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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

Prepared by and return to:
Mark Nitchals
City of Winterset
124 W. Court Avenue
Winterset IA 50273

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 proposing to vacate a portion of a public utility easement and to convey interest therein and setting public hearing on the proposal;
2. Notice of Hearing on proposal to notice of hearing on proposal to vacate public utility easement and to convey the city's interest therein;
3. Resolution vacating a portion of a public utility easement and conveying the city's interest therein.
4. The Affidavit of Publication from the Winterset Madisonian.

The undersigned further certifies the Resolutions described above were duly passed by the City 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 Winterset Madisonian in accordance with the Affidavit attached hereto.

Dated on this 9th day of September, 2013, at Winterset, Iowa.



Mark Nitchals
City Administrator
City of Winterset, Iowa

RESOLUTION 2013-69

RESOLUTION PROPOSING TO VACATE A PUBLIC UTILITY EASEMENT
AND TO CONVEY INTEREST THEREIN
AND SETTING PUBLIC HEARING ON THE PROPOSAL

WHEREAS, the City proposes to vacate a public utility easement and to dispose of its interest in said real estate;

WHEREAS, the public utility easement is described as:

All platted Public Utility Easements located in Lot 2 of the Gold Buffet Subdivision in the City of Winterset, Madison County, Iowa.

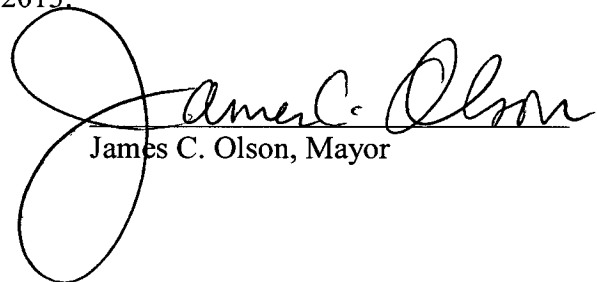
WHEREAS, Iowa Code Section 364.7 requires a public hearing be held on the proposal to vacate a public utility easement and to convey the City's interest in the real estate and that public notice be made on the proposal.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Winterset, Iowa that a proposal is hereby made to vacate a public utility easement as described above and to convey its interest in the real estate formerly used as a public utility easement to the owner of record by quit claim deed.

BE IT FURTHER RESOLVED that a public hearing before the City Council on this proposal shall be held on the 3rd day of September 2013, 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 and approved this 19th day of August, 2013.


James C. Olson, Mayor

ATTEST:


Mark Nitchals, City Administrator

RESOLUTION 2013-74

RESOLUTION VACATING A PUBLIC UTILITY EASEMENT
AND CONVEYING THE CITY'S INTEREST THEREIN

WHEREAS, the City Council of the City of Winterset, Iowa has proposed to vacate a public utility easement described as:

All platted Public Utility Easements located in Lot 2 of the Gold Buffet Subdivision in the City of Winterset, Madison County, Iowa.

WHEREAS, the Council has proposed to convey the City's interest said public utility easement as described above by quit claim deed to the owner of record.

WHEREAS, the Council has set the date for a public hearing upon the proposal to vacate a public utility easement and to convey the City's interest therein, pursuant to Iowa Code Section 364.7;

WHEREAS, the Council finds that the notice of the hearing was timely published as provided by Iowa Code Section 362.3 in the Winterset Madisonian, as evidenced by the Affidavit of Publication from the Madisonian on file in the Office of the City Administrator;

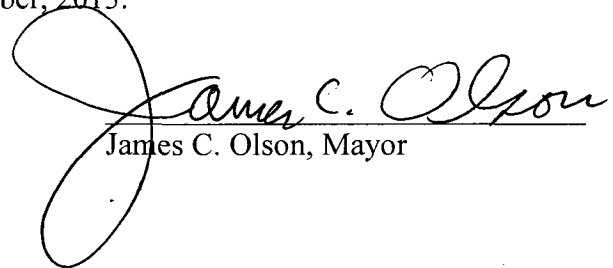
WHEREAS, the public hearing has been held and all interested persons have been heard on the proposal,

WHEREAS, the Council now determines that the proposal to vacate a public utility easement above described should be approved in all respects as proposed, and that the City should convey its interest in said public utility easement to the owner of record.

NOW, THEREFORE, BE IT RESOLVED that the proposal to vacate a public utility easement as described above be and is hereby approved.

BE IT FURTHER RESOLVED that the proposal to convey the City's interest in a public utility easement as described above to the owner of record be and is hereby approved.

Passed and approved this 3rd day of September, 2013.


James C. Olson, Mayor

ATTEST:


Mark Nitchals, City Administrator

STATE OF IOWA

SS

MADISON COUNTY

**Notice of Hearing on Proposal to
Vacate Public Utility Easement and to
Convey the City's Interest Therein**

Notice is hereby given that the City Council of the City of Winterset, Iowa will hold a public hearing on the 3rd day of September, 2013, at 7:00 o'clock pm, at the City Hall, 124 W. Court Avenue in Winterset, Iowa on a proposal to vacate a public utility easement and to convey the City's interest in said public utility easement described as:

All platted Public Utility Easements located in Lot 2 of the Gold Buffet Subdivision in the City of Winterset, Madison County, Iowa.

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 proposal to vacate a public utility easement and to convey its interest therein.

Mark Nitchals, City Administrator
City of Winterset, Iowa

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AFFIDAVIT OF PUBLICATIONS

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 21 day of Aug 20 13

Ted B. Gorman

Subscribed and sworn to before me this

22 day of Aug 20 13

Cleota E. Tapken

NOTARY PUBLIC

In and for Madison County

Fee

\$ 12.32

