

# LEGALS

## PUBLIC NOTICE

### 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 Eclipse-News-Review on June 5, 2024.*

## PROBATE

### KENNETH D. THORNE ESPR017541

#### THE IOWA DISTRICT COURT FOR BUTLER COUNTY

IN THE MATTER OF  
THE ESTATE OF  
KENNETH D. THORNE, Deceased  
CASE NO. ESPR017541  
**NOTICE OF PROBATE OF WILL,  
OF APPOINTMENT OF EXECUTORS,  
AND NOTICE TO CREDITORS**

To All Persons Interested in the Estate of Kenneth D. Thorne, Deceased, who died on or about April 30, 2024:

You are hereby notified that on May 23, 2024, the Last Will and Testament of Kenneth D. Thorne, deceased, bearing date of January 14, 2010, was admitted to probate in the above named court and that Leon Thorne and Delores Adolphs have been 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 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 form 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 24, 2024,  
Leon Thorne, Executor of Estate  
412 2nd Street  
Parkersburg, IA 50665  
Gary Papenheim, ICIS#: AT0006079  
Attorney for Executors  
Papenheim Law Office  
234 3rd Street  
P.O. Box 673  
Parkersburg, IA 50665  
Date of second publication  
June 12, 2024  
Probate Code Section 304  
\* Designate Codicil(s) if any, with date(s).

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## PUBLIC NOTICE

### City of New Hartford • CCR Report Info

Visit <https://iowaccr.org/new-hartford-for-the-2023-CCR-Water-Report-or-newhartfordia.org> Completed Reports are also posted at the City Hall, Post Office, Library and the

Beaver Creek ENews as well as noted in the Eclipse-News-Review  
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## PUBLIC NOTICE

### City of New Hartford • Minutes 5.17.2024

#### NEW HARTFORD CITY COUNCIL MINUTES MAY 17, 2024

ROLL CALL: Mayor Dennis Canfield, Tim Woods, Randy Johnson, Jerry Ragsdale, Cindy Brewer absent Abbie Perez

Mayor Canfield opened the special meeting at 8:30a and asks for approval of agenda which was then moved by Johnson 2nd by Ragsdale with the vote being all ayes motion carries to approve agenda. Mayor continues to explain clerk has been researching a replacement city truck and has driven a possible replacement to New Hartford for council review during this meeting.

After review of truck and discussions, it was moved by Johnson 2nd by Ragsdale to postpone the purchase for further research with the vote being all ayes motion carries. Council loved the truck and appreciated the research however would like to take the opportunity to research the 4-wheel drive options. It was then moved by Brewer to adjourn at 9:30a 2nd by Ragsdale with the vote being all ayes motion carries.

Attest: Shawna Hagen, City Clerk  
Signed: Mayor Dennis L. Canfield  
*Published in the Eclipse-News-Review on June 5, 2024.*

## PUBLIC NOTICE

### City of Parkersburg • Lynx Rezoning

#### PUBLIC NOTICE

The public and the residents of Parkersburg are hereby notified that the Parkersburg Planning & Zoning Commission will hold a public hearing on Tuesday, June 11, 2024 at 5:00 p.m. at the Parkersburg Veterans Building at 102 Colfax St., Parkersburg, Iowa 50665. The reason for the hearing will be to consider two rezoning request.

The first request is an application from Lynx Properties LLC for rezoning from "U-1" Commercial District to "R-2" Low Density Residential District for the legal description as follows:

That part of Parcel "I" located in Outlot "A" of Legend Trail Development to the City of Parkersburg, Butler County, Iowa, described as follows:

Commencing at the Southwest Corner of said Parcel "I", also being the Southwest corner of Outlot "A",

said point being a found 3/4 inch rebar with illegible orange plastic cap; thence along the Westerly line of said Parcel "I" and Outlot "A" North 04°38'40" West 328.31 feet to a found 3/4 inch rebar with orange plastic cap #15475;

thence continuing along said Westerly line North 00°15'20" East 126.65 feet to a set No. 4 rebar with blue plastic cap #20510, being the Point of Beginning;

thence continuing along said Westerly line North 00°15'20" East 528.49 feet to the Northwest corner of Parcel "I", said point being a found 3/4 inch rebar with orange plastic cap #15475;

thence along the North line of said Parcel "I" South 89°%d31'30" East 472.50 feet to the Northeast corner of said Parcel "I", said point being a found 3/4 inch rebar with orange plastic cap #15475;

thence along the Easterly line of

said Parcel "I" South 00°%d22'05" West 223.86 feet to a found 3/4 inch rebar with orange plastic cap #15475;

thence continuing along the Easterly line South 07°%d32'40" West 219.86 feet to a found 3/4 inch rebar with orange plastic cap #15475;

thence continuing along the Easterly line South 00°%d20'40" West 200.00 feet to a found 3/4 inch rebar with orange plastic cap #15475;

thence North 89°%d30'00" West 55.00 feet to a found 3/4 inch rebar with orange plastic cap #15475;

thence South 00°%d20'30" West 115.87 feet to a point on the North line of Parcel "V", said point being a set No. 4 rebar with blue plastic cap #20510;

thence along the North line of said Parcel "V" North 89°%d38'45" West 186.56 feet to a found 3/4 inch rebar with yellow plastic cap #13147;

thence along a northerly extension of the West line of Parcel "V" North 00°19'40" East 230.41 feet to a set No. 4 rebar with blue plastic cap #20510;

thence North 89°%d39°15' West 202.41 feet to the Point of Beginning.

The second request is an application from Lynx Properties LLC for rezoning from "U-1" Commercial District to the legal description as follows:

That part of Parcel "I" located in Outlot "A" of Legend Trail Development to the City of Parkersburg, Butler County, Iowa, described as follows:

Beginning at the Southwest Corner of said Parcel "I", also being the Southwest corner of Outlot "A", said point being a found 3/4 inch rebar with illegible orange plastic cap; thence along the Westerly line of said Parcel "I" and Outlot "A" North

04°38'40" West 328.31 feet to a found 3/4 inch rebar with orange plastic cap #15745;

thence continuing along said Westerly line North 00°15'20" East 126.65 feet to a set No. 4 rebar with blue plastic cap #20510;

thence South 89°39'15" East 202.41 feet to a point on a northerly extension of the West line of Parcel "V", said point being a set No. 4 rebar with blue plastic cap #20510;

thence along said extension line South 00°19'40" West 230.41 feet to the Northwest corner of said Parcel "V", said point being a found 3/4 inch rebar with yellow plastic cap #13147;

thence along the West line of said Parcel "V" South 00°19'40" W 223.32 feet to a point on the South line of Parcel "I" and Outlot "A" also being the Southwest corner of said Parcel "V", said point being a found 3/4 inch rebar with yellow

plastic cap #13147;

thence along the South line of Parcel "I" and Outlot "A" North 89°39'15" West 173.80 feet to the Point of Beginning.

Note: The South line of said Outlot "A" is assumed to bear North 89°39'15" West for this description. You are hereby notified that you may appear at said time and place either in support of or to object to the proposal. Written comments will be accepted through 4:00 PM on the day of the public hearing at City Hall. Oral questions or comments can be directed to Parkersburg City Hall by calling (319) 346 – 2262.

Christopher Lühring, Parkersburg City Clerk

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## PUBLIC NOTICE

### 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 2022-0127, 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 a regular adjourned meeting 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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