

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 of City of Winterset, Iowa proposing to sell real estate and setting public hearing on the proposal;
- 2. Resolution Approving the Sale of Real Estate; and,
- 3. The Affidavit of Publication for the Notice of Hearing on Proposed Sale of Real Estate by City of Winterset, Iowa;

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.

2-1-94
Date

Mark Nitchals
Mark Nitchals, City Administrator
City of Winterset, Iowa



FILED NO. 2035
BOOK 59 PAGE 72
94 FEB -1 PM 3:24
MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

COMPUTER
RECORDED
COMPARED

REC 20
AUD 172
R.M.F. 1

RESOLUTION NO. 94-10

RESOLUTION PROPOSING TO SELL REAL ESTATE
AND SETTING PUBLIC HEARING ON THE PROPOSAL

WHEREAS, the City owns the real estate legally described as:

Lot Five (5) of Block Two (2), North Addition to the City of Winterset, Madison County, Iowa.

WHEREAS, the City proposes to sell the real estate to Marvin Cox, for the sale price of \$6,000 with 10% down and the balance of the purchase price payable in full upon the City's tender of the Warranty Deed and of the abstract showing merchantable title.

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

WHEREAS, the Council previously adopted Resolution 93-88 entitled "RESOLUTION APPROVING THE SALE OF REAL ESTATE" said resolution approving the sale of the above described real estate to Patrick F. Corkrean and Steven Weeks, doing business as C & W Builders, with the sale of the property subject to approval of a FmHA mortgage, and

WHEREAS, the sale to C & W Builders was voided because of failure to obtain a FmHA mortgage.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WINTERSSET, IOWA that proposal is hereby made to sell 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 17th day of January, 1994 at 8:00 o'clock p.m., at the City Hall in Winterset, Iowa.

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

BE IT FURTHER RESOLVED that the Council also proposes to rescind Resolution 93-88.

PASSED by the City Council of Winterset, Iowa, and approved by the undersigned on the 10th day of January, 1994.



Jerry Schwertfeger, Mayor

ATTEST:



Mark Nitchals, City Administrator

RESOLUTION NO. 94-14

RESOLUTION APPROVING THE SALE OF REAL ESTATE

WHEREAS, the City Council of Winterset, Iowa has proposed the sale of the following described real estate:

Lot Five (5) of Block Two (2), North Addition to the City of Winterset, Madison County, Iowa.

WHEREAS, the City Council has proposed to sell the above described real estate to Marvin D. Cox, for the sale price of \$6,000.00 with 10% down payment and the balance of the purchase price payable in full upon the City's tender of the Warranty Deed and of the abstract showing merchantable title.

WHEREAS, the City Council has fixed notice of public hearing upon the proposed sale 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 or Publication from the Madisonian on file in the Office of the City Administrator;

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 sale of the real estate above described should be approved in all respects as proposed.

WHEREAS, the Council previously adopted Resolution 93-88 entitled "RESOLUTION APPROVING THE SALE OF REAL ESTATE" said resolution approving the sale of the above described real estate to Patrick F. Corkrean and Steven Weeks, doing business as C & W Builders, with the sale of the property subject to approval of a FmHA mortgage, and

WHEREAS, the sale to C & W Builders was voided because of failure to obtain a FmHA mortgage.

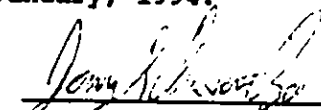
NOW, THEREFORE, BE IT RESOLVED, that the proposed sale of the real estate above described above be and is hereby approved in all respects as provided by the prior Resolution of the City Council of Winterset, Iowa.

BE IT FURTHER RESOLVED that Resolution 93-88 be hereby rescinded.

BE IT FURTHER RESOLVED that the Mayor and City Administration is authorized and directed to take all necessary steps to implement this Resolution.

BE IT FURTHER RESOLVED that the City Administrator is authorized to file a true copy of these proceedings with the Madison County Recorder.

Passed and Approved this 17th day of January, 1994.



 Jerry Schwertfeger, Mayor

ATTEST:



 Mark Nitchals, City Administrator

AFFIDAVIT OF PUBLICATION

STATE OF IOWA
Madison County SS.

**Notice of Hearing on Proposed Sale of Real Estate
by City of 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 January, 1994 at 8:00 o'clock p.m., at the City Hall in Winterset, Madison County, Iowa on the proposal by the City Council of Winterset, Iowa to sell the real estate legally described as:

Lot Five (5) of Block Two (2), North Addition to the City of Winterset, Madison County, Iowa to Marvin D. Cox, for the sale price of \$8,000.00 with 10% down payment and the balance of the purchase price payable in full upon the City's tender of the Warranty Deed and of the abstract showing merchantable title.

The City Council also proposes to rescind Resolution 83-88 which approved the sale of the above described real estate to Patrick F. Corkrean and Steven Weeks doing business as C & W Builders.

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 sale, if any, you may have.

/s/ Mark Nitchals
Mark Nitchals
City Administrator
City of Winterset, Iowa
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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 12 day
of January, 1994

Ted Gorman

Subscribed and sworn to before me this 12 day of
January, 1994

Lynn M. Gheer



NOTARY PUBLIC
In and for Madison County

Fee \$ 12.48