

CS Legals

PUBLIC NOTICE

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON AUGUST 23, 2022.

Meeting called to order at 9:00 A.M. by Chairman Rusty Eddy with members Tom Heidenwirth and Greg Barnett present. Moved by Barnett, second by Heidenwirth to approve the agenda. All ayes. Motion carried. Minutes of the previous meeting were read. Motioned by Heidenwirth, second by Eddy to approve the minutes as read. All ayes. Motion carried.

Barnett mentioned that a survey monkey has been put together and the Board agreed to add it to next week's agenda to approve paying the \$380 in order to host it on the county website.

Motioned by Barnett, second by Heidenwirth to open a Public Hearing on a request to rezone 50 acres from A-1 to A-2 located on Hwy 3 in the NW ¼ N & E of RR Except Parcel C in Section 34, Township 92 N, Range 15 W for the purpose of

excavating sand for resell. Planning and Zoning Administrator Misty Day explained that there were some concerns from a neighbor and the Planning and Zoning Commission has taken that into consideration. There is no intent to excavate the wetlands and they are only planning on excavating approximately 38 acres. The Zoning Commission ultimately recommended to approve the rezoning. Moved by Barnett, second by Heidenwirth to close the Public Hearing. Motioned by Heidenwirth, second by Barnett to approve Ordinance Title VI, Number 27 to rezone 50 acres for the purposes of excavating sand for resell. All ayes. Motion carried. Eddy made a motion to waive the second and third readings, second by Barnett. Roll was called as:

AYES: Tom Heidenwirth
NAYS: None
ABSENT: N/A
Rusty Eddy
Greg Barnett
Motion carried and ordinance adopted as follows:
ORDINANCE TITLE VI, NUMBER

27
AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF BUTLER COUNTY, IOWA ZONING ORDINANCE (ORDINANCE TITLE VI, NUMBER 7, ADOPTED ON MAY 25, 2004)

Section 1. RESCISSION. This Ordinance rescinds the current zoning designation, "A-1" Agriculture, on a parcel legally described as follows: Approximately 10 acres in the SW corner of a parcel described as All that part of the Southwest Quarter (SW¼) of Section Twenty-seven (27) lying South and West of the Shell Rock River and Approximately 40 acres of a parcel described as All that part situated North of highway right-of-way in the Northwest Quarter (NW¼) of Section Thirty-four (34), all in Township Ninety-two (92) North, Range Fifteen (15) West of the 5th P.M.

on the Official Zoning Map as was originally adopted.

Section 2. ADOPTION. This Ordinance adopts in lieu thereof a new

zoning designation "A-2" for the property legally described above, on the Official Zoning Map.

Section 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Butler County Zoning Ordinance (Ordinance No. Title VI, Number 7, adopted on May 25, 2004) as indicated by said section number and hereafter shall be cited by reference to said section number.

Section 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.

Section 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.

Section 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable

from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision or part not adjudged invalid or unconstitutional.

Section 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

PUBLIC HEARING AND FIRST PASSAGE (READING) on August 23rd, 2022.

SECOND PASSAGE (READING) waived on August 23rd, 2022.

THIRD AND FINAL PASSAGE (READING) waived AND ADOPTION on August 23rd, 2022.

BUTLER COUNTY BOARD OF SUPERVISORS

BY: Rusty Eddy
Butler County Board of Supervisors, Chair

Leslie Groen, County Auditor

Day discussed Environmental Health/P & Z Seasonal Employment. She would like the additional employee to help with an online permitting process and transfer files

at an average of 12 – 15 hours per week. The starting wage for the position is around \$12.50 although there is some flexibility. Barnett moved to approve the Seasonal Employment for Health/P&Z, second by Eddy. All ayes. Motion carried.

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

Motioned by Heidenwirth, second by Barnett to adjourn the regular meeting at 9:17 A.M. to August 30, 2022 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 a regular adjourned meeting of the Board of Supervisors of Butler County, Iowa on August 23, 2022.

Attest:
Leslie Groen, Butler County Auditor
Rusty Eddy, Chairman of the Board of Supervisors

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PUBLIC NOTICE

PUBLIC NOTICE

NOTICE OF FARM TO LEASE
Bids will be taken on the leases of the two Butler County farms for a 3-year term, beginning with the 2023-2024 crop year.

1. A farm which consists of approximately 281 acres in Sections 27 & 33 of T92-R16, Jackson Township, Butler County, Iowa.

2. A farm which consists of approximately 19 acres in NW ¼ NE ¼ of Section 1, Township 92N, Range 16W of the 5th PM.

TERMS: Cash rent. Paid in full, in advance, on March 1st of each term year. Tenant will be responsible to maintain soil fertility. Sealed bids shall state the dollar amount per

acre. Bids must be received by 9:00 A.M. on September 20, 2022. Bids will be opened at 9:05 A.M. Anyone submitting a bid by the deadline shall have the option to raise their bid in increments not less than \$5 if present at the time of the opening. The Board of Supervisors reserve the right to reject any and all offers. A copy of the proposed lease is available for review at the Butler County Auditor's Office or online at www.butlercounty.iowa.gov.

