

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

The City of Denison, Iowa, a municipal corporation organized and existing under the laws of the State of Iowa, in consideration of the sum of \$ 300.00, receipt of which is hereby acknowledged, does hereby quit claim unto John McClellan and Ladean McClellan, as joint tenants with full rights of survivorship and not as tenants in common,

all of its right, title, interest, estate, claim and demand in the following described real property:

Part of the right of way of 7th Street (formerly U.S. Highway No. 59) located in Section Ten (10), Township Eighty-three (83) North, Range Thirty-nine (39) West of the 5th P.M., Crawford County, Iowa, described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of the North-east Quarter (SE 1/4 NE 1/4) of Section 10-83-39, thence West 352.2 feet along the south line of said SE 1/4 NE 1/4 to a point on the west right of way line of 7th Street (formerly U.S. Highway No. 59), thence N 14°35' E 481.7 feet along said right of way, thence continuing N 14°35' E 372.5 feet along said right of way, thence N 30°56' E 179.0 feet along said right of way to the point of beginning, thence S 68°34' E 26.0 feet, thence northeasterly along a 1,959.86 foot radius curve concave south-easterly with a long chord bearing N 29°42' E 11.05 feet, thence N 30°56' E, 188.9 feet, thence N 68°34' W 25.7 feet to a point on said right of way, thence S 30°56' W 200.0 feet along said right of way to the point of beginning.

The conveyance of the above described real property is subject to the reservation by the City of Denison, Iowa, of an easement upon said real property for the construction, reconstruction, maintenance, operation and repair of utilities and storm sewers.

This deed is executed and delivered pursuant to a resolution of even date herewith of the City Council of the City of Denison, Iowa.

IN WITNESS WHEREOF said City has caused this instrument to be duly executed this 10th day of November, 1980.

THE CITY OF DENISON, IOWA

By G. M. Smithson, Mayor

By O. H. Webb, City Clerk

CITY SEAL  
STATE OF IOWA

ss:

Crawford County

On this 10th day of November, 1980, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared G. M. Smithson and O. H. Webb, to me personally known, who, being by me duly sworn did say that they are the Mayor and City Clerk, respectively, of the City of Denison, Iowa, and that the seal affixed to the foregoing Quit Claim Deed is the seal of said City, that said deed was signed and sealed on behalf of the City by authority of its City Council and that the said G. M. Smithson and O. H. Webb acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

Ila M. Wyant  
Notary Public in and for said  
County and State.

NOTARIAL SEAL  
Ila M. Wyant

80-2581

STATE OF IOWA  
GRANT COUNTY, ss

FILED ON 10<sup>th</sup> of December

AT 10:30 11:30 o'clock A.M.

Ruth E. Lee

Recorder

Lois A. Lee

For 442 Deputy

INDEXED 21

FILED UR

PROVED \_\_\_\_\_

10th

Sec. 80

Carl G. Christensen

AFFIDAVIT OF PUBLICATION

I, Lucille Waldron, being duly sworn, depose and say that I am

office manager of the DENISON BULLETIN, a newspaper, published in Denison, in the County of Crawford and State of Iowa, that the printed notice attached to the margin hereof was published in said newspaper 1 consecutive weeks, and that the last of said publications was on the 30<sup>th</sup> day of October, 1980.

Lucille Waldron

STATE OF IOWA, }  
Crawford County, } ss.

Sworn to before me and subscribed in my presence by the said

Lucille Waldron, this 30<sup>th</sup> day of October, 1980.

[Signature]  
Notary Public in and for Crawford County, Iowa



Denison Bulletin

NOTICE OF PROPOSAL TO VACATE PART OF STREET AND NOTICE OF PROPOSAL TO SELL REAL PROPERTY

Notice is hereby given that on the 13th day of October, 1980, the City Council of the City of Denison, Iowa, adopted a resolution proposing that the City of Denison, Iowa, vacate the following described street in the City of Denison, Iowa:

Part of the right of way of 7th Street (formerly U.S. Highway No. 59) located in Section Ten (10), Township Eighty-three (83) North, Range Thirty-nine (39) West of the 5th P.M., Crawford County, Iowa, described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4), Section 10-83-39, thence west 332.2 feet along the south line of said SE 1/4 NE 1/4 to a point on the west right of way line of 7th Street (formerly U.S. Highway No. 59), thence N 14°35' E 481.7 feet along said right of way, thence continuing N 14°35' E 272.5 feet along said right of way, thence S 31°25' E 179.0 feet along said right of way to the point of beginning, thence S 48°34' E 26.0 feet, thence northeasterly along a 1,959.86 foot radius curve concave southeasterly with a long chord bearing N 29°42' E 11.05 feet, thence N 30°56' E 188.9 feet, thence N 48°34' W 25.7 feet to a point on said right of way, thence S 30°56' W 200.0 feet along said right of way to the point of beginning.

