

# Legals

## NORTH BUTLER CSD • RESTROOM PUBLIC HEARING

Notice is hereby given in accordance with Chapter 26 of the Code of Iowa by order of the Board of Education of the North Butler Community School District, which includes all or part of the following counties: Butler, Floyd.

Said Board proposes to consider construction bids for the JR.-SR. High School Restroom Remodel in Greene, Iowa.

Work of the project includes the demolition and reconfiguration of the existing restrooms into new accessible restrooms including new flooring, wall finishes, ceilings, plumbing fixtures and lighting. The total project cost is estimated to be \$300,000.

A public hearing will be held at which time any interested persons may appear and file objections to

the proposed plans, specifications, form of contract, or estimated cost of the public improvement. The public hearing is set for 9:00 AM on Monday, June 24, 2024 and will be held virtually utilizing the following link: <https://meet.google.com/vzu-isqf-fxd>

If you would like to submit a question in advance, please submit via email to Shellee Bartlett, at email to: [shellee.bartlett@northbutler.org](mailto:shellee.bartlett@northbutler.org) no later than 2:00 PM on Friday, June 21, 2024.

DATED AT: Allison, Iowa, this 4<sup>th</sup> day of June, 2024

BY ORDER OF: North Butler Community School District

BY: Laurie Shultz, Board of Education President

*Published in the Butler County Star Tribune on June 6, 2024*

## PROBATE WRIGHT ESPR017496

**THE IOWA DISTRICT COURT FOR BUTLER COUNTY**  
IN THE MATTER OF  
THE ESTATE OF  
SHIRLEY E. WRIGHT, Deceased  
CASE NO. ESPR017496  
**NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS**

To All Persons Interested in the Estate of Shirley E. Wright, Deceased, who died on or about November 5, 2023:

You are hereby notified that on May 17, 2017 the Last Will and Testament of Shirley E. Wright deceased, bearing date of December 6, 2023 was admitted to probate in the above-named court and that Debra J. Mummelthai was appointed Executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be

forever barred.

Notice is further given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated May 20, 2024.

\_\_\_\_/s/\_\_\_\_

Lana L. Luhring, AT#0004830  
Attorney for Executor  
Laird and Luhring Law Firm  
PO Box 177  
Waverly, IA 50677  
Date of second publication  
June 6, 2024  
Probate Code Section 304  
\* Designate Codicil(s) if any, with date(s).

*Published in the Butler County Star Tribune on May 30, and June 6, 2024*

## BUTLER CO BOA • PUBLIC HEARING

**NOTICE OF PUBLIC HEARING BUTLER COUNTY**

Board of Adjustment

The Butler County Board of Adjustment will meet on June 11, 2024, at 7:30 a.m. in the basement meeting room of the Butler County Courthouse.

At this meeting the Board will:

Hold a Public Hearing on a special exception request by BMC Aggregates for a sandpit dredging operation on a parcel located in the W½ NW¼ S & W of RR of Section 34,

Township 92 North, Range 15 West of the 5th P.M.

All interested parties are encouraged to attend the meeting. Written or oral comments may be submitted to the Butler County Zoning Administrator at the Courthouse, P.O. Box 325, Allison, Iowa, 319-346-6629 or via email at [mday@butlercounty.iowa.gov](mailto:mday@butlercounty.iowa.gov).

X Butler County Zoning Administrator

*Published in the Butler County Star Tribune on June 6, 2024*

## CITY OF CLARKSVILLE • NOTICE OF PUBLIC HEARING

**NOTICE OF PUBLIC HEARING FOR THE PROPOSED VACATION OF 264 FEET OF SOUTH BAUGHMAN STREET NORTH OF FORMER WEST WEARE STREET**

Public notice is hereby given that there is now on file in the office of the clerk of the city of Clarksville, Iowa, a proposal to vacate the full width of 264 feet of South Baughman Street north of the north edge of the former vacated West Weare Street.

