FILED NO. 1534
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1970 DEC 16 PM 4:29
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee 8 50

CERTIFICATE AS TO SALE OF REAL ESTATE

STATE OF IOWA :
MADISON COUNTY :ss
CITY OF WINTERSET :

I, O. D. Simmons, City Clerk of the City of Winterset, Iowa, hereby certify that I am City Clerk of the City of Winterset, Iowa, and that I was the City Clerk of the City of Winterset, Iowa, at all times hereinafter referred to, and I further certify: REED

On October 21, 1970, an ordinance of the City of Winterset, Iowa, was duly passed and adopted by the City Council of the City of Winterset, Iowa, and approved by Wayne Newton, Mayor of said city.

Said ordinance was duly published in the Winterset Madisonian, a weekly newspaper published in and having a general circulation in the City of Winterset, Iowa, as shown by the Affidavit of Publication on file in the office of the City Clerk. A true and correct copy of said ordinance is attached hereto and marked Exhibit "A".

On October 21, 1970, a resolution was duly passed and adopted by the City Council of the City of Winterset, Iowa, and approved by Wayne Newton, Mayor of said city. A true and correct copy of said resolution is attached hereto and marked exhibit "B".

On October 28, 1970, and on November 4, 1970, a certain notice was published in the Winterset Madisonian and a copy of said notice is attached hereto and marked Exhibit "C".

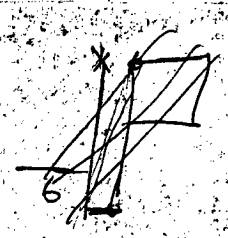
On November 16, 1970, a resolution was duly passed and adopted by the City Council of the City of Winterset, Iowa, and approved by Wayne Newton, Mayor of said city, and a true and correct copy is attached hereto and marked Exhibit "D".

WITNESS my hand as City Clerk of the City of Winterset, Iowa, and the official seal of the City of Winterset, Iowa, on this 16th day of December, 1970

CLERK WINTERSET

O. D. Simmons, City Clerk of the
City of Winterset, Iowa.

EXHIBIT "A"



ORDINANCE NO. 207

AN ORDINANCE VACATING A PORTION OF FIRST AVENUE AND VACATING THE NORTH-SOUTH ALLEY IN BLOCK THREE (3) AND THE NORTH-SOUTH ALLEY IN BLOCK FOUR (4) OF HORNBACK AND BEVINGTON'S ADDITION TO THE CITY OF WINTERSET, MADISON COUNTY, IOWA.

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

SECTION 1. The portion of First Avenue described herein and the two alleys described herein are not needed for the use of the public nor for any public purpose, and there is no reason to believe that it will be so needed at any time in the future, and the City of Winterset, Iowa, should be relieved from any responsibility in connection therewith.

SECTION 2. The city Planning and Zoning Commission has approved the vacation of said portion of said street and the vacation of said alleys.

SECTION 3. First Avenue, running between the south line of Adair Street and the north line of Pitzer Street and between Blocks Three (3) and Four (4) of Hornback and Bevington's Addition to the City of Winterset, Madison County, Iowa, be and is hereby vacated and declared vacated.

SECTION 4. The alley running north and south in Block Three (3) of Hornback and Bevington's Addition to the City of Winterset, Madison County, Iowa, from the south line of Adair Street to the north line of Pitzer Street be and is hereby vacated and declared vacated.

SECTION 5. The alley running north and south in Block Four (4) of Hornback and Bevington's Addition to the City of Winterset, Madison County, Iowa, from the south line of Adair Street to the north line of Pitzer Street be and is hereby vacated and declared vacated.

SECTION 6. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 7. 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 21 day of Oct., 1970.