Notice is further given that a public hearing on the foregoing proposal to vacate said part of Seventh Street will be held by the City Council of the City of Denison, Iowa, at the City Hall in Denison, Iowa, on the 10th day of November, 1980, at 7:30 o'clock p.m. Any citizen of the City of Denison, Iowa, and any other person interested in said proposal may appear at the public hearing and show reasons for or against the proposed vacation of said street. Written objections to the proposed vacation of said street may be filed with the City Clerk at his office in the City Hall in Denison, Iowa, at the time of the public hearing or at any time prior thereto.

This notice of the proposal to vacate said part of Seventh Street is given pursuant to the provisions of Section 364.12 (2) (a) of the 1979 Code of Iowa. Notice is further given that in the above mentioned resolution adopted on the 13th day of October, 1980, the City Council of the City of Denison, Iowa, proposes that the City of Denison, Iowa, sell the above described part of Seventh Street to John McClellan and Ladeen McClellan, as joint tenants with full rights of survivorship and not as tenants in common, for the sum of \$300.00.

Notice is further given that in the above mentioned resolution the City Council of the City of Denison, Iowa, proposes that the foregoing proposed sale of said part of Seventh Street be subject to the reservation by the City of an easement upon said real property for the construction, reconstruction, maintenance, operation and repair of utilities and storm sewers.

Notice is further given that a public hearing on the foregoing proposal to sell said part of Seventh Street will be held by the City Council of the City of Denison, Iowa, at the City Hall in Denison, Iowa, on the 10th day of November, 1980, at 7:30 o'clock p.m. Any citizen of the City of Denison, Iowa, and any other person interested in said proposal may appear at the public hearing and show reasons for or against the proposed sale of said real property. Written objections to the proposed sale of said real property may be filed with the City Clerk at his office in the City Hall in Denison, Iowa, at the time of the public hearing or at any time prior thereto.

This notice of the proposed sale of said part of Seventh Street is given pursuant to the provisions of Section 364.7 of the 1979 Code of Iowa.

O.H. Webb,  
City Clerk

# AFFIDAVIT OF PUBLI

I, \_\_\_\_\_

## ORDINANCE NO. 878 AN ORDINANCE VACATING A PART OF SEVENTH STREET IN THE CITY OF DENISON, IOWA

Where by a resolution duly adopted on the 13th day of October, 1988, the City Council proposed to vacate the following described street in the City of Denison, Iowa:

Part of the right of way of 7th Street (formerly U.S. Highway no. 59) located in Section Ten (10), Township Eighty-three (83) North, Range Thirty-nine (39) West of the 5th P.M., Crawford County, Iowa, described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of the Section 10-83-39, thence West 352.2 feet along the south line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$  to a point on the west right of way line of 7th Street (formerly U.S. Highway no. 59), thence N 14°35' E 481.7 feet along said right of way, thence continuing N 14°35' E 372.5 feet along said right of way, thence N 30°56' E 179.0 feet along said right of way to the point of beginning, thence S 68°34' E 26.0 feet, thence northeasterly along a 1,939.86 foot radius curve concave southeasterly with a long chord bearing N 29°42' E 11.05 feet, thence N 30°56' E 188.9 feet, thence N 68°34' W 25.7 feet to a point on said right of way, thence S 30°56' W 200.0 feet along said right of way to the point of beginning.

and whereas notice of the proposal to vacate said part of Seventh Street and of the public hearing on said proposal has been duly published as required by law, and

Whereas a public hearing on the proposed vacation of said part of Seventh Street has been held at the time and place provided by said resolution and all persons wishing to show reasons for or against the proposed vacation of said street have been given an opportunity to be heard,

Fe and

Whereas the City Council has fully reconsidered the proposed vacation of said part of Seventh Street and the City Council finds that it is in the best

MINUTES OF THE CITY COUNCIL OF THE CITY OF DENISON, IOWA

At a regular meeting held on the 13th day of October, 1980, the following resolution was presented to the City Council:

RESOLUTION

Whereas the City of Denison, Iowa, is now the owner of the following described real property:

