

Legals

PROBATE WATKINS ESPR016873

THE IOWA DISTRICT COURT FOR BUTLER COUNTY
IN THE MATTER OF
THE ESTATE OF
BETTY A. WATKINS, Deceased
CASE NO. ESPR016873
NOTICE OF PROBATE OF WILL,
OF APPOINTMENT OF EXECUTORS,
AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Betty A. Watkins, Deceased, who died on or about September 17, 2018:

You are hereby notified that on November 30, 2018, the Last Will and Testament of Betty A. Watkins, deceased, bearing date of April 25, 2018, was admitted to probate in the above named court and that Roberta Fitzgerald and Julie A. Watkins 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 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 re-

quested 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 mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated January 16, 2024.

Roberta Fitzgerald, Executor of Estate
120 Main Street
East Hampton, CT 06424
Julie A. Watkins, Executor of Estate
420 N 1st Street
Greene, IA 50636
Patrick G. Vickers, ICIS#: AT0008114

Attorney for Executors
Vickers Law Office
118 S 1st Street
PO Box 499
Greene, IA 50636
Date of second publication
February 15, 2024

Published in the Butler County Star Tribune on February 8 and 15, 2024

PROBATE WESTERVELT ESPR

THE IOWA DISTRICT COURT FOR BUTLER COUNTY
IN THE MATTER OF
THE ESTATE OF
LOIS WESTERVELT, Deceased
CASE NO. ESPR
NOTICE OF APPOINTMENT OF EXECUTORS AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Lois Westervelt, Deceased, who died on or about October 4, 2023:

You are hereby notified that on January 9, 2024, the undersigned was appointed Executor of the estate.

Notice is hereby 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 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 1/10/2024.
Dennis Westervelt, Executor of the Estate
870 Valentine Drive
Dubuque, IA 52003
Ricker Westervelt
1921 Mahogany Ave.
Mora, MN 55051
Christine B. Skilton, ICIS#: AT0007262

Attorney for the Executor
Cronin, Skilton & Skilton, P.L.L.C.
Cronin, Skilton & Skilton, P.L.L.C.
205 Brasher Street
P.O. Box 39
Nashua, IA 50658-0039
Date of second publication
February 15, 2024
Probate Code Section 230

Published in the Butler County Star Tribune on February 8 and 15, 2024

SHERIFF'S LEVY AND SALE EQCV022061

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 #: EQCV022061 Civil #: 24-000023 FIRST SECURITY BANK & TRUST COMPANY VS

JOSEPH E. HERSHBERGER; AND EMILY HERSHBERGER; AND PARTIES IN POSSESSION, IF ANY

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)
X Real Estate
Personal Property
X Described Below
On attached sheet:

To satisfy the judgment. The Property to be sold is
LOTS SEVEN AND EIGHT (7 & 8), IN BLOCK EIGHT (8) IN THE TOWN OF APLINGTON, BUTLER COUNTY, IOWA

JUDGMENT IN REM
Property Address: 826 NASH ST., APLINGTON, IA 50604

The described property will be offered for sale at public auction for cash only as follows:
Sale Date 03/07/2024
Sale Time 10:00

Place of Sale BUTLER COUNTY SHERIFF'S OFFICE, 428 6TH ST, ALLISON, IA 50602

Homestead: Defendant is advised that if the described real estate includes that homestead (which not exceed 1/2 acre if within a city or town plat, or, if rural, must not exceed 40 acres), defendant must file a homestead plat with the Sheriff within ten (10) days after service of this notice, or the sheriff will have it platted and charge the costs to this case.

Redemption: After the sale of real estate, defendant may redeem the property within _

X This sale not subject to Redemption.
Property exemption: Certain mon-

ey or property may be exempt. Contact your attorney promptly to review specific provisions of the law and file appropriate notice, if acceptable.

Judgment Amount \$119,923.51
Costs \$5,012.61
Accruing Costs PLUS
Interest \$762.25
Sheriff's Fees Pending
Date 01/25/2024

JASON S. JOHNSON
BUTLER COUNTY SHERIFF
Attorney
BRAD SLOTER
200 N. JOHNSON ST.
CHARLES CITY, IA 50616

Published in the Butler County Star Tribune on February 8 and 15, 2024

PROBATE RODENBECK ESPR017504

THE IOWA DISTRICT COURT FOR BUTLER COUNTY
IN THE MATTER OF
THE ESTATE OF
LYNN A. RODENBECK, Deceased
CASE NO. ESPR017504
NOTICE OF PROBATE OF WILL,
OF APPOINTMENT OF EXECUTOR,
AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Lynn A. Rodenbeck, Deceased, who died on or about December 18, 2023:

You are hereby notified that on January 4, 2024, the Last Will and Testament of Lynn A. Rodenbeck, deceased, bearing date of March 31, 2021, was admitted to probate in the above named court and that David J. Green 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.

