

# **PUBLIC NOTICE**

## **NOTICE OF PUBLIC HEARING BUTLER COUNTY PLANNING AND ZONING COMMISSION**

The Butler County Planning and Zoning Commission will meet on July 16, 2020, at 7:30 a.m. via teleconference Dial-In (978) 990-5016 Access Code: 2649195. At this meeting the Commission will:

Hold a Public Hearing on the Final Plat for Honeytree Hills Subdivision located in the Wfrl $\frac{1}{2}$  NWfrl $\frac{1}{4}$  of Section 30, Township 90 North, Range 15 West of the 5<sup>th</sup> P.M.

Hold a Public Hearing on an application by Dave Toulouse to rezone a parcel located at 29472 Hwy 3 in Section 32, Township 92 North, Range 15 West of the 5<sup>th</sup>

P.M. from A-1 to "C" Commercial.

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 or via email [mkroeze@butlercoiowa.org](mailto:mkroeze@butlercoiowa.org).

Misty Kroeze

Butler County Zoning Administrator

CS-28

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Misty Kroeze

Butler County Zoning Administrator

TJ-28

# **PUBLIC NOTICE**

## **NOTICE OF PUBLIC HEARING**

**TO WHOM IT MAY CONCERN:** Notice is hereby given that on July 20, 2020 at 6:40 p.m., in the Council Chambers in City Hall, 115 West Superior Street, Clarksville, Iowa, a public hearing will be conducted by the City Council of the City of Clarksville, Iowa to hear public comments concerning the sale of City Property to Bruce and Sue Lodge. The said property is legally described as follows:

Lots One (1) and Two (2), in Block Fourteen (14) of the Clarksville Poisons Addition, Butler County, Iowa.

The public hearing was set by Resolution 20-726. Anyone interested may appear at the above stated time and place on July 20, 2020 for the public hearing and be heard. Written comments may be filed in person or mailed to the City Clerk, Clarksville City Hall, 115 West Superior Street, Clarksville, Iowa 50619 no later than 12 p.m. on July 17, 2020.

Clarksville City Council

CS-28

# PUBLIC NOTICE

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The East One-half (E $\frac{1}{2}$ ) South One-half (S $\frac{1}{2}$ ) of Lot Three (3), in Block Six (6) of the Original Town of Clarksville, Butler County, Iowa.

The public hearing was set by Resolution 20-724. Anyone interested may appear at the above stated time and place on July 20, 2020 for the public hearing and be heard. Written comments may be filed in person or mailed to the City Clerk, Clarksville City Hall, 115 West Superior Street, Clarksville, Iowa 50619 no later than 12 p.m. on July 17, 2020.

Clarksville City Council

CS-28

# **PUBLIC NOTICE**

## **NOTICE OF PUBLIC HEARING**

**TO WHOM IT MAY CONCERN:** Notice is hereby given that on July 20, 2020 at 6:35 p.m., in the Council Chambers in City Hall, 115 West Superior Street, Clarksville, Iowa, a public hearing will be conducted by the City Council of the City of Clarksville, Iowa to hear public comments concerning the sale of City Property to Stacy Ragsdale. The said property is legally described as follows:

Lots Five (5) and Eight (8), in Block Twelve (12) of the Original Town of Clarksville, Butler County, Iowa.

The public hearing was set by Resolution 20-725. Anyone interested may appear at the above stated time and place on July 20, 2020 for the public hearing and be heard. Written comments may be filed in person or mailed to the City Clerk, Clarksville City Hall, 115 West Superior Street, Clarksville, Iowa 50619 no later than 12 p.m. on July 17, 2020.

Clarksville City Council

CS-28

# PROCEEDINGS

## OFFICIAL PROCEEDINGS CITY OF CLARKSVILLE UNAPPROVED MINUTES JULY 6, 2020

The Clarksville City Council met in regular session on July 6, 2020, in the City Council Chambers at 6:30 p.m., with Mayor Kenneth Smith in the chair and Council Members Roger Doty, Todd Fails, Brock Lodge, Diane Renning, and Larry Voigts present.