Part of the right of way of 7th Street (formerly U.S. Highway No. 59) located in Section Ten (10), Township Eighty-three (83) North, Range Thirty-nine (39) West of the 5th P.M., Crawford County, Iowa, described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) Section 10-83-39, thence West 352.2 Feet along the south line of said SE 1/4 NE 1/4 to a point on the west right of way line of 7th Street (formerly U.S. Highway No. 59), thence N 14°35' E 481.7 feet along said right of way, thence continuing N 14°35' E 372.5 feet along said right of way, thence N 30°56' E 179.0 feet along said right of way to the point of beginning, thence S 68°34' E 26.0 feet, thence northeasterly along a 1,959.86 foot radius curve concave southeasterly with a long chord bearing N 29°42' E 11.05 feet, thence N 30°56' E 188.9 feet, thence N 68°34' W 25.7 feet to a point on said right of way, thence S 30°56' W 200.0 feet along said right of way to the point of beginning,

and

Whereas a proposal for the vacation of said part of Seventh Street has been submitted to the City Plan Commission of the City of Denison, Iowa, and the recommendation of the City Plan Commission has been received and considered by the City Council, and

Whereas said part of Seventh Street is not now being used by the City of Denison, Iowa, and it is not likely to be of any value to the City in the future, and

Whereas John McClellan and Ladean McClellan have made an offer to purchase said part of Seventh Street for the sum of \$300.00, and

Whereas the City Council finds that the sum offered by said persons is a fair price for said real property and that it will be advantageous to the City to accept said offer and to sell said real property for the sum offered,

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF DENISON, IOWA, THAT:

1. The City Council proposes to vacate the above described part of Seventh Street.
2. A public hearing on the proposal to vacate said part

of Seventh Street shall be held by the City Council at the City Hall in Denison, Iowa, on the 10th day of November, 1980, at 7:30 o'clock p.m.

3. The City Council proposes to sell said part of Seventh Street to John McClellan and Ladean McClellan, as joint tenants with full rights of survivorship and not as tenants in common, for the sum of \$300.00.

4. The City Council proposes that the sale of said part of Seventh Street shall be subject to the reservation by the City of an easement upon said real property for the construction, reconstruction, maintenance, operation and repair of utilities and storm sewers.

5. A public hearing on the proposal to sell said part of Seventh Street shall be held by the City Council at the City Hall in Denison, Iowa, on the 10th day of November, 1980, at 7:30 o'clock p.m.


6. Notice of this resolution and of the date, time and place of the public hearing shall be published as provided by law.

Adopted by the City Council on the 13th day of October, 1980, and approved this 13th day of October, 1980.

  
G. M. Smithson, Mayor

(CITY SEAL)

ATTEST:

  
O. H. Webb, City Clerk

It was moved by Lyle Hansen and seconded by Joseph Griffin that the foregoing resolution be adopted. The motion was duly put to vote of the City Council, the ayes and nays were called, and the vote thereon was as follows:

AYES: Lyle Hansen, Joseph Griffin, Fred Pudenz, Don Ossian

NAYS: None

ABSENT OR NOT VOTING: Vincent Lengeling

Whereupon the Mayor declared the motion duly carried and the resolution duly adopted.

CERTIFICATE


I, O. H. Webb, City Clerk of the City of Denison, Iowa, hereby certify that the foregoing is a true copy of a resolution duly adopted by the City Council of the City of Denison, Iowa, at a regular meeting of the City Council held on the 13th day of October, 1980, and the vote thereon, as recorded in the records of the City now in my custody.

Dated this 13 day of October, 1980.

(City Seal)

Law Offices Of

**REIMER, VIPOND & LOHMAN**  
Denison, Iowa 51442

  
O. H. Webb, City Clerk

NOTICE OF PROPOSAL TO VACATE PART OF STREET AND  
NOTICE OF PROPOSAL TO SELL REAL PROPERTY

Notice is hereby given that on the 13th day of October, 1980, the City Council of the City of Denison, Iowa, adopted a resolution proposing that the City of Denison, Iowa, vacate the following described street in the City of Denison, Iowa:

Part of the right of way of 7th Street (formerly U.S. Highway No. 59) located in Section Ten (10), Township Eighty-three (83) North, Range Thirty-nine (39) West of the 5th P.M., Crawford County, Iowa, described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4), Section 10-83-39, thence west 352.2 feet along the south line of said SE 1/4 NE 1/4 to a point on the west right of way line of 7th Street (formerly U.S. Highway No. 59), thence N 14°35' E 481.7 feet along said right of way, thence continuing N 14°35' E 372.5 feet along said right of way, thence N 30°56' E 179.0 feet along said right of way to the point of beginning, thence S 68°34' E 26.0 feet, thence northeasterly along a 1,959.86 foot radius curve concave southeasterly with a long chord bearing N 29°42' E 11.05 feet, thence N 30°56' E 188.9 feet, thence N 68°34' W 25.7 feet to a point on said right of way, thence S 30°56' W 200.0 feet along said right of way to the point of beginning.

