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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

✓ Mark Nitchals, City Administrator
City of Winterset, Iowa
124 West Court Avenue
Winterset IA 50273
515-462-1422

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 Winterset 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 in the Winterset Madisonian in accordance with the Affidavit attached hereto.

Dated on this 8th day of July, 2011, at Winterset, Iowa.



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

RESOLUTION 2011-52

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

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

That the part of East Summit Street in the City of Winterset, Iowa, described as a strip of ground nine feet wide, included within and bounded by a line commencing at the northwest corner of Block 2 of Kirkwood Addition to the City of Winterset, Iowa, thence east to the northwest corner of Lot 1 of said Block 2 of Kirkwood's Addition to Winterset, Iowa, thence north nine feet, thence west to a point nine feet north of the place of beginning, thence south nine feet to the place of beginning, and the alley running north and south through the center of said Block 2 of Kirkwood Addition to the City of Winterset, Iowa, being an alley sixteen and one-half feet wide.

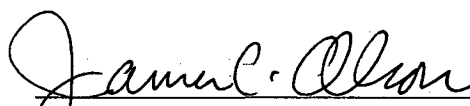
WHEREAS, the City proposes to convey the City's interest in this real estate by Quit Claim Deed to J & O Narland, L.L.C. for the sale price of the City's costs to complete the transaction.

WHEREAS, Iowa Code Section 364.7 requires public hearing be held on the proposal to convey the City's interest in real estate.


NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winterset, Iowa that proposal is hereby made to convey its interest in the described real estate to J & O Narland, L.L.C. 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 5th day of July 2011 at 7:00 o'clock p.m., at the City Hall in Winterset, Iowa.

Passed and approved this 20th day of June, 2011.


James C. Olson, Mayor
City of Winterset, Iowa

ATTEST:


Mark Nitchals, City Administrator
City of Winterset, Iowa

NOTICE OF PUBLIC HEARING ON PROPOSAL TO CONVEY
REAL ESTATE BY CITY OF WINTERSSET, IOWA

Public Notice is hereby given that a public hearing before the City Council of Winterset, Iowa will be held on the 5th day of July, 2011, at 7:00 o'clock pm, at the City Hall, 124 West Court Avenue in Winterset, Madison County, Iowa on the proposal by the City Council of Winterset, Iowa to convey real estate legally described as:

That the part of East Summit Street in the City of Winterset, Iowa, described as a strip of ground nine feet wide, included within and bounded by a line commencing at the northwest corner of Block 2 of Kirkwood Addition to the City of Winterset, Iowa, thence east to the northwest corner of Lot 1 of said Block 2 of Kirkwood's Addition to Winterset, Iowa, thence north nine feet, thence west to a point nine feet north of the place of beginning, thence south nine feet to the place of beginning, and the alley running north and south through the center of said Block 2 of Kirkwood Addition to the City of Winterset, Iowa, being an alley sixteen and one-half feet wide.

The City's proposal is to convey the City's interest in the above described real estate by Quit Claim Deed to J & O Narland, L.L.C. The price for the sale of this real estate will be equal to the costs the City incurs in conveying the real estate. This real estate had originally been platted as a City Alley, but had been vacated by the City in May, 1940.

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 conveyance, if any, you may have.

Mark Nitchals
City Administrator
City of Winterset, Iowa

RESOLUTION NO. 2011-56

RESOLUTION APPROVING THE CONVEYANCE OF REAL ESTATE

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

That the part of East Summit Street in the City of Winterset, Iowa, described as a strip of ground nine feet wide, included within and bounded by a line commencing at the northwest corner of Block 2 of Kirkwood Addition to the City of Winterset, Iowa, thence east to the northwest corner of Lot 1 of said Block 2 of Kirkwood=s Addition to Winterset, Iowa, thence north nine feet, thence west to a point nine feet north of the place of beginning, thence south nine feet to the place of beginning, and the alley running north and south through the center of said Block 2 of Kirkwood Addition to the City of Winterset, Iowa, being an alley sixteen and one-half feet wide.

WHEREAS, the City Council has proposed to convey the City=s interest in the above described real estate to J & O Narland, L.L.C. by Quit Claim Deed for a sale price equal to the costs the City incurs in conveying the real estate.

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 Winterset 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 Winterset 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,

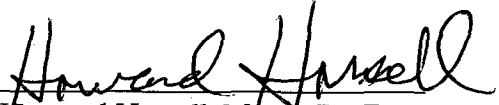
WHEREAS, the City Council now determines that the conveyance of the real estate above described should be approved in all respects as proposed.

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.

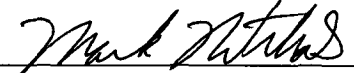
BE IT FURTHER RESOLVED that the Mayor and City Administrator be and are hereby authorized and directed to take all necessary steps to complete this transaction including, but not limited to, the tender of a Quit Claim Deed to the Buyer.

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

Passed and approved this 5th day of July, 2011.


Howard Harrell, Mayor Pro Tem

ATTEST:


Mark J. Nitchals, City Administrator

STATE OF IOWA
SS.

Madison County

AFFIDAVIT OF PUBLICATION

TED GORMAN being duly sworn says he is publisher of WINTERSET MADISONIAN a once weekly paper 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 paper.

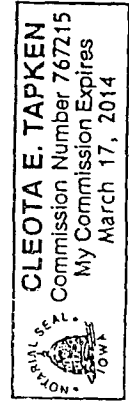
for the period 1 consecutive weeks, the last publication thereof being

on the 27 day of June, 2011
Ted Gorman

Subscribed and sworn to before me this

23 day of June, 2011
Cleota Tapken

NOTARY PUBLIC
in and for Madison County



Fee \$ 21.66

**Notice of Public Hearing
on Proposal to Convey Real Estate
by City of Winterset, Iowa**

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Mark Nitchals
City Administrator
City of Winterset, Iowa 44