

Public Notice

The Keokuk County Expo Board will have their Annual Meeting on October 4th at 8:00 pm at the Keokuk County Extension Office in Sigourney.

Published in The News-Review on Wednesday, Sept. 29, 2021

Public Notice

ORIGINAL NOTICE
THE IOWA DISTRICT COURT
FOR KEOKUK COUNTY
CITY OF SIGOURNEY, IOWA,
Plaintiff(s),
Vs.

Karen S. Waite, N.K.A. Karen S. Straube, Terry Duane Straube, spouse of Karen S. Straube, Lance J. Okones, spouse of Tracy Okones, Tracy Okones, spouse of Lance J. Okones, Midland Funding LLC, Capital One Bank (USA) N.A., ACC 20 LLC, Persons in Possession of 308 South East Street, Sigourney, IA, Defendants

Case No. EQEQ041305

To The Above-Named Defendant(s):

You are notified that a petition has been filed in the office of the clerk of this court naming you as a defendant in this auction, which petition prays for hearing to find your property has an abandoned building, that you failed to make good faith effort to comply with the city code in maintaining the property and further granting to City of Sigourney, Iowa, title to Lot Four, and The East Half of the North-South alley adjacent to Lot Four, All in Block Twenty-five in the Original Plat of the City of Sigourney, Keokuk County, Iowa, free and clear of all claims, liens, and/or encumbrances held by any of the Defendants. The name and address of the attorney for the plaintiff(s) is John N. Wehr, 116 E. Washington St., P.O. Box 245, Sigourney, IA 52591. The attorney's phone number is (641) 622-3313; facsimile number is (641) 622-2479.

You must serve a motion or answer on or before December 1, 2021, and within a reasonable time thereafter, file your motion or answer with the Clerk of Court for Keokuk County, at the courthouse in Sigourney, Iowa. If you do not, judgment by default may be rendered against you for the relief demanded in the petition.

You are further notified that the above case has been filed in a county that utilizes electronic filing. Please see Iowa Court Rules Chapter 16 for information on electronic filing and Iowa Court Rules Chapter 16, division VI regarding the protection of personal information in court filings.

If you require the assistance of auxiliary aids or services to participate in court because of a disability, immediately call your district ADA coordinator at (641) 684-6502. If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942

IMPORTANT: YOU ARE ADVISED TO SEEK LEGAL ADVICE AT ONCE TO PROTECT YOUR INTERESTS

Published in The News-Review on Wednesday, Sept. 15, Sept. 22 and Sept. 29, 2021

PROCEEDINGS: Keokuk Co.

KEOKUK COUNTY BOARD
PROCEDURES
SEPTEMBER 13, 2021

The Keokuk County Board of Supervisors met in regular session, Monday, September 13, 2021 in the Board Room of the Courthouse. Present were: Michael C. Hadley, Fred Snakenberg, Daryl Wood and Christy Bates, County Auditor.

Wood moved, Snakenberg seconded to approve the agenda. All ayes and motion carried. Also present were RD Keep, The News-Review, Alaina Ellington and Christina Estes.

Snakenberg moved, Wood seconded to approve the minutes of September 7, 2021 as submitted. All ayes and motion carried.

Wood moved, Snakenberg seconded approval of agreement between City of Sigourney, Keokuk County and Kiwanis Club for the development of an outdoor pavilion and dedication to the City of Sigourney and to authorize the Chairman of the Board of Supervisors to sign agreement as substantial form as is now upon approval of County Attorney. Snakenberg inquired why the pavilion is not being placed on city property since they are maintaining it. Wood responded his assumption was they wanted it on the square where it would be used more. A roll call vote was held: Ayes – Wood, Hadley; Nays – Snakenberg. Motion carried.

Met with Engineer McGuire regarding the Keokuk County Highway Department. Meadowbrook speed limit signage, drainage and lack of sidewalks conversation continues. McGuire stated it all stems back to the establishment of Meadowbrook, no consideration was taken regarding urban cross sections

that include curb and gutters, nor rural cross sections that included ditches and road grading. Noted was the of level of county involvement, service and establishing a policy that sets a precedence. The Sheriff's Office will set up their radar speed sign as a speeding detourant in the targeted area. A preconstruction meeting regarding the Keokuk Hills Beef project with start date as Thursday, September 16th and a pre-pour meeting regarding the Keswick bridge deck will be held this week as well.