Notice is further given that a public hearing on the foregoing proposal to vacate said part of Seventh Street will be held by the City Council of the City of Denison, Iowa, at the City Hall in Denison, Iowa, on the 10th day of November, 1980, at 7:30 o'clock p.m. Any citizen of the City of Denison, Iowa, and any other person interested in said proposal may appear at the public hearing and show reasons for or against the proposed vacation of said street. Written objections to the proposed vacation of said street may be filed with the City Clerk at his office in the City Hall in Denison, Iowa, at the time of the public hearing or at any time prior thereto.

This notice of the proposal to vacate said part of Seventh Street is given pursuant to the provisions of Section 364.12(2)(a) of the 1979 Code of Iowa. Notice is further given that in the above mentioned resolution adopted on the 13th day of October, 1980, the City Council of the City of Denison, Iowa, proposes that the City of Denison, Iowa, sell the above described part of Seventh Street to John McClellan and Ladean McClellan, as joint tenants with full rights of survivorship and not as tenants in common, for the sum of \$300.00.

Notice is further given that in the above mentioned resolution the City Council of the City of Denison, Iowa, proposes that the foregoing proposed sale of said part of Seventh Street be subject to the reservation by the City of an easement upon said real property for the construction, reconstruction, maintenance, operation and repair of utilities and storm sewers.

Notice is further given that a public hearing on the foregoing proposal to sell said part of Seventh Street will be held by the City Council of the City of Denison, Iowa, at the City

Law Offices Of

**REIMER, VIPOND & LOHMAN**

Denison, Iowa 51442

Hall in Denison, Iowa, on the 10th day of November, 1980, at 7:30 o'clock p.m. Any citizen of the City of Denison, Iowa, and any other person interested in said proposal may appear at the public hearing and show reasons for or against the proposed sale of said real property. Written objections to the proposed sale of said real property may be filed with the City Clerk at his office in the City Hall in Denison, Iowa, at the time of the public hearing or at any time prior thereto.

This notice of the proposed sale of said part of Seventh Street is given pursuant to the provisions of Section 364.7 of the 1979 Code of Iowa.

O. H. WEBB, City Clerk



MINUTES OF THE CITY COUNCIL OF THE CITY OF DENISON, IOWA

At a regular meeting held on the 10th day of November, 1980, the following resolution was presented to the City Council:

RESOLUTION

Whereas by a prior resolution duly adopted by the City Council the Mayor and the City Clerk were authorized to execute a quit claim deed conveying certain real property to John McClellan and Ladean McClellan, and

Whereas said quit claim deed has been executed by the Mayor and the City Clerk and has been presented to the City Council and it is found to be in proper form and to be properly executed,

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF DENISON, IOWA, THAT:

1. The quit claim deed executed by the Mayor and the City Clerk dated the 10th day of November, 1980, and conveying the following described real property:

Part of the right of way of 7th Street (formerly U.S. Highway No. 59) located in Section Ten (10), Township Eighty-three (83) North, Range Thirty-nine (39) West of the 5th P.M., Crawford County, Iowa, described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 10-83-39, thence west 352.2 feet along the south line of said SE 1/4 NE 1/4 to a point on the west right of way line of 7th Street (formerly U.S. Highway No. 59), thence N 14°35' E 481.7 feet along said right of way, thence continuing N 14°35' E 372.5 feet along said right of way, thence N 30°56' E 179.0 feet along said right of way to the point of beginning, thence S 68°34' E 26.0 feet, thence northeasterly along a 1,959.86 foot radius curve concave southeasterly with a long chord bearing N 29°42' E 11.05 feet, thence N 30°56' E 188.9 feet, thence N 68°34' W 25.7 feet to a point on said right of way, thence S 30°56' W 200.0 feet along said right of way to the point of beginning,

to John McClellan and Ladean McClellan, as joint tenants with full rights of survivorship and not as tenants in common, is hereby approved, ratified and confirmed.