Dated January 11, 2024.
David J. Green, Executor of Estate
P.O. Box 301
Shell Rock, IA 50670
Bruce J. Toenjes, ICIS#: AT0007936
Attorney for Executor
Nelsson & Toenjes
PO Box 230
Shell Rock, IA 50670
Date of second publication
February 8, 2024
Probate Code Section 304
* Designate Codicil(s) if any, with date(s).
Published in the Butler County Star Tribune on February 1 and 8, 2024

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 mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

CITY OF ALLISON • BUDGET WORKSHOP 1.29.2024

CITY OF ALLISON COUNCIL BUDGET WORKSHOP MONDAY, JANUARY 29, 2024

Budget Workshop Meeting:
Mayor Henrichs opened the budget workshop at 5:17 p.m. Council members present were: Bangasser, Galey, Henning, Stirling. Absent: Heuer. Bangasser made a motion to approve the agenda with a second by Henning. Ayes: All. Nays: None. Motion Carried.
New Business:
Heuer arrived at 5:19 p.m.

The council reviewed the budget for FY 2025. The numbers reviewed will be entered into the budget form and reviewed at the Council meeting at the regular meeting on March 25th and then a date will be set for the public hearing.

The council reviewed the maximum levy hearing notice and advised Alexis to publish the notice in the paper as required in time for the no less than 10 no more than 20-day rule as set by the state. It

will also be posted on the City's Facebook page and website at that time.

Motion by Stirling with a second by Bangasser to approve publishing option 1 for the property tax levy in the paper in time for the Public Hearing that will be put into place for March 25th, 2024. Ayes: All. Nays: None. Motion Carried.

Motion by Bangasser with a second by Henning to approve setting the public hearing for the Property tax levy for Monday March 25th,

2024, per the new state guidelines that were put into place this year. Ayes: All. Nays: None. Motion Carried.

Adjournment:
Bangasser made a motion to adjourn at 7:09 p.m. with a second by Stirling. Ayes: All. Nays: None. Motion Carried.

Scot Henrichs – Mayor
Attest: Alexis Wiegmann – City Clerk
Published in the Butler County Star Tribune on February 8, 2024

BUTLER CO BOS • MINUTES 1.23.2024

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON JANUARY 23, 2024.

Meeting called to order at 9:00 A.M. by Chairman Wayne Dralle with members Rusty Eddy and Greg Barnett present. Moved by Eddy second by Barnett 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 request by Reints Farms LLC to rezone 140 acres from A-1 to M for expansion of Butler County Logistics Park on a parcel located in the SW1/4 of Section 34, Township 92 North, Range 15 West of the 5th P.M. Misty Day, Planning and Zoning, provided details regarding the parcel. The Zoning Commission recommended approval of the rezoning. Jeff Kolb and Jeff Reints both provided statements in favor of the rezoning as they prepare for growth adjacent to the Logistics Park. Motioned by Barnett, second by Eddy to close Public Hearing. All ayes. Motion carried.

Board considered Ordinance Title VI, Number 32 – An Ordinance Amending the Official Zoning Map. Barnett motioned to approve the first reading, second by Dralle. Roll Call: Ayes – Eddy, Dralle, Barnett. Nays – None. Motioned by Barnett, second by Eddy to waive the second and

third hearings. All ayes. Motion carried and the ordinance was adopted as follows:

ORDINANCE TITLE VI, NUMBER 32

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF BUTLER COUNTY, IOWA ZONING ORDINANCE (ORDINANCE TITLE VI, NUMBER 28, ADOPTED ON NOVEMBER 1, 2022)

Section 1. RESCISSION. This Ordinance rescinds the current zoning designation, "A-1" Agriculture, on a parcel legally described as follows:

A parcel of land located in the SW1/4 of Section 34-92-15, Butler County, Iowa, described as follows:
Beginning at the Northwest corner of said SW1/4 of Section 34-92-15; thence S. 89°39'43" E. along the North line of said SW1/4 a distance of 2649.53 feet to the NE corner of said SW1/4; thence S. 00°10'20" E. along the East line of said SW1/4 a distance of 2109.46 feet; thence S. 89°50'14" W. a distance of 410.00 feet; thence S. 00°10'11" W. a distance of 245.00 feet; thence S. 52°49'32" W. a distance of 415.00 feet; thence S. 00°16'04" E. a distance of 63.00 feet to the South line of said SW1/4; thence S. 90°00'00" W. along said South line a distance of 1268.04 feet; thence N. 00°15'50" W. a distance of 377.70 feet; thence N. 60°21'03" W. a distance of 303.00 feet; thence N. 30°22'55" W. a distance of 467.50 feet; thence S. 89°31'35" W. a distance of 134.70 feet to the West line of said SW1/4; thence N. 00°23'03" W. along said West line a distance of 1754.43 feet

to the point of beginning; excepting therefrom all legal highways, together with the easements benefiting said property as set forth in the Memorandum of Agreement dated April 26, 1991, and filed May 17, 1991, in Book 135, pages 140-143, in the office of the Butler County Recorder.

The South line of the SW1/4 of Section 34-92-15 is assumed to bear S. 90°00'00" W.

on the Official Zoning Map as was originally adopted.

Section 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation "M" 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 28, adopted on November 1, 2022) 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 JANUARY 23, 2024.

SECOND PASSAGE (READING) WAIVED ON JANUARY 23, 2024.

THIRD AND FINAL PASSAGE (READING) WAIVED AND ADOPTION ON JANUARY 23, 2024.

BUTLER COUNTY BOARD OF SUPERVISORS

BY: Wayne Dralle, Chair
Leslie Groen, County Auditor

Motioned by Eddy, second by Barnett to open a Public Hearing on a request by Jeremy Cole, Cole Excavating to rezone 8.2 acres from A-1 to C to relocate business shop-headquarters to a parcel described as that part of Lot 16N1/2 NW W of RD & N 295.3' lot 17 W of RD of Section 1, Township 93 North, Range 17 West of the 5th P.M. Dralle read a letter received by Matt Rust, who lives nearby and wanted to voice his concerns with rezoning this parcel. His main concerns were noise, water drainage, and large equipment on site. Day provided details and stated that the Planning and Zoning Commission did not see any concerns. Motioned by Eddy, second by Barnett to close Public Hearing. All ayes. Motion carried.

Board considered Ordinance Title VI, Number 33 – An Ordinance Amending the Official Zoning Map. Motioned by Barnett, second by Eddy to approve the first reading. Roll call: Ayes – Eddy, Dralle, Barnett. Nays – None. Motioned by Barnett, second by Dralle to set the date and time for a second Public Hearing for February 6, 2024, at 9:00 A.M. All ayes. Motion carried.

Board reviewed Treasurer Semi-Annual Report. Motioned by Barnett, second by Eddy to approve the report. All ayes. Motion carried.

FY25 Budget Funding Requests: Scott Bruns, Butler Soil and Water Conservation District, provided the board with their 2023 budget details, and requested the continued County funding of \$5,000 to continue with their planned 2024 events. The Board will make that decision during the budget process.

FY25 Budget Workshop
Treasurer – Roxie Nicolaus, stated that there were no major changes outside of salaries.

P & Z/Environmental Health – Misty Day, stated that there were no major changes outside of professional fees decreasing and salaries increasing. Ahlers and Cooney attorney fees for the pipeline were taken from this budget.

Veteran Affairs – Tom Heckman, stated no changes other than the salary increase.

IT – Sara Trepp, stated that some line items have gone up and others have gone down based upon recent changes made. Overall, the budget is down around 3%.

Public Health – Jennifer Becker,

stated that there were some areas that required changes. Referrals for home health has decreased. Costs associated with lower referrals have also been affected. They will be losing three staff members within the year and have decided to fill two of the three employees. It remains difficult to hire nurses as the Public Health wages are much lower than starting wages in competing nursing positions in the area.

John Riherd, County Engineer, provided an Engineer's Update. Riherd discussed their participation with the City of Shell Rock and a railroad funding grant. He is continuing to receive personal accounts regarding the importance of the Packard bridge to add to the RAISE grant application.

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

Motioned by Eddy, second by Barnett to adjourn the regular meeting at 10:18 A.M. to January 30, 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 January 23, 2024.

Attest: Butler County Auditor
Chairman of the Board of Supervisors

Published in the Butler County Star Tribune on February 8, 2024