

PROCEEDINGS

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON JAN. 22, 2019.

Meeting called to order at 9 a.m., by Chairman Rusty Eddy with members Greg Barnett and Tom Heidenwirth present. Also present was Treasurer Vicki Schoneman.

Minutes of the previous meeting were read and approved as read.

Moved by Eddy, second by Heidenwirth to move Linde Janssen, Treasurer's Office, to a salary step program. All ayes. Motion carried.

Budget meetings were held with the following Department Heads/Elected Officials: Treasurer, Vicki Schoneman; County Attorney, Greg Lievens; Recorder, Janice Jacobs; Director of Veteran Affairs, Tom Heckman; Zoning Administrator, Misty Kroeze; Emergency Management Coordinator, Chis Showalter; Information Technology Director, Sara Trepp; Public Health Director, Jennifer Becker; Sheriff, Jason Johnson; Conservation Director, Mike Miner; also present were Conservation Board members Mark O'Brien, Greene, Kelly Harken, Aplington, and Fern Myers, Allison; Engineer, John Riherd; and Auditor, Lizbeth Williams.

Moved by Eddy, second by Barnett to approve Iowa DOT funding agreement No. 2-19-HBP-SWAP-007 for a bridge replacement on Pearl Avenue south of C33. All ayes. Motion carried.

Board set March 5, 2019 at 9:05 a.m., as the date and time for a public hearing on proposed FY20 County Budget.

No public comment received.

Board approved claims as submitted.

Moved by Eddy, second by Barnett to adjourn the meeting at 1:30 p.m., to Tuesday, Jan. 29, 2019 at 9 a.m. Motion carried.

The above and foregoing is a true and correct copy of the minutes and proceedings of a regular adjourned meeting of the Board of Supervisors of Butler County, Iowa on Jan. 22, 2019.

PROCEEDINGS

OFFICIAL PROCEEDINGS CITY OF CLARKSVILLE SPECIAL SESSION MINUTES FEBRUARY 4, 2019

The Clarksville City Council met in special work session Feb. 4, 2019, in the temporary City Hall, Clarksville, Iowa, at 5:30 p.m., with Mayor Val Swinton in the Chair and Council Members Roger Doty, Jeff Kolb, Diane Renning and Kenny Smith. Todd Fails absent. Attending was Lori Peterson and Kayla Hinders, Financial Administration.

The Council met in special work session to work on the 2020 Fiscal Year City Budget.

Motion Kolb, to adjourn the City Council Special Work Session Meeting at 6:15 p.m.

ATTEST:

Val F Swinton, Mayor

Lori A Peterson, City Clerk/Treasurer

PROCEEDINGS

OFFICIAL PROCEEDINGS CITY OF CLARKSVILLE BUSINESS MEETING MINUTES FEBRUARY 4, 2019

The Clarksville City Council met in regular session Feb. 4, 2019, in the Temporary Council Chambers at 7 p.m., with Mayor Val Swinton in the chair and Council Members

Roger Doty, Todd Fails, Jeff Kolb, Diane Renning, and Kenny Smith present.

Motion Smith, Fails, to approve nuisance property extension for 503 S Adams St, new vinyl siding to be completed by June 1, 2019. If not completed by June 1, 2019, the City of Clarksville will petition for abatement under Iowa Code Chapter 657A.

RCV – Ayes: Doty, Fails, Kolb, Renning, Smith. Nays: None. Motion carried.

Motion Smith, Kolb, to approve and adopt the items contained in the Consent Agenda: Motion to approve minutes (Jan. 7, 2019 and Jan. 21, 2019).

RCV – Ayes: Doty, Fails, Kolb, Renning, Smith. Nays: None. Motion carried.

Motion Fails, Renning, to approve building permit for Dollar General store.

RCV – Ayes: Doty, Fails, Kolb, Renning, Smith. Nays: None. Motion carried.

Motion Renning, Fails, to set public hearing for Feb. 18, 2019, at 7 p.m., at the temporary City Hall regarding Declaration of Covenants and Restrictions pertaining to City owned property surrounding Dollar General store.

RCV – Ayes: Doty, Fails, Kolb, Renning, Smith. Nays: None. Motion carried.

