



Document 2016 547

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

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Prepared by and return to:
Mark Nitchals, City Administrator
City of Winterset, Iowa
124 W. 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 vacate a portion of a public street right of way and setting public hearing on the proposal;
2. Notice of Hearing on Proposal to Vacate a Portion of a public street right of way by City of Winterset, Iowa;
3. Resolution Approving the vacation of a portion of a City street right of way; and,
4. 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 Winterset Madisonian which is a newspaper in general circulation within Madison County, Iowa in accordance with the Affidavit attached hereto.

Dated on this 4th day of March, 2016, at Winterset, Iowa.



Mark Nitchals
City Administrator
City of Winterset, Iowa

RESOLUTION 2016-15

RESOLUTION PROPOSING TO VACATE A PORTION OF A
CITY STREET RIGHT OF WAY AND
SETTING PUBLIC HEARING ON THE PROPOSAL

WHEREAS, the City proposes to vacate a portion of 5th Avenue, a City street right-of-way, and to dispose of its interest in the real estate formerly used as a City street right-of-way;

WHEREAS, the portion of the City street right of way to be vacated is legally described as:

Parcel "M" a part of 5th Avenue a street through Lindsey Addition to the City of Winterset, Madison County, Iowa more particularly described as follows:

Beginning at the Southeast Corner of Lot 6 of Lindsey Addition to the City of Winterset, Madison County, Iowa, thence North 00°13'48" East 198.86 feet along the East line of said Lot 6 and the South Half of Lot 5 which is the West line of 5th Avenue right-of-way; thence South 89°38'55" East 60.08 feet to a point on the West line of Lot 8 of said Lindsey Addition; thence South 00°13'48" West 199.19 feet to the Southwest Corner of Lot 7, Lindsey Addition; thence North 89°19'09" West 60.08 feet along the North line of Husky Drive to the Point of Beginning, containing 0.275 acres.

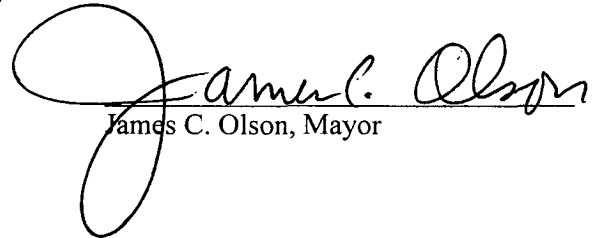
WHEREAS, the Iowa Code Section 354.23 requires a public hearing be held on the proposal to vacate a portion of a City street right of way and that public notice be made on the proposal.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Winterset, Iowa that a proposal is hereby made to vacate a portion of a City street right-of-way as described above.

BE IT FURTHER RESOLVED that a public hearing before the City Council on this proposal shall be held on February 15, 2016, at 7:00 PM., at the City Hall, 124 West Court Avenue, 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 1st day of February, 2016.


James C. Olson, Mayor

ATTEST:


Mark Nitchals, City Administrator

RESOLUTION 2016-18

RESOLUTION VACATING A PORTION OF A
CITY STREET RIGHT OF WAY

WHEREAS, the City Council of Winterset, Iowa has proposed to vacate a portion of a City street right-of-way described as follows:

Parcel "M" a part of 5th Avenue a street through Lindsey Addition to the City of Winterset, Madison County, Iowa more particularly described as follows:

Beginning at the Southeast Corner of Lot 6 of Lindsey Addition to the City of Winterset, Madison County, Iowa, thence North 00°13'48" East 198.86 feet along the East line of said Lot 6 and the South Half of Lot 5 which is the West line of 5th Avenue right-of-way; thence South 89°38'55" East 60.08 feet to a point on the West line of Lot 8 of said Lindsey Addition; thence South 00°13'48" West 199.19 feet to the Southwest Corner of Lot 7, Lindsey Addition; thence North 89°19'09" West 60.08 feet along the North line of Husky Drive to the Point of Beginning, containing 0.275 acres.

WHEREAS, the City Council has set the date for a public hearing upon the proposal to vacate a portion of a City street right-of-way pursuant to Iowa Code Section 354.23;

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 Madisonian on file in the Office of the City Administrator;

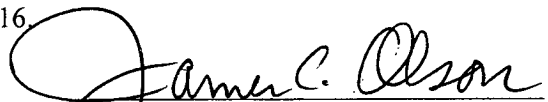
WHEREAS, the public hearing has been held and all interested persons have been heard on the proposal,

WHEREAS, the City Council now determines that the vacation of a portion of a City street right-of-way as described above should be approved in all respects as proposed.

NOW, THEREFORE, BE IT RESOLVED that the proposal to vacate a portion of 5th Avenue, a City street as described above be and is hereby approved.

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 15th day of February, 2016.


James C. Olson, Mayor

ATTEST:


Mark Nitchals, City Administrator

NOTICE OF HEARING ON PROPOSAL TO
VACATE PORTION OF CITY STREET RIGHT OF WAY
BY THE CITY OF WINTERSSET, IOWA

YOU ARE HEREBY NOTIFIED that a public hearing before the City Council of the City Winterset, Iowa will be held on February 15, 2016, at 7:00 PM., at the Winterset City Hall, 124 West Court Avenue in Winterset, Madison County, Iowa on a proposal to vacate a portion of 5th Avenue, a City street right-of-way, located to the north of Husky Drive, and legally described as:

Parcel "M" a part of 5th Avenue a street through Lindsey Addition to the City of Winterset, Madison County, Iowa more particularly described as follows:

Beginning at the Southeast Corner of Lot 6 of Lindsey Addition to the City of Winterset, Madison County, Iowa, thence North $00^{\circ}13'48''$ East 198.86 feet along the East line of said Lot 6 and the South Half of Lot 5 which is the West line of 5th Avenue right-of-way; thence South $89^{\circ}38'55''$ East 60.08 feet to a point on the West line of Lot 8 of said Lindsey Addition; thence South $00^{\circ}13'48''$ West 199.19 feet to the Southwest Corner of Lot 7, Lindsey Addition; thence North $89^{\circ}19'09''$ West 60.08 feet along the North line of Husky Drive to the Point of Beginning, containing 0.275 acres.

Any interested person is invited to appear and be heard at the public hearing at the time, date and place described above to offer objections or comments to the City Council on the proposal to vacate a portion of the above described City street right of way.

Mark Nitchals
City Administrator
City of Winterset, Iowa

STATE OF IOWA

SS

MADISON COUNTY

**NOTICE OF HEARING ON PROPOSAL TO
VACATE PORTION OF CITY STREET RIGHT OF WAY
BY THE CITY OF WINTERSET, IOWA**

YOU ARE HEREBY NOTIFIED that a public hearing before the City Council of the City of Winterset, Iowa will be held on February 15, 2016, at 7:00 PM., at the Winterset City Hall, 124 West Court Avenue in Winterset, Madison County, Iowa on a proposal to vacate a portion of 5th Avenue, a City street right-of-way, located to the north of Husky Drive, and legally described as:

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Any interested person is invited to appear and be heard at the public hearing at the time, date and place described above to offer objections or comments to the City Council on the proposal to vacate a portion of the above described City street right of way.

Mark Nichols, City Administrator
City of Winterset, Iowa

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 9 day of Feb. 20 16

Ted G. Gorman

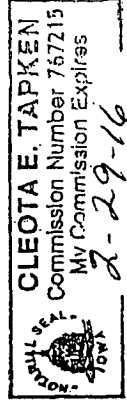
Subscribed and sworn to before me this

10 day of Feb. 20 16

Cleota E. Tapken

NOTARY PUBLIC

In and for Madison County



Fee \$ 22.06