

COMPUTER

2307

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Compared

CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF MADISON )

MARY E. WELTY  
RECORDER  
MADISON COUNTY, IOWA  
Fee \$10.00

I, the undersigned City Clerk of Winterset, Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of said Municipality showing proceedings of the Council, and the same is a true and complete copy of the action taken by said Council with respect to said matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council (a copy of the face sheet of said agenda being attached hereto) pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by said law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council vacancy existed except as may be stated in said proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of said Municipality hereto affixed this 13th day of June, 1988.



Mark Whitman  
City Clerk, Winterset, Iowa

AHLERS, COONEY, DORWEILER, HAYNE, SMITH & ALBEE  
ATTORNEYS AT LAW DES MOINES, IOWA

The City Attorney stated that he had recently received a letter from Don Bolton at the Union State Bank regarding the sale of a lot in the Helen McCall Huntoon Addition, Plat #3. The City Attorney stated that Attorney Zane Blessum, in his title opinion for the real estate purchase, has raised an exception to the procedures whereby the subdivision was given approval by the City Council. Mr. Blessum stated that the resolution approving the final plat had noted that the water, sewer and street paving improvements had not been installed and were not accepted by the City. His opinion stated that this conditional acceptance and approval of Plat #3 could be considered to cloud the title of any lot within this subdivision. The City Attorney stated that one correction to the present dilemma would be for the City Council to accept the improvements that have been installed. The City Administrator stated that to his knowledge the water and sanitary sewer have been installed in this subdivision. He stated that the street paving and any accompanying storm sewer work has not been installed. Following a brief discussion, Councilman Olson then moved to adopt Resolution 88-31. Councilman Corkrean seconded the motion. Roll call vote:

AYES: Olson, Breeding, Corkrean, Johnston, Nicholl

NAYS: None

Whereupon the Mayor declared the following resolution duly adopted.

RESOLUTION 88-31  
RESOLUTION ACCEPTING IMPROVEMENTS IN HELEN MCCALL HUNTOON  
ADDITION PLAT #3

WHEREAS, the City Council has previously adopted Resolution 78-80 approving the final plat of Helen McCall Huntoon Addition Plat #3 and,

WHEREAS, said Resolution 78-80 noted that the water mains, sanitary sewer, storm sewer and street improvements had not been completed and were therefore not accepted by the City and,

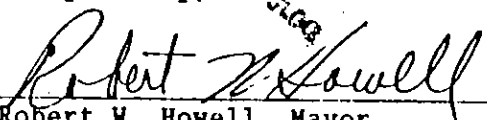
WHEREAS, the original developer no longer owns or controls this subdivision and,

WHEREAS, the lack of acceptance by the City Council of the various utility and street improvements could cloud the title of any lots within said subdivision,


NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winterset, Iowa, that all improvements installed to date in the Helen McCall Huntoon Addition Plat #3 be hereby accepted.

BE IT FURTHER RESOLVED that the City Council hereby give formal approval and acceptance to the entire platting of Helen McCall Huntoon Addition Plat #3 Subdivision.

PASSED and APPROVED this 16th day of May, 1988.

  
Robert W. Howell, Mayor

ATTEST:

  
Mark Nitchals, City Administrator