Mayor Smith opened the public hearing at 6:30 p.m., for the purpose regarding the disposal of property located at 412 S Main St. There being no oral or written comments for or against the disposal of property located at 412 S Main St., the Mayor declared the hearing closed.

Motion Doty, Renning to adopt Resolution 20-723: A RESOLUTION APPROVING THE DISPOSITION OF CITY PROPERTY.

WHEREAS, the City of Clarksville, Iowa (the "City") wishes to dispose of property owned by the City and legally described as:

The South One-half (S1/2) of Lot Four (4), and all of Lot Five (5), in Block Six (6) of the Original Town of Clarksville, Butler County, Iowa.

WHEREAS, the City of Clarksville, held a public hearing concerning the above described property on July 6, 2020, and the City Council agreed the offer received from the potential buyer serves the best interest of the City;

WHEREAS, the Buyer has agreed to comply with the stipulations listed in the offer to buy real estate and acceptance agreement;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Clarksville, Iowa, hereby disposes and sell the above described city-owned property to Myrna J. Beechey for \$8,500 and other terms and conditions contained in the Offer to Buy Real Estate.

RCV – Ayes: Doty, Fails, Lodge, Renning, and Voigts. Nays: None. MC.

Resolution adopted, signed by the Mayor and hereby made a portion of these minutes.

Motion Fails, Voigts, to approve and adopt the items contained in the Consent Agenda: Motion to approve minutes (June 1, 2020, June 4, 2020, June 15, 2020, June 16, 2020, and June 17, 2020).

RCV – Ayes: Doty, Fails, Lodge, Renning, and Voigts. Nays: None. MC.

Motion Renning, Doty, to approve shed relocation building permit for Chris Wehling, 210 S Mather St.

RCV – Ayes: Doty, Fails, Lodge, Renning, and Voigts. Nays: None. MC.

Motion Voigts, Fails, to approve garage addition building permit for Chris and Kelsie Wehling, 210 S Mather St.

RCV – Ayes: Doty, Fails, Lodge, Renning, and Voigts. Nays: None. MC.

Motion Renning, Fails, to approve fence replacement building permit for Rusty Muttart, 703 S Church St.

RCV – Ayes: Doty, Fails, Lodge, Renning, and Voigts. Nays: None. MC.

Motion Fails, Lodge, to approve cement driveway and patio building permit for Troy Rinnels, 202 W Burling Ave.

RCV – Ayes: Doty, Fails, Lodge, Ren-

ning, and Voigts. Nays: None. MC.

Motion Renning, Doty, to approve shed building permit for Robert Peterson, 415 E Greene St.

RCV – Ayes: Doty, Fails, Lodge, Renning, and Voigts. Nays: None. MC.

Motion Fails, Renning, to approve fence permit for Sheila Hoodjer, 402 S Adams St.

RCV – Ayes: Doty, Fails, Lodge, Renning, and Voigts. Nays: None. MC.

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

RCV – Ayes: Doty, Fails, Lodge, Renning, and Voigts. Nays: None. MC.

Attending was Kenneth Smith, Mayor; Roger Doty, Brock Lodge, Diane Renning, and Larry Voigts, City Council Members.

Motion Renning, Fails, to end closed session.

Motion Fails, Renning, to adopt Resolution 20-274: A RESOLUTION OF THE CITY OF CLARKSVILLE, IOWA TO SET A PUBLIC HEARING REGARDING DISPOSAL OF CITY-OWNED PROPERTY.

WHEREAS, the City of Clarksville, Iowa (the "City") wishes to dispose of property owned by the City and legally described as:

The East One-half (E½) South One-half (S½) of Lot Three (3), in Block Six (6) of the Original Town of Clarksville, Butler County, Iowa.