The City of Clarksville Iowa is the owner of the public right of way legally described as follows:

All of the 264 feet of South Baughman Street north of the north edge of the former vacated West Weare Street, in the City of Clarksville, Butler County, Iowa.

Upon vacation of this street, the street would then be owned by

the abutting property owners, 1/2 owned by the abutting property owner to the east according to the length of its frontage on the street, and 1/2 by the abutting property owner to the west, which is the City of Clarksville.

The public hearing will be held on June 17<sup>th</sup>, 2024 at 6:30 PM in the council chambers at City Hall, 115 West Superior, Clarksville, Iowa, and that all objections thereto or other comments may be made at that time. Objections or comments may also be delivered to the City Clerk at City Hall prior to the hearing. This notice is given as required by section 364.7 of the Code of Iowa.

Molly Bohlen, City Clerk, City of Clarksville, Iowa.

*Published in the Butler County Star Tribune on June 6, 2024*

## NORTH BUTLER CSD • SPECIAL MEETING 5.28.2024

**NORTH BUTLER COMMUNITY SCHOOL BOARD OF EDUCATION SPECIAL MEETING**

May 28, 2024

A special meeting was called to order by President Laurie Shultz at 9:03 a.m. in District Office. Board members present were Ty Crawford-Miller, Amanda Lund (via phone), Jordan Nolz (via phone) and Laurie Shultz; other present were Superintendent Mark Olmstead, Business Manager/Board Secretary Shellee Bartlett, Jennifer Miller and Susan Ackerman. Board members absent: Heather Shook.

Moved by Crawford-Miller, seconded by Lund, to approve the agenda. Carried unanimously.

Moved by Lund, seconded by Nolz, to approve ratification of the 2024-25, 2025-26, 2026-27 nego-

tiated agreement with the North Butler Education Association and issuance of contracts, 2.91% total package. Carried unanimously.

Moved by Crawford-Miller, seconded by Nolz, to approve 2.91% salary increase for the 2024-25 Human Resources, Transportation, Custodians, Curriculum Director, Social Worker and Principals. Carried unanimously.

Moved by Crawford-Miller, seconded by Lund, to approve the first reading of board policy 303.1, Administrative Positions and waive the second reading. Carried unanimously.

Moved by Crawford-Miller, seconded by Nolz, to adjourn at 9:09 a.m.

*Published in the Butler County Star Tribune on June 6, 2024*

## IDAHO HOUSING & FINANCE ASSOC VS. FRANKEN EQCV022103

**IN THE IOWA DISTRICT COURT OF BUTLER COUNTY**

Idaho Housing and Finance Association  
Plaintiff,

vs.

Benjamin J. Franken; MidWestOne Bank; Unknown spouse, if any, of Benjamin J. Franken; City of Parkersburg, Iowa; Parties in Possession; AgVantage FS, a Division of Growmark, Inc., et al.  
Defendants.

EQUITY NO: EQCV022103

**ORIGINAL NOTICE FOR PUBLICATION**

You are notified that a petition has been filed in the office of this court naming you as a defendant in this action. The petition was filed on April 10, 2024, and prays for foreclosure of Plaintiffs Mortgage in favor of the Plaintiff on the prop-

erty described in this notice and judgment for the unpaid principal amount of \$94,957.30, with 2.75% per annum interest thereon from September 1, 2023, together with late charges, advances and the costs of the action including (but not limited to) title costs and reasonable attorney's fees, as well as a request that said sums be declared a lien upon the following described premises from October 29, 2020, located in Butler county, Iowa:

A tract of land commencing at the Southwest corner of the Northwest Quarter (NW¼) of Section Twenty-three (23), thence East 720 feet, thence North 270 feet to the point of beginning, thence North 400 feet, thence East 335 feet, thence South 400 feet, thence West 335 feet to point of beginning, all in the West

One-half of the Northwest Quarter (W½ NW¼) of Section Twenty-three (23), Township Ninety (90) North, Range Seventeen (17) West of the 5<sup>th</sup> P.M., commonly known as 31446 Keystone Ave, Parkersburg, IA 50665 (the "Property")

The petition further prays that the Mortgage on the above described real estate be foreclosed, that a special execution issue for the sale of as much of the mortgaged premises as is necessary to satisfy the judgment and for other relief as the Court deems just and equitable. For further details, please review the petition on file in the clerk's office. The Plaintiffs attorney is Emily Bartekoske, of SouthLaw, P.C.; whose address is 4601 Westown Pkwy, Suite 250, West Des Moines, IA 50266.