Motion Kolb, Renning, to approve agreement for professional services with Fehr Graham for Fiscal Year 2019-20.

RCV – Ayes: Doty, Fails, Kolb, Renning, Smith. Nays: None. Motion carried.

Motion Kolb, Smith, to set Public Hearing on March 4, 2019, at 7 p.m., in the temporary City Hall for the Fiscal Year 2020 City Budget Estimates.

RCV – Ayes: Doty, Fails, Kolb, Renning, Smith. Nays: None. Motion carried.

Motion Renning, Fails, to go into closed session pursuant to Iowa Code 21.5(1)(i).

RCV – Ayes: Doty, Fails, Kolb, Renning, Smith. Nays: None. Motion carried.

Attending: Heather Prendergast, City Attorney; Val Swinton, Mayor; Roger Doty, Todd Fails, Jeff Kolb, Diane Renning and Kenneth Smith, City Council Members.

Motion Fails, Renning, to end closed session.

Motion Kolb, to adjourn the regular City Council meeting at 8:40 p.m.

ATTEST:

Val F Swinton, Mayor

Lori A Peterson, City Clerk/Treasurer

PROCEEDINGS

OFFICIAL PROCEEDINGS CITY OF ALLISON COUNCIL MINUTES JANUARY 28, 2019

Mayor Blockhus opened the regular meeting at 5:15 p.m. Council members present were: Bangasser, Cramer, Davis, Heuer and Platter. Others present were: Bethany Carson – Tribune-Journal, Mike Lammers – Sheriff's Office Deputy, Trent Stirling. Cramer made a motion to approve the agenda with a second by Bangasser. Ayes: All. Nays: None. Motion carried.

Open Forum:

Mike Lammers reported to Council on officers patrolling the City. Heuer asked Trent to check into equipment to be able to brine streets.

Consent Agenda:

Davis made a motion to approve the consent agenda with a second by Cramer. The items approved were as follows:

Approve Minutes from Meeting on Jan. 14, 2019.

Ayes: All. Nays: None. Motion Carried.

New Business:

Sump pump discharges were discussed as some cause ponding and freezing conditions. Dan Petersen will be contacted to see on tiling options and costs to try and help prevent this issue.

Bangasser made a motion to approve Resolution #19-01.8 – Resolution to transfer funds in the amount of \$322.98 out of Local Option Sales Tax – Economic Development into Housing Rehab to balance out the project. Second by Davis. Ayes: All. Nays: None. Motion Carried.

Resolution #19-01.6 – Depository Resolution adopted at the meeting on Jan. 14, 2019 was discussed as the bank requested we change the resolution to correct it as it does not match the form with qualified signors of the account. Motion by Davis with a second by Heuer to rescind Resolution #19-01.6 and redo the resolution at the next meeting. Ayes: All. Nays: None. Motion Carried.

Budget papers were reviewed and it was decided to hold a budget workshop on Feb. 4, 2019 at 5:15 p.m.

Old Business:

No old business was discussed

Adjournment:

Davis made a motion to adjourn at 6:25 p.m., with a second by Bangasser. Ayes: All. Nays: None. Motion Carried.

ATTEST:

James A. Blockhus – Mayor

Attest: Glenda Miller – City Clerk

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The above and foregoing is a true and correct copy of the minutes and proceedings of a regular adjourned meeting of the Board of Supervisors of Butler County, Iowa on Jan. 22, 2019.

PUBLIC NOTICE

**THE IOWA DISTRICT COURT FOR
BUTLER COUNTY
CASE. NO EQCV021382
ORIGINAL NOTICE**

CITY OF DUMONT, Plaintiff,
vs.

NATURLICH HEALTH & BEAUTY
CORP. and JAMES G. HAGEN and
NATURLICH BEAUTY PRODUCTS LLC
and STRATEGIC LAND INVESTMENT
COMPANY LLC, Defendants
TO THE ABOVE-NAMED DEFEN-
DANT(S):

You are notified that a Second Amend-
ed Petition has been filed in the office
of the clerk of this court naming you as
the defendant(s) in this action. The Sec-
ond Amended Petition was filed Nov. 15,
2018. The Court granted leave to amend
the petition on Dec. 12, 2018. The Sec-
ond Amended Petition was filed as a
stand-alone document on Jan. 24, 2019.
The name and address of the attorney for
the plaintiff(s) is Brian D. Miller, 123 North
Federal St., Hampton, IA 50441. The at-
torney's phone number is 641-456-2111;
facsimile number: 641-456-4270.