WHEREAS, the City has received an Offer to Sell the described property to Bobby and Ann Moon.

WHEREAS, the City Council has determined that it is in the best interest of the City to convey said property to Bobby and Ann Moon and that a public hearing should be held on the proposal to sell the property.

NOW, THEREFORE, BE IT RESOLVED that the City of Clarksville shall conduct a Public Hearing on whether to sell to the company named above the property legally described as indicated above. Said hearing to be held at 6:30 p.m. at Clarksville City Hall, 115 West Superior Street, Clarksville, Iowa on the 20 day of July, 2020.

RCV – Ayes: Doty, Fails, Renning, and Voigts. Nays: Lodge. MC.

Resolution adopted, signed by the Mayor and hereby made a portion of these minutes.

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

RCV – Ayes: Doty, Fails, Lodge, Renning, and Voigts. Nays: None. MC.

Attending was Kenneth Smith, Mayor; Roger Doty, Brock Lodge, Diane Renning, and Larry Voigts, City Council Members.

Motion Renning, Doty, to end closed session.

Motion Fails, Doty, to adopt Resolution 20-275: A RESOLUTION OF THE CITY OF CLARKSVILLE, IOWA TO SET A PUBLIC HEARING REGARDING DISPOSAL OF CITY-OWNED PROPERTY.

WHEREAS, the City of Clarksville, Iowa (the "City") wishes to dispose of property owned by the City and legally described as:

Lots Five (5) and Eight (8), in Block Twelve (12) of the Original Town of

Clarksville, Butler County, Iowa.

WHEREAS, the City has received an Offer to Sell the described property to Stacy Ragsdale.

WHEREAS, the City Council has determined that it is in the best interest of the City to convey said property to Stacy Ragsdale and that a public hearing should be held on the proposal to sell the property.

NOW, THEREFORE, BE IT RESOLVED that the City of Clarksville shall conduct a Public Hearing on whether to sell to the company named above the property legally described as indicated above. Said hearing to be held at 6:35 p.m. at Clarksville City Hall, 115 West Superior Street, Clarksville, Iowa on the 20 day of July, 2020.

RCV – Ayes: Doty, Fails, Lodge, Renning, and Voigts. Nays: None. MC.

Resolution adopted, signed by the Mayor and hereby made a portion of these minutes.

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

RCV – Ayes: Doty, Fails, Lodge, Renning, and Voigts. Nays: None. MC.

Attending was Kenneth Smith, Mayor; Roger Doty, Brock Lodge, Diane Renning, and Larry Voigts, City Council Members.

Motion Fails, Voigts, to end closed session.

Motion Renning, Fails, to adopt Resolution 20-276: A RESOLUTION OF THE CITY OF CLARKSVILLE, IOWA TO SET A PUBLIC HEARING REGARDING DISPOSAL OF CITY-OWNED PROPERTY.

WHEREAS, the City of Clarksville, Iowa (the "City") wishes to dispose of property owned by the City and legally described as:

Lots One (1) and Two (2), in Block Fourteen (14) of the Clarksville Poisons Addition, Butler County, Iowa.

WHEREAS, the City has received an Offer to Sell the described property to Bruce and Sue Lodge.

WHEREAS, the City Council has determined that it is in the best interest of the City to convey said property to Bruce and Sue Lodge and that a public hearing should be held on the proposal to sell the property.

NOW, THEREFORE, BE IT RESOLVED that the City of Clarksville shall conduct a Public Hearing on whether to sell to the company named above the property legally described as indicated above. Said hearing to be held at 6:40 p.m., at Clarksville City Hall, 115 West Superior Street, Clarksville, Iowa on the 20<sup>th</sup> day of July, 2020.

RCV – Ayes: Doty, Fails, Renning, and Voigts. Nays: None. Abstain: Lodge. MC.

Resolution adopted, signed by the Mayor and hereby made a portion of these minutes.

Motion Fails, to adjourn the regular City Council meeting at 7:15 p.m.