Sealed bids and inquiries should be directed to: Leslie Groen, Butler County Auditor, ATTN: Farm Lease, P.O. Box 325, Allison, IA 50602

CS - 36,37

TJ Legals

TRUST NOTICE

TRUST NOTICE

IN THE MATTER OF:
THE JOEL AND ROSEMARY
SULT REVOCABLE TRUST DATED
JUNE 30, 2021

To all persons regarding Joel W. Sult and Rosemary A. Sult, deceased, who died on or about July 27, 2022:

You are hereby notified that Kelly J. Peuse is the trustee of the Joel and Rosemary Sult Revocable Trust dated June 30, 2021. Any action to contest the validity of the trust must be brought in the District Court of Butler County, Iowa, within the later to occur of four (4) months from the date of second publication of this notice or thirty (30) days from the date of mailing this notice to all heirs of the decedent whose identities are reasonably ascertainable. Any suit not filed within this period shall be forever barred. Notice is further given that any person or entity possessing a claim

against the trust must mail proof of the claim to the trustee at the address listed below via certified mail, return receipt requested, by the later to occur of four (4) months from the date of second publication of this notice or thirty (30) days from the date of mailing this notice if required or the claim shall be forever barred unless paid or otherwise satisfied. Dated: September 1, 2022
Joel and Rosemary Sult Revocable Trust uad 6-30-2021
Kelly J. Peuse
1020 Roosevelt Avenue
Ames, IA 50010
Abigail M. Hillers
Attorneys for Trustee
Bradshaw, Fowler, Proctor & Fairgrave, P.C.
112 West Church Street
Marshalltown, IA 50158
Phone: 515-246-5816
Date of second publication: September 15, 2022

TJ - 36,37

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON AUGUST 23, 2022.

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excavating sand for resell. Planning and Zoning Administrator Misty Day explained that there were some concerns from a neighbor and the Planning and Zoning Commission has taken that into consideration. There is no intent to excavate the wetlands and they are only planning on excavating approximately 38 acres. The Zoning Commission ultimately recommended to approve the rezoning. Moved by Barnett, second by Heidenwirth to close the Public Hearing. Motioned by Heidenwirth, second by Barnett to approve Ordinance Title VI, Number 27 to rezone 50 acres for the purposes of excavating sand for resell. All ayes. Motion carried. Eddy made a motion to waive the second and third readings, second by Barnett. Roll was called as: AYES: Tom Heidenwirth NAYS: None ABSENT: N/A Rusty Eddy Greg Barnett Motion carried and ordinance adopted as follows: ORDINANCE TITLE VI, NUMBER

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zoning designation "A-2" for the property legally described above, on the Official Zoning Map. Section 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Butler County Zoning Ordinance (Ordinance No. Title VI, Number 7, adopted on May 25, 2004) as indicated by said section number and hereafter shall be cited by reference to said section number. Section 4. REPEALER. All ordinances and resolutions thereto, in conflict with this Ordinance are hereby repealed. Section 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect. Section 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable

from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision or part not adjudged invalid or unconstitutional. Section 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law. PUBLIC HEARING AND FIRST PASSAGE (READING) on August 23rd, 2022. SECOND PASSAGE (READING) waived on August 23rd, 2022. THIRD AND FINAL PASSAGE (READING) waived AND ADOPTION on August 23rd, 2022. BUTLER COUNTY BOARD OF SUPERVISORS BY: Rusty Eddy Butler County Board of Supervisors, Chair Leslie Groen, County Auditor Day discussed Environmental Health/P & Z Seasonal Employment. She would like the additional employee to help with an online permitting process and transfer files

at an average of 12 – 15 hours per week. The starting wage for the position is around \$12.50 although there is some flexibility. Barnett moved to approve the Seasonal Employment for Health/P&Z, second by Eddy. All ayes. Motion carried. Motioned by Eddy, second by Barnett to approve claims. All ayes. Motion carried. Motioned by Heidenwirth, second by Barnett to adjourn the regular meeting at 9:17 A.M. to August 30, 2022 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 a regular adjourned meeting of the Board of Supervisors of Butler County, Iowa on August 23, 2022. Attest: Leslie Groen, Butler County Auditor Rusty Eddy, Chairman of the Board of Supervisors