Snakenberg moved, Wood seconded approval of 2021 Business Property Tax Credit Applications as submitted and to authorize the Chairman of the Board of Supervisors to sign on behalf of Keokuk County. All ayes and motion carried.

Various board and committee reports were held. Wood attended the annual and monthly RUSS meetings. Snakenberg participated in the Decat zoom meeting. Hadley attended Emergency Management and DOT Freight Council meetings last week.

Discussion of old/new business and public comment was held. Alaina Ellington and Christina Estes, SIEDA, were present to discuss strategic initiatives to prevent drug overdoses (SIPDO) and the correlating grant of \$2500 for prevention.

On vote and motion Hadley adjourned the meeting at 10:00 a.m.

The above and foregoing information is a summary of the minutes taken at the above indicated meeting. The full and complete set of minutes is available at the Keokuk County Auditor's Office and www.keokukcounty.iowa.gov.

Published in The News-Review on Wednesday, Sept. 29, 2021

PUBLIC NOTICE

PUBLIC NOTICE

The Township Trustees of the Steady Run Township, Keokuk County, Iowa have determined that the township no longer has any need to retain ownership of the following parcels and have adopted a proposed Resolution to sell the following described real estate to David L. Jones and Lori L. Jones, for the consideration of the grantees paying all legal fees, publication fees, and transfer and recording fees.

AUDITOR PARCEL SR-TOP-029700 described as: Commencing at a point 53 rods North and 18 Rods East of the Southwest Corner of the Southeast Quarter of the Northwest Quarter of Section Twenty-two, Township Seventy-four North of Range Twelve West, thence East 12.64 rods, thence North 12.64 rods, thence West 12.64 rods to the place of beginning, containing one acre more or less

AND AUDITOR PARCEL SR-TOP-042675 described as: Commencing at the Northwest Corner of the Southwest Quarter of Section Fourteen, Township Seventy-four North of Range Twelve West, running South Ten Rods, thence East Eight Rods, thence North Ten Rods, thence West Eight Rods to the place of beginning, containing one half acre. AND

A parcel of land described as a Church lot being one-half acre in the Northeast Corner of the Northwest Quarter of the Southwest

Quarter Section Fourteen, Township Seventy-four North of Range Twelve West, all subject to highway easement.

AND AUDITOR PARCEL SR-TOP-062050 described as: Commencing at the Northwest Corner of the Southeast Quarter of the Southeast Quarter of Section Eighteen, Township Seventy-four Range Twelve West, thence South 10 rods, thence East 9 rods, thence North 10 rods, thence West 9 rods to place of beginning.

Said real estate will be conveyed without the Trustees of Steady Run Township providing an abstract of title and transfer to be by Deed without warranty. Buyers will be responsible for any cost of preparing an abstract of title. Buyers will be responsible to pay for any required surveys. This property will be transferred in "AS IS" condition, subject to all utility easements.

The Township Trustees have set a public hearing for the 16th day of October, 2021 at 5:00 P.M. at the building located on the Mt. Zion Cemetery, ¾ mile west of Highway 149 on 315th Street, Hedrick, Iowa 52563 to act upon the proposed sale and to make a final determination thereof.

Dated this 25th day of September, 2021.

Pamela J. Perkins,
Township Clerk of
Steady Run Township

Published in The News-Review on Wednesday, Sept. 29, 2021

OFFICIAL COUNCIL PROCEEDINGS: City of Keota

CITY OF KEOTA
COUNCIL PROCEEDINGS
SEPTEMBER 20, 2021

The Keota City Council met on September 20, 2021, at the Keota City Hall. The meeting was called to order at 7:00 p.m. by Mayor Anthony Cansler.

Council members answering roll call were: Mike Bender, Keith Conrad, Rod Hill, and Heath McDonald. Matt Greiner was unable to attend. City Employees present were Micah Harmsen, Tonia Greiner, and Tomisha Hammes. Also in attendance was Danielle Imhoff, Chad McCleary, and Dan Flynn.

