

PROCEEDINGS: Clarksville

CITY OF CLARKSVILLE CITY COUNCIL BUSINESS MEETING JULY 10, 2017

The Clarksville City Council met in regular session July 10, 2017, in the Council Chambers of City Hall at 7:00 p.m. with Mayor Val Swinton in the chair and Council Members Roger Doty, Jeff Kolb, Kenneth Smith and Travis Sterken present. Diane Renning absent.

Motion Sterken, Doty, to approve and adopt the items contained in the Consent Agenda: Motion to approve minutes (June 5, 2017 and June 19, 2017).

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning, MC.

Motion Sterken, Smith, to approve house addition building permit for Bryan Markussen, 120 E Poisal St.

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning, MC.

Motion Sterken, Smith, to approve existing garage remodel to living space and add new garage building permit for Jerald Heuer, 505 W Wamsley Ave.

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning, MC.

Motion Kolb, Smith, to approve winning bids for the Housing Rehab Project as presented by Cindy Knox from Iowa Northland Regional Council of Governments (INRCOG): Kirvan Enterprises, 1100 Evergreen Ave, Waterloo, IA, in the amount of \$12,015.00 for Project #1 (503 W Weare St), French Construction, 7843 Finchford Rd, Janesville, IA, in the amount of \$35,323.00 for Project #2 (108 S Ely St), and Kirvan Enterprises, 1100 Evergreen Ave, Waterloo, IA, in the amount of \$19,442.00 for Project #3 (514 W Weare St).

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning, MC.

Motion Kolb, Doty, to approve Project Subaward Agreement between Iowa Homeland Security and Emergency Management Department and City of Clarksville, Iowa, for Project Clarksville HMGP Property Acquisitions, Federal Award Identification Number (FAIN): 4289DRIAP0000005, Federal Award Date: 6/26/2017, Federal Funds Obligated Amount: \$535,275.00.

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning, MC.

Motion Sterken, Kolb, to approve Contract for Services between the Iowa Northland Regional Council of Governments (INRCOG) and City of Clarksville, Iowa (HSEMD Acquisition Program: Project Administration). The City hereby requests INRCOG assistance in carrying

out the Contract and Scope of Services.

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning, MC.

Motion Kolb, Doty, to adopt Resolution 17-646: A RESOLUTION OF THE CITY OF CLARKSVILLE CITY COUNCIL AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH THE IOWA NORTHLAND REGIONAL COUNCIL OF GOVERNMENTS (INRCOG) FOR THE ADMINISTRATIVE SERVICES RELATED TO THE ACQUISITION OF FLOOD-IMPACTED PROPERTIES IN THE COMMUNITY

WHEREAS, the City has been awarded funding through the Iowa Homeland Security and Emergency Management Division (HSEMD) for acquiring eight (8) flood-impacted residential properties under the Hazard Mitigation Grant Program (HMGP); and

WHEREAS, one of the provisions of the HSEMD award requires administrative tasks to be completed by the City, and

WHEREAS, INRCOG has the necessary personnel and experience for completing said administrative tasks; and

WHEREAS, the City is a member of INRCOG; agrees to the INRCOG Articles of Agreement; and the Iowa Code governing INRCOG, as amended, (IC 28H and 28E.12); and

NOW THEREFORE BE IT RESOLVED that the City of Clarksville, Iowa City Council authorizes the Mayor to sign a contract with INRCOG for completion of certain administrative requirements related to acquisition of flood-impacted properties.

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning, MC.

Motion Doty, Smith, to set Public Hearing on August 7, 2017 at 7:00 p.m. to go over plans and specifications and estimated costs for asbestos removal and demolition of city owned buildings at 112, 114, and 116 S Main Street.

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning, MC.

Motion Sterken, Smith, to set August 7, 2017 at 7:00 p.m. as the date and time for bid letting for asbestos removal and demolition of city owned buildings at 112, 114, and 116 S. Main Street.

RCV – Ayes: Doty, Kolb, Smith, Sterken. Nays: None. Absent: Renning, MC.

Motion Sterken, to adjourn the regular City Council meeting at 7:29 p.m.

Val Swinton, Mayor
Attest: Lori A. Peterson
City Clerk/Treasurer

PROBATE

NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS
THE IOWA DISTRICT COURT
BUTLER COUNTY
IN THE MATTER OF THE ESTATE OF MARLENE GENEVIEVE HAVIG, Deceased.

Probate No. ESPR016708

To All Persons Interested in the Estate of MARLENE GENEVIEVE HAVIG, Deceased, who died on or about June 9, 2017:

You are hereby notified that on the 28th day of June, 2017, the last will and testament of MARLENE GENEVIEVE HAVIG, deceased, bearing date of the 23rd day of March, 1979, was admitted to probate in the above named court and that Larry Dean Havig 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 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 this 29th day of June, 2017.

Larry Dean Havig
910 W Broadway Street
Dumont, IA 50625
Executor of estate

G. A. Cady III, ICIS PIN No: AT0001386
Attorney for executor
CADY & ROSENBERG LAW FIRM, PLC
9 First Street, SW
PO Box 456,
Hampton, IA 50441
Phone: 641-456-2555
Date of second publication
12th day of July, 2017
Probate Code Section 304

TJ 27-2

Sheriff's Sale

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 #: EQCV021282
Civil #: 17-000293

Special Execution
THE BANK OF NEW YORK MELLON,
AS TRUSTEE FOR CIT MORTGAGE
LOAN TRUST 2007-1
VS.