2. The City Clerk is hereby authorized and directed to deliver the above described quit claim deed to the above named purchasers.

Adopted by the City Council on the 10th day of November, 1980, and approved this 10th day of November, 1980.

(CITY SEAL)

ATTEST:

O. H. Webb, City Clerk

G. M. Smithson, Mayor

It was moved by Vincent Lengeling and seconded by Lyle Hansen that the foregoing resolution be adopted. The motion was duly put to vote of the City Council, the ayes and nays were called, and the vote thereon was as follows:

AYES: Lengeling, Hansen, Oasian, Pudenz

NAYS: None


ABSENT OR NOT VOTING: Griffin

Whereupon the Mayor declared the motion duly carried and the resolution duly adopted.

CERTIFICATE

I, O. H. Webb, City Clerk of the City of Denison, Iowa, hereby certify that the foregoing is a true copy of a resolution duly adopted by the City Council of the City of Denison, Iowa, at a regular meeting of the City Council held on the 10th day of November, 1980, and the vote thereon, as recorded in the records of the City now in my custody.

Dated this 10 day of November, 1980.

  
\_\_\_\_\_  
O. H. Webb, City Clerk

(CITY SEAL)



MINUTES OF THE CITY COUNCIL OF THE CITY OF DENISON, IOWA

At a regular meeting held on the 10th day of November, 1980, the following resolution was presented to the City Council:

RESOLUTION

Whereas Ordinance No. 878 vacating the following described street in the City of Denison, Iowa:

Part of the right of way of 7th Street (formerly U.S. Highway No. 59) located in Section Ten (10), Township Eighty-three (83) North, Range Thirty-nine (39) West of the 5th P.M., Crawford County, Iowa, described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 10-83-39, thence West 352.2 feet along the south line of said SE 1/4 NE 1/4 to a point on the west right of way line of 7th Street (formerly U.S. Highway No. 59), thence N 14°35' E 481.7 feet along said right of way, thence continuing N 14°35' E 372.5 feet along said right of way, thence N 30°56' E 179.0 feet along said right of way to the point of beginning, thence S 68°34' E 26.0 feet, thence northeasterly along a 1,959.86 foot radius curve concave southeasterly with a long chord bearing N 29°42' E 11.05 feet, thence N 30°56' E 188.9 feet, thence N 68°34' W 25.7 feet to a point on said right of way, thence S 30°56' W 200.0 feet along said right of way to the point of beginning,

has been adopted by the City Council of the City of Denison, Iowa, and

Whereas by a resolution duly adopted on the 13th day of October, 1980, the City Council proposed to sell the above described part of Seventh Street to John McClellan and Ladean McClellan for the sum of \$300.00, and

Whereas notice of said resolution and of the public hearing on said proposed sale has been duly published as required by law, and

Whereas a public hearing on the proposed sale of said part of Seventh Street has been held at the time and place provided by said resolution and all persons wishing to show reasons for or against the proposed sale of said real property have been given an opportunity to be heard, and

Whereas the City Council has fully reconsidered the proposed sale of said part of Seventh Street and the City Council finds that it is in the best interests of the City of Denison, Iowa, that said sale be made,

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF DENISON, IOWA, THAT:

1. The above described part of Seventh Street shall be sold to John McClellan and Ladean McClellan, as joint tenants with full rights of survivorship and not as tenants in common, for the sum of \$300.00.

2. The sale of said part of Seventh Street shall be subject to the reservation by the City of an easement upon said real property for the construction, reconstruction, maintenance, operation and repair of utilities and storm sewers.

3. The Mayor and the City Clerk are authorized to execute a quit claim deed on behalf of the City of Denison, Iowa, conveying the above described part of Seventh Street to the above named purchasers and the deed, when so executed, shall be presented to the City Council for approval.

Adopted by the City Council on the 10th day of November, 1980, and approved this 10th day of November, 1980.



[Signature]  
G. M. Smithson, Mayor

[Signature]  
O. H. Webb, City Clerk

It was moved by Don Ossian and seconded by Fred Pudenz that the foregoing resolution be adopted. The motion was duly put to vote of the City Council, the ayes and nays were called, and the vote thereon was as follows:

AYES: Ossian, Pudenz, Hansen, Lengeling

NAYS: None

ABSENT OR NOT VOTING: Griffin

Whereupon the Mayor declared the motion duly carried and the resolution duly adopted.