The Second Amended Petition seeks
judgment against Defendant Naturlich
Health & Beauty Corp based upon its
failure to maintain its building located
at 509 Main Street, Dumont, IA, legally
described as: Lot G and the N 3½ feet
of Lot H of the Subdivision of Lot 151,
Original Town of Dumont, Butler Coun-
ty, Iowa, which was subsequently was
declared by the Iowa District Court to
be a public nuisance and a threat to the
general health, welfare and safety of the
public. See genera11y Butler County
Case No. EQCV021230. Count II of the
Second Amended Petition seeks judg-
ment against all defendants by piercing
the corporate veil of Defendant Naturlich
Health & Beauty Corp. Count III asserts
claims brought under Iowa Code Chapter
684, the Iowa Uniform Voidable Transac-
tions Act, asserting that various transfers
made by the defendants were fraudulent,
and should be voided. In addition to a
judgment for both actual damages and
punitive damages, Plaintiff seeks to void
various transactions of the defendants
and to obtain an injunction. The action
contains both legal and equitable claims.

You are further notified that the above
case has been filed in a county that uti-
lizes electronic filing. Unless, within 20
days after service of this original notice
upon you, you serve, and within a rea-
sonable time thereafter file a motion or
answer, in the Iowa District Court for But-
ler County, at the courthouse in Allison,

Iowa, judgment by default may be ren-
dered against you for the relief demand-
ed in the Amended Petition. Please see
Iowa Court Rules Chapter 16 for informa-
tion on electronic filing and Iowa Court
Rules Chapter 16, division VI regarding
the protection of personal information in
court filings.

If you require the assistance of auxilia-
ry aids or services to participate in court
because of a disability, immediately call
your district ADA coordinator at 641-421-
0990. (If you are hearing impaired, call
Relay Iowa TTY at 1-800-735-2942.)

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

STATE OF IOWA JUDICIARY

Case No.: EQCV021382

County: Butler

Case Title: (GRR) City of Dumont Vs.
Naturlich Health & Beauty

**THIS CASE HAS BEEN FILED IN A
COUNTY THAT UTILIZES ELECTRON-
IC FILING.** Therefore, unless the at-
tached Petition and Original Notice con-
tains a hearing date for your appearance,
or unless you obtain an exemption from
the court, you must file your Appearance
and Answer electronically.

You must register through the Iowa Ju-
dicial Branch website at <https://www.iowacourts.state.ia.us/EFile> and obtain
a log in and password for the purposes
of filing and viewing documents on your
case and of receiving service and notices
from the court.

**FOR GENERAL RULES AND INFOR-
MATION ON ELECTRONIC FILING,
REFER TO THE IOWA COURT RULES
CHAPTER 16 Pertaining TO THE USE
OF THE ELECTRONIC DOCUMENT
MANAGEMENT SYSTEM:** [https://www.
iowacourts.state.ia.us/EFile](https://www.iowacourts.state.ia.us/EFile).

**FOR COURT RULES ON THE PRO-
TECTION OF PERSONAL PRIVACY IN
COURT FILINGS, REFER TO DIVISION
VI OF IOWA COURT RULES CHAPTER
16.** [https://www.iowacourts.state.ia.us/
EFile](https://www.iowacourts.state.ia.us/EFile)

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ry aids or services to participate in court
because of a disability, immediately call
your district ADA coordinator at 641-421-
0990. (If you are hearing impaired, call
Relay Iowa TTY at 1-800-735-2942.)

Date Issued: 1/23/2019 04:10:24 p.m.

(Seal)

/s/ Beth Eilderts

District Clerk of Court Butler County

TJ-5, 6, 7

PUBLIC NOTICE

ORIGINAL NOTICE FOR PUBLICATION

EQUITY NO. EQCV021503

IN THE IOWA DISTRICT COURT FOR
BUTLER COUNTY

IOWA BANKERS MORTGAGE COR-
PORATION, PLAINTIFF,
vs.