YVONNE RAMBO,
CITY OF CLARKSVILLE,
PARTIES IN POSSESSION

As a result of the judgment rendered in the above referenced court case, an execution was issued by the court to the Sheriff of this county. The execution ordered the sale of defendant's Real Estate, Described Below To satisfy the judgment. The Property to be sold is:

LOTS 1 AND 2, BLOCK 14, POISAL'S ADDITION TO CLARKSVILLE, BUTLER COUNTY, IOWA
JUDGEMENT IN REM

Property Address: 414 E. POISAL ST., CLARKSVILLE, IA 50619

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

Sale Date: August 31, 2017
Sale Time: 1:00 p.m.

Place of Sale: BUTLER COUNTY SHERIFF'S OFFICE, 428 6TH 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 provisions of the law and file appropriate notice, if acceptable.

Judgment Amount: \$56,964.89
Costs: \$33,118.88
Accruing Costs PLUS
Interest: \$3,254.57
Sheriff's Fees: Pending
Attorney: C. ANTHONY CRNIC
925 EAST 4TH ST.
WATERLOO, IA 50703
Date: June 26, 2017
JASON S. JOHNSON
BUTLER COUNTY SHERIFF

TJ-28-2

SHERIFF'S LEVY & SALE

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 #: EQCV021081
Civil #: 17-000284

Special Execution
STATES CREDIT HOLDINGS II, LLC
VS.
SHAWN M. WOODWARD; WOODWARD EXCAVATING & MORE, LLC;
AND MARY ANN WOODWARD

As a result of the judgment rendered in the above referenced court case, an execution was issued by the court to the Sheriff of this county. The execution ordered the sale of defendant's Real Estate, Described Below

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

PARCEL A OF THE PLAT DATED SEPTEMBER 8, 2000 AND FILED SEPTEMBER 17, 2000 AT BOOK K, PAGE 208 AT THE OFFICE OF THE BUTLER COUNTY RECORDER, ALSO DESCRIBED AS:
BEGINNING AT THE W ¼ OF SECT. 35, TWP. 90, RGE. 15, THENCE NORTH 0°59'22" WEST, 2102.12 FEET, ALONG THE WEST LINE OF THE SW ¼ OF SAID SEC. 35, THENCE SOUTH 74°46'54" EAST, 245.60 FEET, THENCE SOUTH 51°39'07" EAST 253.12 FEET, THENCE SOUTH 38°17'47" EAST, 478.57 FEET. THENCE SOUTH 2550'49" EAST, 188.46 FEET, THENCE SOUTH 721'49" EAST, 345.38 FEET, THENCE SOUTH 70°30'47" EAST, 171.60 FEET, THENCE SOUTH 50°6'31" WEST, 194.71 FEET, THENCE SOUTH 7335'47" EAST, 118.63 FEET, THENCE NORTH 28°07'36" EAST, 177.02 FEET, THENCE SOUTH 7742'32" EAST, 130.74 FEET, THENCE SOUTH 0°36'52" EAST, 830.32 FEET, ALONG THE EAST LINE OF THE W ¼ NW ¼ OF SAID SEC. 35, THENCE SOUTH 89°44'26" WEST, 1300.55 FEET, ALONG THE SOUTH LINE OF THE NW ¼ OF SAID SEC. 35, TO THE

POINT OF BEGINNING
AND
THAT PART OF THE NORTH ONE-HALF OF THE SOUTHWEST QUARTER (n ½ sw ¼) OF SECTION THIRTY-FIVE (35), TOWNSHIP NINETY (90) NORTH, RANGE FIFTEEN (15) WEST OF THE FIFTH P.M. LYING NORTH OF THE ILLINOIS CENTRAL RAILROAD RIGHT OF WAY, EXCEPT A TRACT COMMENCING AT THE NORTHEAST CORNER OF SAID SW ¼, THENCE COUTH 46 RODS TO THE RIGHT OF WAY OF SAID RAILROAD, THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY 94.4 RODS TO A POINT 34, 8 RODS SOUTH OF THE NORTH LINE FO THE QUARTER SECTION, THENCE NORTH 13.2 RODS, THENCE NORTHWEST 22 RODS, THENCE NORTH 4.4 RODS, THENCE EAST ALONG THE NORTH LINE OF THE QUARTER SECTION 108.4 RODS TO THE POINT OF BEGINNING
JUDGEMENT IN REM

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

Sale Date: August 31, 2017
Sale Time: 11:00 a.m.

Place of Sale: BUTLER COUNTY SHERIFF'S OFFICE, 428 6TH 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 provisions of the law and file appropriate notice, if acceptable.

Judgment Amount: \$125,128.72
Costs: \$15,808.62
Accruing Costs PLUS
Interest: 27,356.91
Sheriff's Fees: Pending
Attorney: MICHAEL J. CUNNINGHAM
2830 100TH STREET, SUITE 106
URBANDALE, IA 50322
(515)278-4200
Date: June 26, 2017
JASON S. JOHNSON
BUTLER COUNTY SHERIFF

TJ-27-2