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Mark Nitchals
City of Winterset
101 E. Jefferson
Winterset IA 50273

MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

REC \$ **25⁰⁰**
AUD \$ **1⁰⁰**
R.M.F. \$ **1⁰⁰**

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, Iowa.

1. Resolution of City of Winterset, Iowa proposing to convey real estate and setting public hearing on the proposal;
2. Notice of Hearing on Proposed Conveyance of Real Estate by City of Winterset, Iowa;
3. Resolution Approving the Conveyance of Real Estate; and,
3. The Affidavit of Publication from the Madisonian.

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.

Dated on this 17th day of July, 2001, at Winterset, Iowa.





Mark Nitchals
City Administrator
City of Winterset, Iowa

RESOLUTION 2001-72

RESOLUTION OF CITY OF WINTERSSET, IOWA
PROPOSING TO CONVEY REAL ESTATE AND
SETTING PUBLIC HEARING ON THE PROPOSAL

WHEREAS, the City proposes to dispose of its interest in certain real estate, legally described as:

A Tract bounded by a line described as commencing at the NE corner of Lot Six (6) of Mill Addition to the Town of Winterset, Madison County, Iowa, thence North 16½ feet; thence West 61 feet 8 inches, thence South 16½ feet, East 61 feet 8 inches to the point of beginning, being the vacated alley lying between Lots One (1) and Two (2) and the East One-half (½) of Lot Six (6) of the Mill Addition to the City of Winterset, Madison County, Iowa.

WHEREAS, the City proposes to convey the real estate to Genesis Development upon the following terms and conditions: to convey legal title to the above described real estate by Warranty Deed in consideration of removing a cloud on the title to the real estate being purchased by the Buyer.

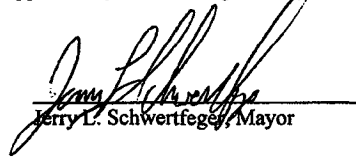
WHEREAS, Iowa Code Section 364.7 requires public notice be made on the proposal.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Winterset, Iowa that proposal is hereby made to convey to 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 16th day of July, 2001 at 7:00 o'clock p.m., at the City Hall in Winterset, Iowa.

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

PASSED by the City Council of Winterset, Iowa and approved by the undersigned Mayor on this 2nd day of July, 2001, at Winterset, Iowa.


Jerry L. Schwertfeger, Mayor

ATTEST:


Mark Nitchals, City Administrator

NOTICE OF HEARING ON PROPOSED CONVEYANCE
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 16th day of July, 2001, at 7:00 o'clock p.m, Central Standard Time, at the City Hall in Winterset, Madison County, Iowa on the proposal by the City Council of Winterset, Iowa to convey the real estate legally described as:

A Tract bounded by a line described as commencing at the NE corner of Lot Six (6) of Mill Addition to the Town of Winterset, Madison County, Iowa, thence North 16½ feet; thence West 61 feet 8 inches, thence South 16½ feet, East 61 feet 8 inches to the point of beginning, being the vacated alley lying between Lots One (1) and Two (2) and the East One-half (½) of Lot Six (6) of the Mill Addition to the City of Winterset, Madison County, Iowa.

to Genesis Development upon the following terms and conditions: convey legal title to the above described real estate by Warranty Deed in consideration of removing a cloud on the title of the real estate purchased by the Buyer.

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 convey, if any, you may have.

/s/ Mark Nitchals

Mark Nitchals
City Administrator
City of Winterset, Iowa

RESOLUTION 2001-77

RESOLUTION APPROVING THE CONVEYANCE OF REAL ESTATE

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

A Tract bounded by a line described as commencing at the NE corner of Lot Six (6) of Mill Addition to the Town of Winterset, Madison County, Iowa, thence North 16½ feet; thence West 61 feet 8 inches, thence South 16½ feet, East 61 feet 8 inches to the point of beginning, being the vacated alley lying between Lots One (1) and Two (2) and the East One-half (½) of Lot Six (6) of the Mill Addition to the City of Winterset, Madison County, Iowa.

WHEREAS, the City Council has proposed to convey the above described real estate to Genesis Development upon the following terms and conditions: to convey legal title to the above described real estate by Warranty Deed in consideration of removing a cloud on the title of the real estate purchased by the Buyer.

WHEREAS, the City Council has fixed notice of public hearing upon the proposed conveyance 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, not less than four (4) days nor more than twenty (20) days before the date of hearing as evidenced by the Affidavit of 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,

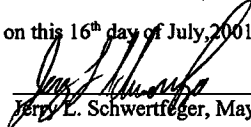
WHEREAS, the City Council now determines that the conveyance of the real estate above described should be approved in all respects as proposed.

NOW, THEREFORE, BE IT RESOLVED that the proposed conveyance of real estate 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 the Mayor and City Administrator be and are hereby authorized and directed to take all necessary steps to complete this transaction including, but not limited to, the tender of a Warranty Deed to the Buyer.

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

Passed by the City Council and approved by the Mayor on this 16th day of July, 2001.


Jerry L. Schwertfeger, Mayor

ATTEST:


Mark Nitchals, City Administrator

AFFIDAVIT OF PUBLICATION

STATE OF IOWA
SS.
Madison County

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

NOTICE OF HEARING
On Proposed Conveyance of Real Estate By City Of Winterset, Iowa

You are hereby notified that a public hearing before the City Council of Winterset, Iowa will be held on the 18th day of July, 2001, at 7:00 o'clock p.m., at the City Hall in Winterset, Madison County, Iowa, on the proposal by the City Council of Winterset, Iowa to convey the real estate legally described as:

A tract bounded by a line described as commencing at the NE corner of Lot Six (6) of M18 Addition to the Town of Winterset, Madison County, Iowa, thence North 161/2 feet; thence West 61 feet 8 inches, thence South 161/2 feet, East 61 feet 8 inches to the point of beginning, being the vacated alley lying between Lots One (1) and Two (2) and the East One-half (1/2) of Lot Six (6) of the M18 Addition to the City of Winterset, Madison County, Iowa.

to Genesis Development upon the following terms and conditions: convey legal title to the above described real estate by Warranty Deed in consideration of the removing a cloud on the title to the real estate being purchased by the Buyer.

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 convey, if any, you may have.

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

on the 11th day of July, 2001.

Ted Gorman

Subscribed and sworn to before me this

11th day of July, 2001.

Raye Delynne Cook
NOTARY PUBLIC

In and for Madison County

Fee \$ 14.44