KELLY N. MASUR; STATE BANK; VE-
RIDIAN CREDIT UNION; ENERBANK;
PARTIES IN POSSESSION; AND
SPOUSE OF KELLY N. MASUR; TORI
WARD; SPOUSE OF TORI WARD;
NICOLE VAN MEIGHEN; SPOUSE
OF NICOLE VAN MEIGHEN; MINDY
KAHLER; SPOUSE OF MINDY
KAHLER; MANDY GEERTS; SPOUSE
OF MANDY GEERTS; WILL BILLING-
TON; SPOUSE OF WILL BILLINGTON;
JAMES BILLINGTON; SPOUSE OF
JAMES BILLINGTON; LAKIN WELLS;
SPOUSE OF LAKIN WELLS; JENA
WELLS; SPOUSE OF JENA WELLS;
ANDREW STEBBINS; SPOUSE OF AN-
DREW STEBBINS; KATIE MORRIS;
SPOUSE OF KATIE MORRIS; UNIT-
ED STATES OF AMERICA-INTERNAL
REVENUE SERVICE; STATE OF IOWA-
DEPARTMENT OF REVENUE; ES-
TATE OF JOHN R. MASUR A/K/A JOHN
MASUR; ALL CREDITORS, KNOWN
AND UNKNOWN; AND ALL HEIRS,
DEVISEES AND LEGATEES OF JOHN
R. MASUR A/K/A JOHN MASUR, AND
ALL KNOWN AND UNKNOWN CLAIM-
ANTS AND ALL PERSONS KNOWN OR
UNKNOWN CLAIMING ANY RIGHT,
TITLE, OR INTEREST, AND ALL OF
THEIR HEIRS, SPOUSES, ASSIGNS,
GRANTEES, LEGATEES, DEVISEES
AND ALL BENEFICIARIES OF EACH
AND ALL OF THE ABOVE NAMED DE-
FENDANTS, DEFENDANTS.

To the above-named Defendants: Kelly
N. Masur; Spouse of Kelly N. Masur; An-
drew Stebbins; Spouse of Andrew Steb-
bins; Katie Morris; Spouse of Katie Mor-
ris; Estate of John R. Masur a/k/a John
Masur; and Creditors of John R. Masur
a/k/a John Masur; The Heirs, Devisees,
Legatees of John R. Masur a/k/a John
Masur; All known and unknown claim-
ants and all persons known or unknown
claiming any right, title or interest and all
of their Heirs, Spouses, Assigns, Grant-
ees, Legatees, Devisees and all Benefi-
ciaries of each of the above named De-
fendants

You are notified there was on Aug. 31,
2018, filed in the Office of the Clerk of the
above-named Court a Foreclosure Peti-
tion and on Nov. 9, 2018 a First Amend-
ment to Foreclosure Petition and Petition
in Equity to Quiet Title, which prays for
foreclosure of a mortgage in favor of the
Plaintiff on the property described here-
in and judgment in rem in the amount of
\$47,305.07 plus interest at the rate of 4.0
percent per annum from March 1, 2018,
such amount equaling \$5.18 per day, the
costs of the action including title costs of
\$225, and reasonable attorney fees and
that said sums be declared a lien upon
the following-described premises from
May 17, 2013, located in Butler County,
Iowa, to-wit:

Parcel K, located in the Northeast Quar-
ter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$
of Section Eleven (11), Township Nine-
ty-one (91) North, Range Fifteen (15)
West of the 5th P.M., as per Plat of Sur-
vey filed July 16, 2007, recorded in Book
"O" Page 131, Instrument No. 2007-2763
of the records of the Butler County Re-
corder's Office that the mortgage on the
above-described real estate be fore-

closed, that a special execution issue
for the sale of as much of the mortgaged
premises as is necessary to satisfy the
judgment. Said Petition also prays for the
establishment of Plaintiff's estate and ti-
tle against the adverse claims of the De-
fendants in favor of the Plaintiff on the
above-described real estate, and that
each and all of the Defendants be barred
and forever stopped from ever having,
asserting or claiming any right, title or in-
terest in or to the above-described real
estate, or any part thereof adverse to the
Plaintiff's or the purchaser at Sheriff's
Sale's title therein, established and con-
firmed, and for other relief as the Court
may deem just and equitable. The attor-
ney for the Plaintiff is Krystle L. Campa,
whose address is The Highland Building,
4201 Westown Parkway, Suite 300, West
Des Moines, Iowa 50266, Phone: 515-
288-2500, Facsimile: 515-243-0654.

