

93 JAN -5 AM 10: 23

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

Fee \$25.00

AFFIDAVIT AND CERTIFICATION

STATE OF IOWA :

: ss

MADISON COUNTY :

I, Jean Eyerly, being first duly sworn on oath state that I am the City Clerk of the City of Macksburg, Madison County, Iowa. I further state that on December 4, 1975, the City Council of the City of Macksburg adopted a resolution entitled Resolution-Vacation of Alley #1-75, a copy of which is attached hereto and marked Exhibit "A".

I further state that a Notice of Proposal to Dispose of Real Estate was given by the City of Macksburg, Iowa, by posting said notice in three public places in the City which have been designated by the ordinances of the City of Macksburg, Iowa. A copy of said notice is attached hereto and marked Exhibit "B".

I further state that the City of Macksburg, Iowa, adopted Ordinance No. 1-76 on January 7, 1976, and a copy of said ordinance is attached hereto and marked Exhibit "C".

I further state that on January 7, 1976, that the City of Macksburg, Iowa, adopted a Resolution-Deed to East-West Alley in Block Five (5) in Barker Second Addition to the City of Macksburg, Iowa, and a copy of said resolution is attached hereto and marked Exhibit "D".

Dated this 10 day of March, 1976.

Jean Eyerly
Jean Eyerly

Subscribed and sworn to before me by the said Jean Eyerly on this 10 day of March, 1976.

Orpha O. Foreman
Notary Public in and for the State of Iowa.



pd 4/14/76
ck # 167
\$35.00

EXHIBIT "A"

1-75

RESOLUTION-VACATION OF ALLEY # T-75

WHEREAS, the City of Macksburg, Iowa, proposes to pass an ordinance for the vacation of the east-west alley running through Block Five (5) in Barker Second Addition to the City of Macksburg, Iowa; and,

WHEREAS, the City of Macksburg, Iowa, then proposes to sell said alley to ~~XXXXXX~~ Ferne M. Andersen.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Macksburg, Iowa:

1. The City of Macksburg, Iowa, proposes to pass an ordinance vacating the east-west alley running through Block Five (5) in Barker Second Addition to the City of Macksburg, Iowa.

2. The City of Macksburg, Iowa, proposes to sell said alley to Ferne M. Andersen ~~XXXXXX~~ for the consideration of \$ Expenses to be paid by Ferne M. Andersen

3. Hearing on said proposal to sell said alley shall be held on the 7th day of January, 1976, at 7pm o'clock before the City Council.

4. Notice of such hearing shall be given by posting a notice of hearing in three public places in the city which have been designated by ordinance as required by ordinances of the City of Macksburg, Iowa, and Section 362.3 of the Code of Iowa.

Approved this 4th day of December, 1975.

Ray Warnock
Mayor of the City of Macksburg, Iowa

ATTEST:

Jean Eyerly
Clerk of the City of Macksburg, Iowa

pd 35⁰⁰ fee
4/14/76



NOTICE OF PROPOSAL TO DISPOSE OF REAL ESTATE

NOTICE IS HEREBY GIVEN that the City of Macksburg, Iowa, proposes to vacate the following-described alley in the City of Macksburg, Madison County, Iowa, to-wit:

The East-West Alley in Block Five (5)
in Barker Second Addition to the City
of Macksburg, Iowa.

NOTICE IS FURTHER GIVEN that the City of Macksburg, Iowa, proposes to sell said alley to Ferne M. Andersen Expenses to be paid by Ferne M. Andersen for the consideration of \$ Ferne M. Andersen

NOTICE IS FURTHER GIVEN that at a meeting of the City Council of the City of Macksburg, Iowa, to be held at W.R.C. Hall, 7 o'clock PM on the 9th day of January, 1976, at W.R.C. Hall in Macksburg, Iowa, the City Council of the City of Macksburg, Iowa, will act upon said proposal.

CITY OF MACKSBURG, IOWA

By Ray Warnock
Mayor

ATTEST:

Jean Eversley
Clerk of the City of Macksburg, Iowa



fd 835⁰⁰
4/14/76
CA# 167

ORDINANCE NO. 1-76

AN ORDINANCE VACATING THE EAST-WEST ALLEY IN BLOCK FIVE (5) IN BARKER SECOND ADDITION TO THE CITY OF MACKSBURG, IOWA.

BE IT ENACTED by the City Council of the City of Macksburg, Iowa:

SECTION ONE. The east-west alley in Block Five (5) in Barker Second Addition to the City of Macksburg, Iowa, is hereby vacated and declared vacated.

SECTION TWO. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION THREE. This ordinance shall be full force and effect from and after its passage, approval and publication as provided by law.

Passed and approved this 7th day of January, 1976.

Gerald M. McKee
Mayor of the City of Macksburg, Iowa

ATTEST:

Joan Speck
Clerk of the City of Macksburg, Iowa

Estel Welch
Leslie Bush
Walton Kirkland
Clare Warden
Melvin Wallace



pd 35.
4/14/76
ck #167

RESOLUTION-DEED TO EAST-WEST ALLEY IN BLOCK FIVE (5)
IN BARKER SECOND ADDITION TO THE CITY OF MACKSBURG, IOWA

WHEREAS, on ^{January} ~~December~~ 7th 1976, an ordinance was passed by the City Council of the City of Macksburg, Iowa, vacating the east-west alley in Block Five (5) in Barker Second Addition to the City of Macksburg, Iowa; and

WHEREAS, on December 4th, 1975, the City Council passed a resolution proposing to sell said vacated alley; and no objections raised.

WHEREAS, a hearing on said proposal to sell said vacated alley was held on the 7th day of January, 1976, at 7 P.M. o'clock P.m. before the City Council; and no objections raised.

WHEREAS, notice of such hearing was given by posting in three public places as required by the ordinances of the City of Macksburg and Section 362.3 of the Code of Iowa.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Macksburg, Iowa:

That a quit claim deed should be executed to the following-described real estate:

The East-West Alley in Block Five (5)
in Barker Second Addition to the City
of Macksburg, Iowa,

Lynn M. Andersen
to ~~Delaware~~ for the consideration of \$ Expenses of Transaction.

Passed and approved this 7th day of January, 1976.

ATTEST:

Lynn E. Ebel
Clerk of the City of Macksburg, Iowa

Gerald McKee
Mayor of the City of Macksburg, Iowa

Earl H. Hark
Lisle Bush
Ralph Hubbard
Clare Harder
Melvin Wallace

no fee
pd \$35.
4/14/76
chk # 167