

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 City Administrator of the City of Winterset.

1. Resolution No. 90-139, Resolution Proposing Sale of Convey Real Estate;
2. Notice of Public Hearing on Proposal to Convey Real Estate, with Affidavit of Publication attached thereto;
3. Notice of Public Auction of Real Estate, with Affidavit of Publication attached thereto;
4. Resolution No. 90-141, Resolution Approving the Conveyance of Real Estate;
5. Resolution No. 90-142, Resolution Accepting Bid for Real Estate.

The undersigned further certifies the Resolutions described above were duly passed by the Council and approved by the Mayor, or the duly acting Mayor Protem, on the dates shown thereon.

The undersigned further certifies the Notice was duly and timely published in the Winterset Madisonian in accordance with the attached Affidavit.

Dated on this 5th day of December, 1990, at Winterset, Iowa.



Mark Nitchals
Mark Nitchals
City Administrator
City of Winterset, Iowa 1200

OCT 10 1990
BOOK 56 PAGE 339

90 DEC -6 PM 12: 09

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee \$ 25.00

RESOLUTION 90-139
RESOLUTION PROPOSING SALE OF REAL ESTATE

WHEREAS, the City owns property legally described as:

Lots 1, 2, 3 & 4 of Block 5 of the Original Town of
Winterset, Madison County, Iowa,

and

WHEREAS, the City Council proposes to sell its interest in the above described real estate by auction to the highest bidder, auction date to be held on November 26, 1990 at 7:30 p.m., and

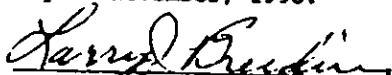
WHEREAS, Iowa Code Section 364.7 requires that a public hearing be held on the proposal to convey real estate,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winterset, Iowa, that the proposal is hereby made to sell the above described real estate by public auction, with title to be conveyed by quit claim deed.

BE IT FURTHER RESOLVED that a public hearing on this proposal be held on the 26th day of November, 1990 at 7:30 p.m. at the City Hall in Winterset, Iowa.

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

PASSED and APPROVED this 19th day of November, 1990.


Larry Breding, Mayor Pro Tem

ATTEST:


Mark Nitchals, City Administrator

AFFIDAVIT OF PUBLICATION

STATE OF IOWA
Madison County SS.

**NOTICE OF PUBLIC HEARING
ON PROPOSED CONVEYANCE OF
REAL ESTATE BY**

THE CITY OF WINTERSET

You are hereby notified that the City Council of the City of Winterset, Iowa, will conduct a public hearing on the 26th day of November, 1990, at 7:30 p.m. at the Winterset City Hall, on the proposed conveyance of real estate legally described as:

Lots 1, 2, 3, & 4 of Block 5 of the Original Town of Winterset, Madison County, Iowa.

The proposal is to sell the above described real estate by public auction to the highest bidder, said auction to be held immediately following this public hearing. Legal title of the property will be conveyed by quit claim deed. The Council reserves the right to reject any and all bids.

All interested persons are invited to appear at the public hearing to offer any objections or comments on the proposal to convey real estate.

25

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 21st day

of Nov., 19 90

Ted Gorman

Subscribed and sworn to before me this 21st day of

Nov., 19 90

Gail Hartman

NOTARY PUBLIC

In and for Madison County

Fee \$ 7.72



AFFIDAVIT OF PUBLICATION

STATE OF IOWA
Madison County SS.

**NOTICE OF PUBLIC
AUCTION OF REAL ESTATE**

The City of Winterset will sell, by public auction, a tract of real estate located within the City of Winterset. The auction will be held on November 26, 1990 beginning at 7:35 P.M. at the Winterset City Hall. This land is zoned R-2 Residential for single or multi-family dwellings. The legal description of the tract of land is:

Lots 1, 2, 3, & 4, Block 5 of the Original Town of Winterset, Madison County, Iowa.

The Winterset City Council reserves the right to reject any and all bids. For further information, phone (515) 482-1422.

25

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 21st day

of Nov., 19 90

Ted Gorman

Subscribed and sworn to before me this 21st day of

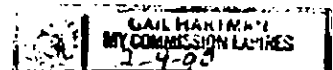
Nov., 19 90

Gail Hartman

NOTARY PUBLIC

In and for Madison County

Fee \$ 5.05



4

RESOLUTION 90-141
RESOLUTION APPROVING PROPOSAL TO CONVEY REAL ESTATE

WHEREAS, the City of Winterset now owns property legally described as:

Lots 1, 2, 3 & 4 of Block 5 of the Original Town of
Winterset, Madison County, Iowa, and

WHEREAS, the Council had previously adopted Resolution 90-139 on November
19, 1990, said resolution proposing to convey title of the above described real
estate by quit claim deed to the highest bidder, and

WHEREAS, following notice published on November 21, 1990, a public hearing
on the proposal to convey real estate was held on November 26, 1990, and

WHEREAS, no objections to the proposed conveyance of real estate were
voiced during the public hearing, and

WHEREAS, on October 22, 1990 the City previously entered into a contract
with Ronald E. Curnes for the sale of Lots 1 & 2 of Block 5 of the Original Town
of Winterset with an option on Lots 3 & 4 of the above described real estate,
said contract subject to the buyer obtaining a building permit for a twelve unit
apartment complex, and

WHEREAS, the Board of Adjustment did not issue the requested zoning
variance and Mr. Curnes was unable to obtain a building permit, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
Winterset, Iowa, that it is mutually agreed with Mr. Curnes that the real estate
contract dated October 22, 1990 is hereby rescinded and declared to be null and
void.

BE IT FURTHER RESOLVED that the proposal to auction the property to the
highest bidder with title to be transferred by means of a quit claim deed be
hereby approved.

BE IT FURTHER RESOLVED that the City now proceed with the public auction.

PASSED and APPROVED this 26th day of November, 1990.

Robert W. Howell
Robert W. Howell, Mayor

ATTEST:

Mark Mitchale
Mark Mitchale, City Administrator

RESOLUTION 90-142
RESOLUTION ACCEPTING BID FOR REAL ESTATE

WHEREAS, the City has proposed to sell by public auction the following described real estate:

Lots 1, 2, 3 & 4 of Block 5 of the Original Town of Winterset,
Madison County, Iowa

and

WHEREAS, a public hearing on the proposal to convey title of the above described real estate was held on November 26, 1990, and


WHEREAS, a public auction was held on November 26, 1990 with the highest bid submitted by Ronald E. Curnes in the amount of \$35,500,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winterset, Iowa, that the bid submitted by Ronald E. Curnes for the above described real estate be hereby accepted.

BE IT FURTHER RESOLVED that the City Attorney is hereby directed to prepare any and all documents required to convey title of the above described real estate to Ron Curnes.

BE IT FURTHER RESOLVED that the Mayor and City Administrator are hereby authorized and directed to execute these documents on behalf of the City.

PASSED and APPROVED this 26th day of November, 1990.


Robert W. Howell, Mayor

ATTEST:


Mark Nitchals, City Administrator