NOTICE

**THE PLAINTIFF HAS ELECTED
FORECLOSURE WITHOUT REDEMP-
TION. THIS MEANS THAT THE SALE
OF THE MORTGAGED PROPER-
TY WILL OCCUR PROMPTLY AF-
TER ENTRY OF JUDGMENT UNLESS
YOU FILE WITH THE COURT A WRIT-
TEN DEMAND TO DELAY THE SALE.
IF YOU FILE A WRITTEN DEMAND,
THE SALE WILL BE DELAYED UN-
TIL SIX MONTHS (THREE MONTHS
IF THE PETITION INCLUDES A WAIV-
ER OF DEFICIENCY) FROM 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 RES-
IDENCE BUT NOT A ONE-FAMILY OR
TWO-FAMILY DWELLING. YOU WILL
HAVE NO RIGHT OF REDEMPTION
AFTER THE SALE. THE PURCHAS-
ER 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 the 13th day of March, 2019, and
within a reasonable time thereafter, file
your motion or answer, in the Iowa Dis-
trict Court for Butler County, Iowa. You
are notified that Butler County District
Court utilizes the Electronic Document
Management System. You are directed
to the Iowa Court Rules Chapter 16 for
general rules and information on elec-
tronic filing and, in particular, Division VI
regarding the protection of personal in-
formation in court filings. If you do not,
judgment by default may be rendered
against you for the relief demanded in
the Petition.

**If you require the assistance of auxil-
iary aids or services to participate in
court because of a disability, immedi-
ately call your district ADA coordina-
tor at 641-421-0990. (If you are hear-
ing impaired, call Relay Iowa TTY at
1-800-735-2942.) Disability coordina-
tors cannot provide legal advice.**

Beth Eilderts

Clerk of the Above Court,
Butler County Courthouse
Allison, Iowa

IMPORTANT

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

Date of third publication 21st day of Feb-
ruary, 2019.

PUBLIC NOTICE

NOTICE OF SHERIFF'S LEVY AND SALE

IN THE IOWA DISTRICT COURT IN
AND FOR BUTLER COUNTY

STATE OF IOWA, BUTLER COUNTY

Iowa District Court Butler County

CASE NO.: EQCV021515

CIVIL NO.: 19-000039

Special Execution

Freedom Mortgage Corporation

vs.

Todd A. Henze; Stephanie Henze; and
Parties In Possession

As a result of the judgment rendered in
the above referenced court case, an ex-
ecution was issued by the court to the
Sheriff of this county. The execution or-
dered the sale of defendant's Real Es-
tate, Described Below

To satisfy the judgment. The Property to
be sold is:

LOT ONE AND TWO (1 & 2) IN BLOCK
FOURTEEN (14) IN THE TOWN OF
SHELL ROCK, BUTLER COUNTY,
IOWA

JUDGEMENT IN REM

Property Address: 320 West Washing-
ton St., Shell Rock, IA 50670

The described property will be offered
for sale at public auction for cash only as
follows:

Sale Date: March 28, 2019

Sale Time: 10 a.m.

Place of Sale: Butler County Sheriff's
Office, 428 Sixth St., Allison, IA 50602

This sale not subject to Redemption.

Property exemption: Certain money or
property may be exempt. Contact your
attorney promptly to review specific pro-
visions of the law and file appropriate no-
tice, if acceptable.

Judgment Amount: \$65,940.14

Costs: \$5,023.71

Accruing Costs PLUS

Interest: \$833.06

Sheriff's Fees: Pending

Attorney: Benjamin Hopkins

1350 NW 138th St., Ste. 100

Clive, IA 50325

515-222-9400

Date: Jan. 24, 2019

Jason S. Johnson,

Butler County Sheriff