Motion was made by Councilman Conrad to approve the consent agenda including minutes from the September 7, 2021 meeting, payment of bills, and August month end financials. Councilman Bender seconded the motion. Motion passed with a 4-0 vote.

Payment of Bills:

CITY OF KEOTA
SEPTEMBER 20 2021
COUNCIL MEETING
FOR PERIOD SEPTEMBER 8 -
SEPTEMBER 20, 2021

Payee-Comment.....	Amount
Altenhofen, Cheryl-Payroll.....	\$12.61
Conrad, Douglas L.....	
-Payroll.....	\$1,907.71
Greiner, Tonia-Payroll.....	\$907.37
Hammes, Tomisha.....	
-Payroll.....	\$1,388.05
Harmsen, Micah-Payroll.....	\$1,367.83
Slaubaugh, Kevin L.....	
-Payroll.....	\$1,571.73
EFTPS-Employee	
Withholdings.....	\$2,208.56
United States Post Office-Water/ Sewer-Billing Postage.....	\$152.80
Jeffery Garman-Cemetery	
-Contracted Mowing.....	\$1,875.00
Quill-All Dept. Office	
Supplies.....	\$145.91
US Cellular-All Dept. Cell	
Phones.....	\$211.84
Keota Eagle Foods-All Dept.	
Janitorial Supplies.....	\$50.97
Mid-America Publishing Corp	
-All Dept. Publishing.....	\$298.19
Treasurer, Keokuk County-Economic Development-Contract Agreement for Properties.....	\$192.00
Menards-Streets/Compost-Pot Hole Patch/Compost Sign	
Repairs.....	\$241.24
Wellmark Blue Cross Blue Shield-Employee	
Benefits.....	\$7,339.93
Windstream-All Dept. Phone	
/Fax.....	\$242.33
Harris Boyz Heating And Air-Water -Air Conditioner Repair.....	\$192.07
TOTAL.....	\$20,293.53

Department Reports:
•Public Works Department – Micah Harmsen presented the public works report – Tremmel was in town a couple of times last week, manhole was fixed at the corner of Lafayette Avenue and Fulton Street, a water leak was fixed on Keokuk Avenue, a house was torn down with the water and sewer line capped on South Davis Street. Water mains will be flushed later this week or maybe next week. The eaves spout at the library – there is a section that will need to be replaced soon as it is warping. Councilman Bender asked if the public works department would be able to mow the cemetery next year. Micah commented

that he said he watched his hours mowing last week and it took about 13 hours to mow the various areas of city property in town. He thought they could potentially do the west side of the cemetery that doesn't have any stones, it may be tough, but not out of the realm of them not being able to do it. Chad McCleary, Ion Environmental Solutions, gave his updates on water and sewer. Harris Boyz came and repaired the air conditioner at the influent building at the lagoons. Kevin Waggoner was supposed to come last week to repair the aerator in the lagoon, they had to reschedule for later this week. Chad will meet with Kevin Slaubaugh to see if and when we will need to do a water tower inspection and repaint the tower.

•Police Department – A written report was submitted. Reporting period of September 1 through September 15, 2021, there were nine (9) service calls/complaints and four (4) citations issued. Service Calls/Complaints: one family and children, five assist and serve, one misc. complaints, one dog/cat/misc. animal, and one livestock. Citations issued: three speed/alternative enforcement, one operating non-registered vehicle.

•Wilson Memorial Library – Last Wednesday Nick Mahan, Tonia Greiner, Denny Lyle and the Washington County Conservationist met and outlined where they would set up the StoryWalk. Washington County Conservation will be setting the poles for the library and pay for the cement.

•Keota Historical Museum – Open House on Saturday, October 9, 2021. They have some private tours over the Thanksgiving holiday set up as well.

Discussion on having a stop sign at the intersection of Broadway Avenue and Fulton Street before and after school. The Council asked to have the public works department move the pool stop sign up to city hall and have it put out at the corner of Broadway Avenue and Fulton Street before and after school only. This will be a trial run to start with to see how it works out.