CERTIFICATE

I, O. H. Webb, City Clerk of the City of Denison, Iowa, hereby certify that the foregoing is a true copy of a resolution duly adopted by the City Council of the City of Denison, Iowa, at a regular meeting of the City Council held on the 10th day of November, 1980, and the vote thereon, as recorded in the records of the City now in my custody.

Dated this 10th day of November, 1980.



[Signature]  
O. H. Webb, City Clerk

At a regular meeting held on the 10th day of November, 1980, the following ordinance was presented to the City Council:

ORDINANCE NO. 378

AN ORDINANCE VACATING A PART OF SEVENTH STREET IN THE CITY OF DENISON, IOWA

Whereas by a resolution duly adopted on the 13th day of October, 1980, the City Council proposed to vacate the following described street in the City of Denison, Iowa:

Part of the right of way of 7th Street (formerly U.S. Highway No. 59 located in Section Ten (10), Township Eighty-three (83) North, Range Thirty-nine (39) West of the 5th P.M., Crawford County, Iowa, described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 10-83-39, thence West 352.2 feet along the south line of said SE 1/4 NE 1/4 to a point on the west right of way line of 7th Street (formerly U.S. Highway No. 59), thence N 14°35' E 481.7 feet along said right of way, thence continuing N 14°35' E 372.5 feet along said right of way, thence N 30°56' E 179.0 feet along said right of way to the point of beginning, thence S 68°34' E 26.0 feet, thence northeasterly along a 1,959.86 foot radius curve concave southeasterly with a long chord bearing N 29°42' E 11.05 feet, thence N 30°56' E 188.9 feet, thence N 68°34' W 25.7 feet to a point on said right of way, thence S 30°56' W 200.0 feet along said right of way to the point of beginning,

and

Whereas notice of the proposal to vacate said part of Seventh Street and of the public hearing on said proposal has been duly published as required by law, and

Whereas a public hearing on the proposed vacation of said part of Seventh Street has been held at the time and place provided by said resolution and all persons wishing to show reasons for or against the proposed vacation of said street have been given an opportunity to be heard, and

Whereas the City Council has fully reconsidered the proposed vacation of said part of Seventh Street and the City Council finds that it is in the best interest of the City of Denison, Iowa, that said street be vacated,

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DENISON, IOWA:

Section 1. The above described part of Seventh Street in the City of Denison, Iowa, is hereby vacated.

Section 2. This ordinance shall be in full force and effect on and after the first day following the date of its publication as provided by law.

Adopted by the City Council on the 10th day of November, 1980, and approved this 10th day of November, 1980.

  
G. M. Smithson, Mayor

  
ATTEST:  
  
O. H. Webb, City Clerk

The Mayor directed that proposed Ordinance No. 878 be read and the proposed ordinance was thereupon fully read to the City Council.

It was moved by Lyle Hansen and seconded by Vincent Lengeling that the City Council suspend the requirement that proposed Ordinance No. 878 be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed. The motion was duly put to vote of the City Council, the ayes and nays were called, and the vote was as follows:

AYES: Hansen, Lengeling, Pudenz, Ossian  
NAYS: None  
ABSENT OR NOT VOTING: Griffin

Whereupon the Mayor declared the motion duly carried.

It was then moved by Lyle Hansen and seconded by Vincent Lengeling that Ordinance No. 878 be adopted. The motion was duly put to vote of the City Council, the ayes and nays were called, and the vote was as follows:


AYES: Hansen, Lengeling, Pudenz, Ossian  
NAYS: None  
ABSENT OR NOT VOTING: Griffin

Whereupon the Mayor declared the motion duly carried and Ordinance No. 878 duly and finally passed and adopted as an ordinance of the City of Denison, Iowa. The Mayor forthwith approved and signed Ordinance No. 878 and the City Clerk thereupon sealed Ordinance No. 878 with the City Seal and duly attested the same.

CERTIFICATE

I, O. H. Webb, City Clerk of the City of Denison, Iowa, hereby certify that the foregoing is a true copy of the minutes of the City Council of the City of Denison, Iowa, at a regular meeting held on the 10th day of November, 1980, concerning the adoption of Ordinance No. 878 and the vote thereon, as recorded in the records of the City now in my custody.

Dated this 10th day of November, 1980.

(City Seal)   
Law Offices of O. H. Webb, City Clerk

REIMER, VIPOND & LOHMAN  
Denison, Iowa 51442