NOTICE

The plaintiff has elected foreclosure without redemption. This means that the sale of the mortgaged property will occur promptly after entry of judgment unless you file a written demand with the court to delay the sale. If you file a written demand, the sale will be delayed until twelve months (or six months if the petition includes a waiver of deficiency judgment) from the entry of judgment if the mortgaged property is your residence and is a one-family or two-family dwelling or until two months from entry of judgment if the mortgaged property is not your residence or is your residence but not a one-family or two-family dwelling. You will have no right of redemption after the sale. The purchaser at the sale will be entitled to immediate possession of the mortgaged property. You may purchase

at the sale.

You must serve a motion or answer on or before 3<sup>rd</sup> day of July, 2024, and within a reasonable time thereafter, you must file your motion or answer with the Clerk of Court for Butler County, at the county courthouse in Allison, Iowa. If you fail to respond, judgment by default may be rendered against you for the relief demanded in the petition.

If you require the assistance of auxiliary aids or services to participate in a court action because of a disability, immediately call your District ADA Coordinator at 641-494-3611. If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942.

This case has been filed in a county that utilizes electronic filing. You may find more information and gen-

eral rules governing electronic filing in Iowa Court Rules Chapter 16. You may find information concerning protection of personal information in court filings in Iowa Court Rules Chapter 16, Division VI.

By:  
CLERK OF THE ABOVE COURT  
Butler County Courthouse  
428 6<sup>th</sup> Street, P.O. Box 307  
Allison, IA 50602-0307

IMPORTANT:  
YOU ARE ADVISED TO SEEK LEGAL ADVICE AT ONCE TO PROTECT YOUR INTERESTS.

*Published in the Butler County Star Tribune on May 23 and 30, and June 6, 2024*

## BUTLER CO BOS • MINUTES 5.21.2024

**MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON MAY 21, 2024.**

Meeting called to order at 9:00 A.M. by Chairman Wayne Dralle with members Rusty Eddy and Greg Barnett present. Moved by Barnett second by Eddy to approve the agenda. All ayes. Motion carried.

Minutes of the previous meeting were read. Motioned by Barnett, second by Eddy to approve the minutes as read. All ayes. Motion carried.

No public comment was received.

Motioned by Eddy, second by Barnett to open a Public Hearing on a proposed reclassification from an Area Level "B" to Area Level "C" portion of Temple Ave. All ayes. Motion carried. Leslie Groen, Auditor, mentioned the Engineer's office received a phone call from Kim Sherburne stating she was opposed to closing the road as she uses it frequently. Wayne Dralle read a letter received from Scott and LeeAnn Hoodjer and Paula Hoodjer stating that over the years there has been garbage and abandoned vehicles found on the road, the road can be dangerous, and people drive through their prop-

erty when the road is bad. Rocky Norton commented that he uses the road four times a day and does not want it closed. He stated that it is looking better than ever, and he does not see all the garbage on there. Kenny Roose commented as a landowner around it and explained that he has concerns about closing it and suggested that it be closed on occasion when the road is not in good use. Barnett explained that if it was a Level "C", it would be gated and responsibility would fall on the landowners to maintain. John Riherd, Engineer, mentioned that if it was a Level "C" the County could maintain on request. It was specified that if gates were put in place, they could not stay open unless it was being accessed and the landowners would hold keys to the gate. Roose stated that he is not advocating for closing the road but wanted to understand what can be done and come up with a solution. Riherd recommended that it remain a Level "B" at this time without overwhelming support to make a change. Motioned by Eddy, second by Barnett to close the public hearing. All ayes. Motion carried.

