adjoining land owners, utility companies whose facilities adjoin the street right-of-way, and the Madison County Auditor by certified mail, return receipt, as shown by the returns of service and 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, 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 the portion of the City alley legally described as:


The East and West Alley which is 16.50 feet in width across Block 12 of the Original Town of Winterset, Madison County, Iowa, subject to perpetual easements for public utilities.

within Winterset, Madison County, Iowa 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 17th day of Feb., 1992.


Robert W. Howell, Mayor

ATTEST:


Mark Nitchals
City Administrator

AFFIDAVIT OF PUBLICATION

STATE OF IOWA

Madison County

SS.

NOTICE OF HEARING ON PROPOSED VACATION AND CLOSING OF A PORTION OF A CITY ALLEY IN WINTerset, IOWA

TO ANY INTERESTED PERSON

You are hereby notified that a public hearing before the City Council of Winterset, Iowa, will be held on the 17th day of February, 1992, at 7:30 o'clock p.m., Central Standard Time, at the City Hall in Winterset, Madison County, Iowa, on the proposed vacation and closing of that portion of the City alley, legally de-

The East and West Alley which is 10.50 feet in width across Block 12 of the Original Town of Winterset, Madison County, Iowa, subject to perpetual easements for public utilities.

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

28 lines

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 5th day of February, 1992.

Ted Gorman
Subscribed and sworn to before me this 5th day of February, 1992.

Sumner Smith
NOTARY PUBLIC
In and for Madison County

Fee \$ 8.31

