

AFFIDAVIT AND CERTIFICATION

STATE OF IOWA :
:ss
MADISON COUNTY:

I, Margaret Blair, 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 the 6th day of June, 1988, the City Council of the City of Macksburg, Iowa, adopted a resolution entitled "Resolution - Vacation of Alley", 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 (3) public places in the City, which places have been designated by the ordinances of the City of Macksburg, Iowa. A copy of said notice is attached hereto and marked Exhibit "B".

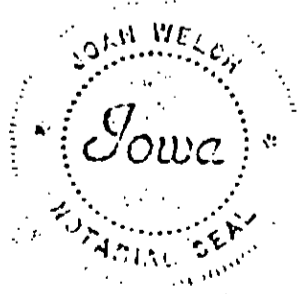
I further state that the City of Macksburg, Iowa, adopted Ordinance No. 2-88 on the 13th day of June, 1988, and a copy of said ordinance is attached hereto and marked Exhibit "C".

I further state that on the 13th day of June, 1988, the City of Macksburg, Iowa, adopted a Resolution Concerning the Sale of a Portion of the North - South Alley running between South Street and Church Street and lying between Block Two (2) and Block Nine (9) of Mack's Addition to the City of Macksburg, Madison County, Iowa, and a copy of said Resolution is attached hereto and marked Exhibit "D".

Margaret Blair

Subscribed and sworn to before me by Margaret Blair on this 16 day of June, 1988.

Joan Welch
Notary Public in and for the State of Iowa



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BOOK 54 PAGE 311

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MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

Fee \$30.00

Exhibit "A"

RESOLUTION - VACATION OF ALLEY

No. _____

WHEREAS, the City of Macksburg, Iowa, proposes to pass an ordinance for the vacation of a portion of the North - South alley running between South Street and Church Street and lying between Block Two (2) and Block Nine (9) of Mack's Addition to the City of Macksburg, Madison County, Iowa, described as follows:

Tract No. 1:

Commencing at the Northeast Corner of Lot Eighty-nine (89) in Block Nine (9) of Mack's Addition to the City of Macksburg, Madison County, Iowa, thence South to the Southeast Corner of said Lot Eighty-nine (89), thence East to the Southwest Corner of Lot Eighty-eight (88) of Block Two (2) of said Addition, thence North to the Northwest Corner of said Lot Eighty-eight (88), thence West to the point of beginning,

AND

Tract No. 2:

Commencing at the Northeast Corner of Lot One Hundred Six (106) in Block Nine (9) of Mack's Addition to the City of Macksburg, Madison County, Iowa, thence South to the Southeast Corner of said Lot One Hundred Six (106), thence East to the Southwest Corner of Lot One Hundred Four (104) of Block Two (2) of said Addition, thence North to the Northwest Corner of said Lot One Hundred Four (104), thence West to the point of beginning;

WHEREAS, the City of Macksburg, Iowa, proposes to sell Tract No. 1 described above to Ellen Marie Thompson.

WHEREAS, the City of Macksburg, Iowa, proposes to sell Tract No. 2 described above to Fay Mountain.

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 said alley described above.

2. The City of Macksburg, Iowa, proposes to sell the vacated alley as set forth above. The consideration for said sale shall be the expenses incurred by the City of Macksburg, Iowa.

3. Hearing on said proposal to sell said vacated alley shall be held on the 13 day of June, 1988, at 8:00 P.M. before the City Council.

4. Notice of such hearing shall be given by posting a notice of hearing in three (3) public places in the City, which places 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 6th day of June, 1988.

Deane Brown
_____, Mayor
City of Macksburg, Iowa

ATTEST:

Margaret Blair
Macksburg, City Clerk
City of Macksburg, Iowa

*Exhibit B*NOTICE OF PROPOSAL TO DISPOSE OF REAL ESTATE

Notice is hereby given that the City of Macksburg, Iowa, proposes to vacate a portion of the North - South alley running between South Street and Church Street and lying between Block Two (2) and Block Nine (9) of Mack's Addition to the City of Macksburg, Madison County, Iowa, described as follows, to-wit:

Tract No. 1:

Commencing at the Northeast Corner of Lot Eighty-nine (89) in Block Nine (9) of Mack's Addition to the City of Macksburg, Madison County, Iowa, thence South to the Southeast Corner of said Lot Eighty-nine (89), thence East to the Southwest Corner of Lot Eighty-eight (88) of Block Two (2) of said Addition, thence North to the Northwest Corner of said Lot Eighty-eight (88), thence West to the point of beginning,

AND

Tract No. 2:

Commencing at the Northeast Corner of Lot One Hundred Six (106) in Block Nine (9) of Mack's Addition to the City of Macksburg, Madison County, Iowa, thence South to the Southeast Corner of said Lot One Hundred Six (106), thence East to the Southwest Corner of Lot One Hundred Four (104) of Block Two (2) of said Addition, thence North to the Northwest Corner of said Lot One Hundred Four (104), thence West to the point of beginning.