Motion was made by Councilman Conrad to approve the building permit for 401 N. Green Street - deck. Councilman Hill seconded the motion. Motion passed with a 4-0 vote.

The city clerk did the second reading of Ordinance 2021-289: Animal Control – Rabies Vaccinations. The city clerk did the second reading of Ordinance 2021-290: Golf Carts – registration requirement removed and age changed to 16 years old to drive golf carts if not going to and from the golf course.

The city clerk did the second reading of Ordinance 2021-291: ATV/UTVs – registration requirement removed.

The city clerk did the second reading of Ordinance 2021-292: Nuisances – Grass Height – height not to exceed 6 inches.

Citizen Comments: Dan Flynn stated that the Keota Pool Advocates Breakfast was a great success. They will be set up on the Rural Road Trip on September 24, 25, 26 at Jim Tinnes Trucking building on Broadway Avenue. The Keokuk

County Community Endowment Foundation Grant presentation will take place on Wednesday, September 22, 2021 at the Sigourney Public Library starting at 6:30 p.m. The WCRF Grant Committee meeting will take place at Wooden Wheel Vineyard on Wednesday, October 6 starting at 6:00 p.m.

Clerk/Council/Mayor Comments: The clerk stated the letters were sent out to the businesses to participate in the Business District Trick or Treat on Friday, October 29 from 3:45 to 5:00 p.m. Many have already responded that they will participate. The sign that was located in the green space across from city hall has been removed because it was deteriorating. The public works department will rebuild it this winter, Keota Community Club will purchase a banner to go in the sign, and new flowers will be planted next spring. There will be a fall display put in its place this week in time for the Rural Road Trip. There will be a meeting for the Community Catalyst Grant on October 14 in Corydon that the clerk will be attending so that the City of Keota is able to apply for the grant. She will also be attending the IMFOA Conference in Des Moines, on October 20-22, for her clerk's certification continuing education hours. Councilman McDonald stated that the house at

South Davis Street was torn down. Councilman Hill stated that he could bring in his cemetery hours to review on how long it takes to mow and weed eat the whole cemetery. He went down to look at the side walk on South Iowa Street and Park Avenue. The property owner wants to tear out the sidewalk and not replace it. The rest of the Council will go and take a look at the sidewalk issue. Councilman Conrad stated that Scott Flynn is looking for parking spaces for his apartment tenants. He will meet with Slaubaugh and figure out where they could park. Councilman Bender stated that he has noticed that Kevin Slaubaugh and Micah Harmsen have been out getting quite a few projects done around town. Mayor Cansler stated that evaluations will be coming up along with the budget.

Motion was made by Councilman Bender to adjourn at 8:14 p.m. Councilman Conrad seconded the motion. Motion passed with a 4-0 vote. The City Council will next meet on Monday, October 4, 2021, starting at 7:00 p.m.

Mayor Anthony Cansler
Attest:
City Clerk Tomisha Hammes
These are not official minutes. These minutes will be approved at the next council meeting.

August Month End Financials:

Aug-21				
Fund.....	Beginning Balance.....	Receipts ..	Expenditures ..	End Balance
Library CD 1	\$39,492.63	\$24.62		\$39,517.25
Library CD 2	\$31,019.62	\$19.33		\$31,038.95
Sewer CD	\$145,936.03			\$145,936.03
Sewer Veh CD	\$20,604.66			\$20,604.66
Water CD	\$69,525.34			\$69,525.34
Water Veh CD	\$425.43			\$425.43
Dare	\$1,025.86			\$1,025.86
Police Forfeiture	\$572.49			\$572.49
Gen Fd Inv	\$1,449.77	\$0.04		\$1,449.81
Gen Fd Libr Inv	\$4,981.85	\$0.13		\$4,981.98
Lib Building	\$1,305.49	\$0.03		\$1,305.52
Lib Memorials	\$306.06			\$306.06
Perpetual Care Fund	\$10,316.24	\$0.26		\$10,316.50
Police Vehicle Inv	\$27,168.69	\$1.15		\$27,169.84
Park & Cem Veh	\$606.49	\$0.02		\$606.51
City Hall Bldg Rpr	\$19,220.36	\$0.49		\$19,220.85
Civil Defense Fu	\$3,175.54	\$0.08		\$3,175.62
Keota Daycare	\$1,190.38	\$0.03		\$1,190.41
Wilson Memorial Lib	\$17,577.09	\$0.45		\$17,577.54
T&A Meter Inv	\$23,676.12	\$0.60		\$23,676.72
Sidewalk Savings	\$14,529.06			\$14,529.06
Wtr Veh Savings	\$29,316.50			\$29,316.50
Wtr Twr Main Savings	\$9,647.58			\$9,647.58
Sewer Veh Savings	\$9,123.33			\$9,123.33
Snow Equipment Savings.....	\$5,073.28			\$5,073.28
Checking.....	\$949,413.05	\$82,163.06	\$54,600.70	\$976,975.41
General		\$10,252.69	\$18,474.03	
General-Local Option		\$9,287.60		
City Hall Petty Cash	\$50.00			\$50.00
City Hall Cash Drawer	\$100.00			\$100.00
Dare				
Road Use	\$9,374.10	\$2,827.86		
Employee Benefit		\$1,776.30		
Capital Improv Reser	\$2,331.36	\$3,859.93		
Library Petty Cash	\$25.00			\$25.00
Library Museum		\$6,188.00		
Water	\$28,891.56	\$11,267.28		
Cp. Wtr. Trmnt. Plant.....				
Cp. Wtr. Tower				
Cp. Wtr. Main Davis St.....				
Cp. Wtr Main Broad/Davis				
Utility Deposits	\$400.60	\$250.75		
Sewer	\$22,310.13	\$7,923.28		
Sewer Ext-Broadway				
Sewer Plant Upgrade				
TOTAL		\$1,464,463.53		

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PROCEEDINGS: What Cheer

CITY OF WHAT CHEER
Council Minutes
Regular Meeting
Tuesday September 14th 2021

The What Cheer City Council met in regular session at City Hall, Tuesday September 14th 2021. Mayor Darrell Wilkening called the meeting to order at 7: pm. Council Members answering roll call were: Donna Rogers, Chris Terrell, Casey Sammons, Bob Dugger, and Jeremy Bolinger all present. Also present, Sandy Van Patten, Gary Joe Van Patten, Steve Bond, Deal Keasling and City Clerk Melanie Vermillion.

Bolinger made a motion to approve the consent agenda, Dugger seconded the motion. All in favor. Motion Carried.

No Audience comments.

Mayor Darrell Wilkening gave his mayors report to the council informing them of a resident in town that may be disconnecting from septic and hooking on to city sewer as more information becomes available, he will let the council know.

Terrell made a motion to not pursue with an ordinance that was considered for UTV/golf carts. Dugger seconded the motion. All in favor. Motion Carried.

Dugger made a motion to table a water theft issue, Terrell seconded the motion. All in favor. Motion Carried.

Sammons made a motion to close the regular meeting and open the public hearing on the closing and sale of alleys and streets. Terrell seconded the motion. All in favor. Motion Carried.

Terrell made a motion to close the public hearing and reopen the regular meeting. Dugger seconded the motion. All in favor. Motion Carried.

Dugger made a motion to waive the final reading of the streets and alley closure and to adopt resolutions 21-09-11 and 21-09-12 to sell an alley to Mike Hoover for \$400.00 and a portion of S. 1st Street to Don and Mandy McAdams for \$400.00. Rogers seconded the motion. Roll Call: Sammons, Aye; Rogers, Aye; Dugger, Aye; Terrell, Aye and Bolinger, Aye. Motion Carried.

Steve Bond from Mid Iowa Inspections addressed the council and explained the procedures of non-owner occupied resident inspections. No action was taken by the council.

Bolinger approved allowing City Clerk Melanie Vermillion to apply for the Keokuk County Endowment grant to resurface the city's basketball courts. Terrell seconded the motion. All in favor. Motion Carried.

Bolinger made a motion to set

Trick or Treat night for Sunday October 31st from 6-8pm. Dugger seconded the motion. All in favor. Motion Carried.

City Clerk Melanie Vermillion addressed the council letting them know the city will be receiving funds totaling in the amount of \$92990.77 from the American Rescue Plan. The city has already received the first round of \$46495.39. No action was taken by the city.