/s/ Wayne Newton
Mayor of the City of Winterset, Iowa

CITY SEAL
WINTERSET

ATTEST:

/s/ O. D. Simmons
Clerk of the City of Winterset, Iowa

EXHIBIT "B"

RESOLUTION

bh

SALE OF VACATIONED STREET

WHEREAS, the City of Winterset, Iowa, has passed an ordinance for the vacation of a portion of First Avenue,

WHEREAS, the City of Winterset, Iowa, has passed an ordinance for the vacation of the alley running north and south in Block Three (3) in Hornback and Bevington's Addition to the City of Winterset, Madison County, Iowa, and,

WHEREAS, the City of Winterset, Iowa, has passed an ordinance for the vacation of the alley running north and south in Block Four (4) of Hornback and Bevington's Addition to the City of Winterset, Madison County, Iowa.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Winterset, Iowa:

1. The City of Winterset, Iowa, proposes to sell said vacated street, which is more particularly described as follows:

> Commencing at the Northeast corner of Block Three (3) of Hornback and Bevington's Addition to the City of Winterset, Madison County, Iowa, and running thence South 330 feet to the Southeast corner of said Block Three (3), thence East 66 feet to the Southwest corner of said Block Four (4) of said addition, thence North 330 feet to the Northwest corner of Block Four (4) of said addition, thence West 66 feet to the place of beginning,

to Madison Developments Inc. and to convey the same to said purchaser by Quit Cla$_{im}$ Deed.

2. The City of Winterset, Iowa, proposes to sell the alley running north and south in Block Three (3) of Hornback and Bevington's Addition to the City of Winterset, Madison County, Iowa, which real estate is more particularly described as follows:

> Commencing at the Northwest corner of Lot One (1), Block Three (3) of Hornback and Bevington's Addition to the City of Winterset, Madison County, Iowa, and running thence South 330 feet to the Southwest corner of Lot Five (5), of Block Three (3) of said addition, thence West 16½ feet

to the Southeast corner of Lot Six (6) of Block Three (3) of said addition and thence North 330 feet to the Northeast corner of lot Ten (10) of Block Three (3) of said addition, thence East 16½ feet to the place of beginning,

to Madison Developments Inc. and to convey the same to said purchaser by Quit Claim Deed.

3. The City of Winterset, Iowa, proposes to sell the alley running north and south in Block Four (4) of Hornback and Bevington's Addition to the City of Winterset, Madison County, Iowa, which real estate is more particularly described as follows:

Commencing at the Northwest corner of Lot One (1) of Block Four (4) of Hornback and Bevington's Addition to the City of Winterset, Madison County, Iowa, and running thence South 330 feet to the Southwest corner of Lot Five (5) of Block Four (4) of said addition, thence West 16½ feet to the Southeast corner of Lot Six (6) of Block Four (4) of said addition and thence North 330 feet to the Northeast corner of Lot Ten (10) of Block Three (3) of said addition, thence East 16½ feet to the place of beginning,

to Madison Developments Inc. and to convey the same to said purchaser by Quit Claim Deed.

4. Hearing on this proposal to sell all of said real estate shall be held on the 16th day of November, 1970, at 4:30 p.m., before the City Council in its council chamber, and notice of such hearing shall be given by publication once each week for two consecutive weeks in the Winterset Madisonian, the last of which publications shall be at least ten (10) days before the date of said hearing.

5. The mayor and city clerk shall attend to the giving of such notice.

On roll call the members of the City Council voted as follows:

GANOE Absent — FLANDER Yes

KIRKPATRICK Yes — MADSEN Yes

Approved by me this 21st day of October, 1970.

Wayne Newton

Mayor of the City of Winterset, Iowa.

ATTEST:

O. D. Simmons

City Clerk of the city of Winterset, Iowa.

EXHIBIT "C"

NOTICE OF PROPOSAL TO DISPOSE OF REAL ESTATE bh

NOTICE IF HEREBY GIVEN that the City of Winterset, Iowa, proposes to sell and convey by Quit Claim Deed a portion of First Avenue, which has been vacated by the City Council of the City of Winterset, Iowa, and which is more particularly described as follows:

> Commencing at the Northeast corner of Block Three (3) of Hornback and Bevington's Addition to the City of Winterset, Madison County, Iowa, and running thence South 330 feet to the Southeast corner of said Block Three (3), thence East 66 feet to the Southwest corner of said Block Four (4) of said addition, thence North 330 feet to the Northwest corner of Block Four (4) of said addition, thence West 66 feet to the place of beginning.

NOTICE IS FURTHER GIVEN that the City of Winterset, Iowa, proposes to sell and convey by Quit Claim Deed the alley running north and south in Block Three (3) in Hornback and Bevington's Addition to the City of Winterset, Iowa, and which is more particularly described as follows:

> Commencing at the Northwest corner of Lot One (1), Block Three (3) of Hornback and Bevington's Addition to the City of Winterset, Madison County, Iowa, and running thence South 330 feet to the Southwest corner of Lot Five (5), of Block Three (3) of said addition, thence West 16½ feet to the Southeast corner of Lot Six (6) of Block Three (3) of said addition and thence North 330 feet to the place of beginning.