Notice is further given that the City of Macksburg, Iowa, proposes to sell Tract No. 1 described above to Ellen Marie Thompson, and to sell Tract No. 2 described above to Fay Mountain. The consideration for said sale shall be the expenses incurred by the City of Macksburg, Iowa.

Notice is further given that at a meeting of the City Council of the City of Macksburg, Iowa, to be held at 8:00 P.M. on the 13th day of June, 1988, at City Hall, in Macksburg, Iowa, the City Council of the City of Macksburg, Iowa, will act upon said proposal.

CITY OF MACKSBURG, IOWA

By *Quinn Brown*, Mayor

ATTEST:

Margaret Blair
Macksburg, City Clerk

ORDINANCE NO. 2-88

AN ORDINANCE VACATING A PORTION OF THE NORTH - SOUTH ALLEY RUNNING BETWEEN SOUTH STREET AND CHURCH STREET AND LYING BETWEEN BLOCK TWO (2) AND BLOCK NINE (9) OF MACK'S ADDITION TO THE TOWN OF MACKSBURG, MADISON COUNTY, IOWA.

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

SECTION 1. The following-described alley is hereby vacated and declared vacated:

Tract No. 1:

Commencing at the Northeast Corner of Lot Eighty-nine (89) in Block Nine (9) of Mack's Addition to the City of Macksburg, Madison County, Iowa, thence South to the Southeast Corner of said Lot Eighty-nine (89), thence East to the Southwest Corner of Lot Eighty-eight (88) of Block Two (2) of said Addition, thence North to the Northwest Corner of said Lot Eighty-eight (88), thence West to the point of beginning.

AND

Tract No. 2:

Commencing at the Northeast Corner of Lot One Hundred Six (106) in Block Nine (9) of Mack's Addition to the City of Macksburg, Madison County, Iowa, thence South to the Southeast Corner of said Lot One Hundred Six (106), thence East to the Southwest Corner of Lot One Hundred Four (104) of Block Two (2) of said Addition, thence North to the Northwest Corner of said Lot One Hundred Four (104), thence West to the point of beginning.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed and approved this 13 day of June, 1988.

Dean Cross
_____, Mayor
City of Macksburg, Iowa

ATTEST:

Margaret Blain
_____, City Clerk
City of Macksburg, Iowa

Exhibit D

RESOLUTION CONCERNING THE SALE OF A PORTION
OF THE NORTH - SOUTH ALLEY RUNNING BETWEEN SOUTH STREET
AND CHURCH STREET AND LYING BETWEEN BLOCK TWO (2) AND
BLOCK NINE (9) OF MACK'S ADDITION TO MACKSBURG,
MADISON COUNTY, IOWA

WHEREAS, on June 6, 1988, the City Council passed a resolution proposing to vacate a portion of the North - South alley running between South Street and Church Street and lying between Block Two (2) and Block Nine (9) of Mack's Addition to the City of Macksburg, Madison County, Iowa; and

WHEREAS, on June 13, 1988, an Ordinance was passed by the City Council of the City of Macksburg to vacate said alley; and

WHEREAS, a hearing on said proposal to sell said vacated alley was held on June 13, 1988, at 8:00 P.M. before the City Council; and

WHEREAS, notice of such hearing was given by posting in three (3) public places as required by 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 Macksburg, Iowa:

That warranty deeds should be executed by the City of Macksburg, as follows:

Commencing at the Northeast Corner of Lot Eighty-nine (89) in Block Nine (9) of Mack's Addition to the City of Macksburg, Madison County, Iowa, thence South to the Southeast Corner of said Lot Eighty-nine (89), thence East to the Southwest Corner of Lot Eighty-eight (88) of Block Two (2) of said Addition, thence North to the Northwest Corner of said Lot Eighty-eight (88), thence West to the point of beginning,

to Ellen Marie Thompson; and

Commencing at the Northeast Corner of Lot One Hundred Six (106) in Block Nine (9) of Mack's Addition to the City of Macksburg, Madison County, Iowa, thence South to the Southeast Corner of said Lot One Hundred Six (106), thence East to the Southwest Corner of Lot One Hundred Four (104) of Block Two (2) of said Addition, thence North to the Northwest Corner of said Lot One Hundred Four (104), thence West to the point of beginning,

to Fay Mountain. The consideration for said sale shall be the expenses incurred by the City of Macksburg, Iowa.

Passed and approved this 13 day of June, 1988.

Dean Crow

 , Mayor
 City of Macksburg, Iowa

ATTEST:

Margaret Blair

 Macksburg, City Clerk
 City of Macksburg, Iowa