ATTEST:  
Kenneth A. Smith, Mayor  
Kayla Hinders, Deputy City Clerk

# PROBATE

**NOTICE OF PROBATE OF WILL,  
OF APPOINTMENT OF EXECUTOR,  
AND NOTICE TO CREDITORS  
PROBATE NO. ESPR017082**

THE IOWA DISTRICT COURT FRANKLIN COUNTY

IN THE MATTER OF THE ESTATE OF DEWAYNE EDWIN SHEAR, Deceased.

To All Persons Interested in the Estate of DeWayne Edwin Shear, Deceased, who died on or about May 20, 2020:

You are hereby notified that on the 22<sup>nd</sup> day of June, 2020, the last will and testament of DeWayne Edwin Shear, deceased, bearing the date of the 8<sup>th</sup> day of January, 1992, was admitted to probate in the above named court and that Kiley Shear 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 23<sup>rd</sup> day of June, 2020.

Kiley Shear  
358 Pfaltzgraff St.  
Allison, IA 50602  
Executor of Estate

Richard A. Allbee, ICIS#: 122  
Attorney for Executor  
Allbee Law Office  
1320 Fourth St. NE  
Hampton, IA 50441

Date of second publication 9<sup>th</sup> day of July, 2020.

# PROBATE

**NOTICE OF PROBATE OF WILL,  
OF APPOINTMENT OF EXECUTORS,  
AND NOTICE TO CREDITORS  
CASE NO. ESPR017083**

THE IOWA DISTRICT COURT BUTLER  
COUNTY

IN THE MATTER OF THE ESTATE OF  
RONALD J. WESTENDORF, Deceased.

To All Persons Interested in the Estate  
of Ronald J. Westendorf, Deceased, who  
died on or about June 14, 2020:

You are hereby notified that on the 24<sup>th</sup>  
day of June, 2020, the last will and tes-  
tament of Ronald J. Westendorf, de-  
ceased, bearing the date of the 3<sup>rd</sup> day  
of August, 2009, was admitted to probate  
in the above named court and that Re-  
becca J. Coffin and Robert J. Westendorf  
were appointed executors of the estate.  
Any action to set aside the will must be  
brought in the district court of said coun-  
ty 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 ascer-  
tainable, or thereafter be forever barred.

Notice is further given that all persons  
indebted to the estate are requested  
to make immediate payment to the un-  
dersigned, 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 no-  
tice (unless otherwise allowed or paid) a  
claim is thereafter forever barred.

Dated this 24<sup>th</sup> day of June, 2020

Rebecca Coffin

4615 Merced St.

Des Moines, IA 50310

Robert J. Westendorf

607 E Minnie St.

Radcliffe, IA 50230

Executors of Estate

Karl A. Nelson, #AT0005659

Attorney for the Executors

Nelson & Toenjes

P.O. Box 230

Shell Rock, IA 50670

Date of second publication 16<sup>th</sup> day of  
July, 2020.

TJ-28, 29



# **PUBLIC NOTICE**

## **PUBLIC NOTICE CITY OF SHELL ROCK**

The Shell Rock Board of Adjustment will hold a public hearing on July 21, 2020, at 7 p.m., in the City Hall at 802 N. Public Road to solicit citizen input on a request for a variance for the property legally described as:

Lot Fifty-five (55) in William Adair's Addition to Shell Rock, Iowa

The applicant requests a variance from the required side-yard set-back as required in the Shell Rock Zoning Ordinance. This is for the property located at 415 E. Jackson Street.

Any persons wishing to be heard on this matter will be afforded the opportunity to be heard. Written comments will be accepted through the day of the public hearing at the Shell Rock City Hall, P.O. Box 522, Shell Rock, IA 50670. Oral questions or comments can be directed to 319-885-6555.

Marilyn Hardee,  
Co-Zoning Administrator, City of Shell Rock, Iowa

CS-28