TJ - 36

PUBLIC NOTICE

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Bids will be taken on the leases of the two Butler County farms for a 3-year term, beginning with the 2023-2024 crop year.
1. A farm which consists of approximately 281 acres in Sections 27 & 33 of T92-R16, Jackson Township, Butler County, Iowa.
2. A farm which consists of approximately 19 acres in NW ¼ NE ¼ of Section 1, Township 92N, Range 16W of the 5th PM.
TERMS: Cash rent. Paid in full, in advance, on March 1st of each term year. Tenant will be responsible to maintain soil fertility. Sealed bids shall state the dollar amount per

acre. Bids must be received by 9:00 A.M. on September 20, 2022. Bids will be opened at 9:05 A.M. Anyone submitting a bid by the deadline shall have the option to raise their bid in increments not less than \$5 if present at the time of the opening. The Board of Supervisors reserve the right to reject any and all offers. A copy of the proposed lease is available for review at the Butler County Auditor's Office or online at www.butlercounty.iowa.gov. Sealed bids and inquiries should be directed to: Leslie Groen, Butler County Auditor, ATTN: Farm Lease, P.O. Box 325, Allison, IA 50602

TJ - 36,37

PROBATE

IN THE IOWA DISTRICT COURT IN AND FOR BUTLER COUNTY IN THE MATTER OF THE ESTATE OF CLAUDIA SQUIRES, DECEASED. Probate Case No. 017349 NOTICE OF PROBATE OF WILL, APPOINTMENT OF EXECUTOR AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Claudia Squires, Deceased, who died on or about April 24, 2021:

You are hereby notified that on the 26th day of August, 2022, the Last Will and Testament of Claudia Squires, deceased, bearing date of the 11th day of February, 2021, was admitted to probate in the above named court and that Jennifer Targos, Marianne Nielsen, Karen Brown and Rebecca Reimers were appointed Executors 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 24th day of August, 2022.
/s/ Jennifer Targos, Fiduciary 431 W Thousand Oaks Dr. Peoria, IL 61615
/s/ Marianne Nielsen, Fiduciary 19594 110th St. Greene, IA 50636
/s/ Karen Brown, Fiduciary 8 Mulberry Ct Rockwell, IA 50469
/s/ Rebecca Reimers, Fiduciary 20 Arthur St Rockwell, IA 50469
Brian C. Eddy
Stephanie A. Sailer
Attorneys for Executor Roberts & Eddy, P.C. 2349 Jamestown Avenue, Suite 4 Independence, IA 50644
Date of second publication 15th day of September, 2022.

TJ - 36,37

PUBLIC NOTICE

NOTICE OF APPOINTMENT

THE IOWA DISTRICT COURT BUTLER COUNTY IN THE MATTER OF THE ESTATE OF ARLENE KALKWARF, Deceased CASE NO.: ESPR017348 NOTICE OF APPOINTMENT OF CO-EXECUTORS AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Arlene Kalkwarf, Deceased, who died on or about July 27, 2022:

You are hereby notified that on the 23rd day of August, 2022, the Last Will and Testament of Arlene Kalkwarf, Deceased, bearing the date of April 21, 2011, was admitted to probate in the above-named court and that Kristi Cleary and Kelli Dix were appointed co-executors of the estate.

Any claim 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 second publication 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 the mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred. Dated on August 23, 2022.

Kristi Cleary
Kelli Dix
Co-Executors of the Arlene Kalkwarf Estate
Abby S. Wessel, ICIS PIN No: AT0010361
Attorney for the Executor Firm Name: Rickert, Wessel & Allen.
Address: 115 Broad, P.O. Box 193, Reinbeck, IA 50669
Date of second publication 14th day of September, 2022

TJ - 36,37

PROBATE

IN THE IOWA DISTRICT COURT IN AND FOR BUTLER COUNTY IN THE MATTER OF THE ESTATE OF MICHAEL W. SQUIRES, DECEASED.

Probate Case No. ESPR017339 NOTICE OF PROBATE OF WILL, APPOINTMENT OF EXECUTOR AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Michael W. Squires, Deceased, who died on or about July 21, 2022:

You are hereby notified that on the 17th day of August, 2022, the Last Will and Testament of Michael W. Squires, deceased, bearing date of the 11th day of February, 2021, was admitted to probate in the above-named court and that Jennifer Targos, Marianne Nielsen, Karen Brown and Rebecca Reimers were appointed Executors 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 11th day of August, 2022.

/s/ Jennifer Targos, Fiduciary 431 W Thousand Oaks Dr. Peoria, IL 61615
/s/ Marianne Nielsen, Fiduciary 19594 110th St. Greene, IA 50636
/s/ Karen Brown, Fiduciary 8 Mulberry Ct Rockwell, IA 50469
/s/ Rebecca Reimers, Fiduciary 20 Arthur St Rockwell, IA 50469
Brian C. Eddy
Stephanie A. Sailer
Attorneys for Executor Roberts & Eddy, P.C. 2349 Jamestown Avenue, Suite 4 Independence, IA 50644
Date of second publication 7th day of September, 2022.

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