Board considered resolution to classify road(s) Area Level C of por-

tion of Temple Ave in Butler TWP. No motion was made to reclassify the road.

Board considered Resolution #2004-2024 for Reints 1st Minor Plat. Misty Day, Planning and Zoning, explained that they are attempting to split off the acreage to build. The P&Z Commission recommended approval. Motioned by Barnett, second by Dralle to approve Resolution #2004-2024. Roll call was taken, and the resolution was adopted as follows:

RESOLUTION # 2004-2024  
BUTLER COUNTY BOARD OF SUPERVISORS

APPROVING "REINTS" 1ST MINOR PLAT" WITH THE RECOMMENDATION OF THE BUTLER COUNTY PLANNING AND ZONING COMMISSION

BE IT RESOLVED by the Butler County Board of Supervisors as follows:

Section 1. The Butler County Planning and Zoning Commission reviewed a Minor Subdivision Plat entitled "REINTS" 1ST MINOR PLAT" at its regular meeting on May 9, 2024.

Section 2. This Plat consists of one parcel legally described as Parcel E in Reints' 1st Minor Plat in the

Southwest Quarter of the Southwest Quarter of Section 4, Township 91 North, Range 15 West of the 5th P.M., Butler County, Iowa, and more particularly described as follows:

Commencing at the Southwest Corner of said Section;

Thence North 00°16'29" West, 580.80 feet along the West Line of said Quarter-Quarter Section to the Northwest Corner of a Deed Description, as recorded in Document Number 2022-0349, on file in the Butler County Recorder's Office, Allison, IA, also being the Point of Beginning;

Thence continuing North 00°16'29" West, 591.80 feet along said West Line to the Southwest Corner of a Deed Description, as recorded in Document Number 2022-0127, on file in the Butler County Recorder's Office, Allison, Iowa;

Thence North 89°43'31" East, 305.00 feet along the South Line of said Deed, as recorded in Document Number 2022-0127;

Thence South 00°16'29" East, 590.15 feet to the North Line of said Deed, as recorded in Document Number 2022-0349;

Thence South 89°25'02" West, 305.00 feet along said North Line to the Point of Beginning.

Containing 4.14 Acre(s), including 0.45 Acre(s) of Union Avenue Right-of-Way, subject to any easements recorded or unrecorded.

Section 3. The Planning & Zoning Commission has made the recommendation that the Minor Subdivision Plat entitled "REINTS" 1ST MINOR PLAT" be approved.

Section 4. The Board of Supervisors hereby approve the Minor Subdivision Plat entitled "REINTS" 1ST MINOR PLAT" as legally described above.

Section 5. This resolution shall take effect immediately.

The vote thereon was as follows:

AYES: Wayne Dralle, Rusty Eddy, Greg Barnett

NAYS: None

ABSENT: None

Passed and approved this 21st day of May, 2024.

ATTEST: Leslie Groen, County Auditor

Board considered Statement of Work from Ahlers and Cooney for EMS Levy. Groen explained that Ahlers and Cooney prepared a Statement of Work with an estimated \$1,500 to prepare a board resolution, ballot measure language and election documents. Motioned by Barnett, second by Eddy to ap-

prove the engagement letter with Ahlers and Cooney. All ayes. Motion carried.

Riherd provided an Engineer's update. There are some road closures due to the heavy rain and maintenance is working on that currently. Construction and bridges are progressing. Wage rates have been set for secondary roads and Riherd mentioned that he would like to get things closer to the county handbook as they move away from the union. He suggested a workshop in order to work on these items.

Motioned by Eddy, second by Barnett to approve claims. All ayes. Motion carried.

Motioned by Barnett, second by Eddy to adjourn the regular meeting at 9:54 A.M. to May 28, 2024 at 9:00 A.M. All ayes. Motion carried.

The above and foregoing is a true and correct copy of the minutes and proceedings of the Board of Supervisors of Butler County, Iowa on May 21, 2024.

Attest: Leslie Groen, Butler County Auditor

Wayne Dralle, Chairman of the Board of Supervisors

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