Dugger made a motion to approve providing the What Cheer Library with 500.00 for a start up fee to allow patrons to check out books, audio books and movies electronically. And an additional \$500.00 per year for the cost of the program. Terrell second the motion. Sammons, Aye; Dugger, Aye; Bolinger, Aye; and Terrell Aye. Rogers abstained as she is on the Library Board.

Dugger made a motion to adjourn the meeting at 8:37, Sammons seconded the motion.

Darrell Wilkening, Mayor
Melanie Vermillion, City Clerk
BILLS PRESENTED AT
SEPTEMBER 14TH 2021
MEETING

What Cheer Fire Dept.....	\$387.27
Aflac.....	69.03
Alliant Energy	3980.62
Cassen's Mill Corp.....	600.00
Creative Technologies	713.50
The Bug Man Pest Control	90.00
Office Depot.....	547.59
Menards.....	72.60
Justin Van Patten (Blades)	109.13
IDNR.....	173.62
Wapello Rural Water	3301.01
Greiner Implement.....	96.55
Waste Management	50250.17
Barron Motor Supply	32.05
Cobb Oil	498.58
H&M Farm And Home	27.80
Windstream	279.95
Keystone Lab.....	349.07
Douds Stone	777.50
Mid America Publishing	153.05
DJ Davis Trucking	226.95
WC Opera House	5000.00
IPERS	1596.18
941 Tax.....	2278.96

CITY OF WHAT CHEER
Receipts..... Disbursements
General Fund.....\$6752.65.....\$6166.11
Road Fund.....\$8398.04.....\$30966.13
Debt Service.....\$1894.42.....\$0.00
Trust & Ag.....\$1087.43.....\$4969.82
Garbage Fund \$5882.88.....\$5019.32
Water Fund

\$9154.74.....\$9752.07
Sewer Fund

\$6084.48.....\$3293.82
Local Op
Sales Tax.....\$4684.06.....\$609.24
Library

\$144.24.....\$1256.25
Total.....\$44082.94.....\$62032.76
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PROBATE

IOWA DISTRICT COURT
KEOKUK COUNTY
NOTICE OF PROOF OF WILL
WITHOUT ADMINISTRATION
IN THE MATTER OF
THE ESTATE OF
TIMOTHY DEE BARNES,
Deceased
Case No. 08541
ESPR038329

To All Persons Interested in the Estate of Timothy Dee Barnes, Deceased, who died on or about August 22, 2021:

You are hereby notified that on September 10, 2021, the last will and testament of Timothy Dee Barnes, deceased, bearing date of March 1, 2021, was admitted to probate in the above named court and there will be no present administration of the estate. Any action to set aside the will must be brought in the district court of the 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 09/13/2021.

Tonja Jo Barnes
Proponent
Trevaniel Temple, AT0010759
Attorney for estate
PO Box 168
207 E. Broadway Ave.
Keota, IA 52248
Date of second publication:
September 29, 2021
Probate Code Section 305

Published in The News-Review on
Wednesday, Sept. 22 and Sept. 29, 2021

PROBATE

NOTICE OF PROBATE OF
WILL, OF APPOINTMENT OF
EXECUTOR, AND NOTICE TO
CREDITORS
THE IOWA DISTRICT COURT
FOR KEOKUK COUNTY
IN THE MATTER OF
THE ESTATE OF

ORVAL C. HRADEK, Deceased
CASE NO. ESPR038330

To All Persons Interested in the Estate of Orval C. Hradek, Deceased, who died on or about September 13, 2021:

You are hereby notified that on September 20, 2021, the Last Will and Testament of Orval C. Hradek, deceased, bearing date of March 8, 1983, was admitted to probate in the above named court and that Norman D. Hradek 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 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 September 17, 2021.
Norman D. Hradek, Executor
4125 76th Street
Urbandale, IA 50322
John N. Wehr, ICIS#: 0008299
Attorney for Executor
John N. Wehr, Attorney at Law
116 E Washington
PO Box 245
Sigourney, IA 52591
Date of second publication
October 6, 2021
Probate Code Section 304
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