NOTICE IS FURTHER GIVEN that the City of Winterset, Iowa, proposes to sell and convey by Quit Claim Deed the alley running north and south in Block Four (4) in Hornback and Bevington's Addition to the City of Winterset, Iowa, and which is more particularly described as follows:

> Commencing at the Northwest corner of Lot One (1) of Block Four (4) of Hornback and Bevington's Addition to the City of Winterset, Madison County, Iowa, and running thence South 330 feet to the Southwest corner of Lot Five (5) of Block Four (4) of said addition, thence West 16½ feet to the Southeast corner of Lot Six (6) of Block Four (4) of said addition and thence North 330 feet to the place of beginning.

NOTICE IS FURTHER GIVEN that at a meeting of the City Council of the City of Winterset, Iowa, to be held at 4:30 p.m., on the 16 day of November, 1970, in the council chamber at the City Hall in Winterset, Iowa, the City Council of the City of Winterset, Iowa, will act upon said proposal.

CITY OF WINTERSET, IOWA

By /s/ Wayne Newton
Wayne Newton, Mayor

ATTEST:

/s/ O. D. Simmons
O. D. Simmons, City Clerk

EXHIBIT "D"

RESOLUTION

DEED TO VACATED ALLEYS AND A PORTION OF VACATED STREET

WHEREAS, on October 21, 1970, an ordinance was passed by the City Council of Winterset, Iowa, vacating the north-south alley in Block Three (3) of Hornback and Bevington's Addition to the City of Winterset, Iowa, vacating the north-south alley in Block Four (4) of said addition and vacating a portion of First Avenue running between the south line of Adair Street and between Blocks Three (3) and Four (4) of said addition.

WHEREAS, the City Council of the City of Winterset, Iowa, has passed a resolution proposing to sell said vacated alleys and vacated street, and,

WHEREAS, the hearing on said proposal to sell said real estate was held on November 16, 1970, at 4:30 p.m. before the City Council in its Council Chamber, and,

WHEREAS, notice of such hearing was given by publication once each week for two consecutive weeks in the Winterset Madisonian, the last of which publications appeared at least ten days before the date of said hearing.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Winterset, Iowa:

1. That a Quit Claim Deed should be executed to the following described real estate:

> Commencing at the Northeast corner of Block Three (3) of Hornback and Bevington's Addition to the City of Winterset, Madison County, Iowa, and running thence South 330 feet to the Southeast corner of said Block Three (3), thence East 66 feet to the Southwest corner of said Block Four (4) of said addition, thence North 330 feet to the Northwest corner of Block Four (4) of said addition, thence West 66 feet to the place of beginning,

Commencing at the Northwest corner of Lot One (1) , Block Three (3) of Hornback and Bevington's Addition to the City of Winterset, Madison County, Iowa, and running thence South 330 feet to the Southwest corner of Lot Five (5), of Block Three (3) of said addition, thence West 16½ feet to the Southeast courner of Lot Six (6) of Block Three (3) of said addition and thence North 330 feet to the Northeast corner of Lot Ten (10) of Block Three (3) of said addition, thence East 16½ feet to the place of beginning,

Commencing at the Northwest corner of Lot One (1) of Block Four (4) of Hornback and Bevington's Addition to the City of Winterset, Madison County, Iowa, and running thence South 330 feet to the Southwest corner of Lot Five (5) of Block Four (4) of said addition, thence West 16½ feet to the Southeast corner of Lot Six (6) of Block Four (4) of said addition and thence North 330 feet to the Northeast corner of Lot Ten (10) of Block Three (3) of said addition, thence East 16½ feet to the place of beginning,

to Madison Developements Inc. for the consideration of _____

Fifty and No/100********** Dollars

2. The mayor and city clerk of the City of Winterset, Iowa, are authorized and directed to make, execute and deliver said Quit Claim Deed.

Approved by me this 16th day of November, 1970.

Wayne Newton

Mayor of the City of Winterset, Iowa.

ATTEST: O. D. Simmons

City Clerk of the City of Winterset, Iowa.