

Public Notices

THE OFFICIAL PROCEEDINGS OF OUR GOVERNMENTAL UNITS

PUBLIC NOTICES

IN THE IOWA DISTRICT COURT FOR BOONE COUNTY Case No. DRCV041120 ORIGINAL NOTICE

AUSTIN SMILEY, Petitioner
vs.
Megan Mann, Respondent
TO THE ABOVE NAMED RESPONDENT.
TO THE ABOVE NAMED RESPONDENT:

You are hereby notified that a petition has been filed in the office of the Clerk of this Court, naming you as the Respondent in this action. A copy of the Petition (and any documents attached to it) is attached to this notice. The attorney for the Petitioner is Wesley A. Johnson of JOHNSON LAW OFFICE, P.C., 214 West Walnut, Ogden, Iowa 50212. That attorney's telephone number is (515) 275-4018; facsimile number (515) 275-2102.

You must serve a motion or answer within 20 days after service of this Original Notice upon you, and within a reasonable time thereafter file, a motion or answer with the Clerk of Court for Boone County, at the county courthouse in Boone, Iowa. If you do not, judgment by default may be rendered against you for the relief demanded in the Petition. This case has been filed in a county that utilizes electronic filing. Chapter 16 of the Iowa

Court Rules provides the general rules and information for electronic filing. Please refer to Chapter 16 Division VI of the Iowa Court Rules for information specifically regarding the protection of personal information within 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 (515) 421-0990. (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942.)

CLERK OF THE ABOVE COURT
Boone County Courthouse
201 State St.
Boone, IA 50036

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

STATE OF IOWA JUDICIARY
Case No. DRCV041120
County: Boone

Case Title:
AUSTIN SMILEY V. MEGAN MANN
THIS CASE HAS BEEN FILED IN A COUNTY THAT USES ELECTRONIC FILING. Therefore, unless the attached Petition and Original Notice contains a hearing date for your appearance, or unless you obtain an exemption from the court, you must file your Appearance and Answer electronically.

You must register through the Iowa Judicial Branch website at <http://www.iowacourts.state.ia.us/Efile> and obtain a log in and password for the purposes of filing and viewing documents on your case and of receiving service and notices from the court.

FOR GENERAL RULES AND INFORMATION ON ELECTRONIC FILING, REFER TO THE IOWA COURT RULES CHAPTER 16 PERTAINING TO THE USE OF THE ELECTRONIC DOCUMENT MANAGEMENT SYSTEM: <http://iowacourts.state.ia.us/Efile>

FOR COURT RULES ON PROTECTION OF PERSONAL PRIVACY IN COURT FILINGS, REFER TO DIVISION VI OF IOWA COURT RULES CHAPTER 16: <http://iowacourts.state.ia.us/Efile>

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) 421-0090. (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942.)

Date issued: 08/22/2017 03:54:39 p.m.

Published in The Ogden Reporter
Wednesday, Nov. 22, 29 and Dec. 6, 2017.

IN THE IOWA DISTRICT COURT FOR BOONE COUNTY Case No. DRCV041120 PETITION TO ESTABLISH CUSTODY AND VISITATION

AUSTIN SMILEY, Petitioner
vs.
Megan Mann, Respondent
COMES NOW the Petitioner and for his cause of action against the Respondent states to the Court as follows:

1. Austin Smiley is the Petitioner in this action and he resides at 122 Greene St., Boone, IA 50036 in Boone County, and is represented by JOHNSON LAW OFFICE, P.C., 214 West Walnut, P.O. Box 190, Ogden, IA 50212.

2. Megan Mann is the Respondent in this action and she resides at 5480 Kirkwood Blvd SW, Cedar Rapids, IA 52404 in Linn County.

3. The Petitioner is permanently and/or temporarily a resident of Boone County per Iowa Code 600B.IO.

4. The child at issue herein, namely C.L.H., was born in July of 2012.

5. The Petitioner's relationship to the child is natural father and the Respondent's relationship is natural mother.

6. Pursuant to Iowa Code section 598B.209(l), Petitioner states that:

a. The child at issue herein is currently residing with Petitioner and has also resided with Respondent and Respondent's mother;

b. The Petitioner has no information of any custody proceeding concerning said minor child pending in a court of this or any other state;

c. Petitioner knows of no other proceeding that could affect the current proceeding, including proceedings for enforcement and proceedings relating to domestic violence, protective orders, termination of parental rights, and adoptions, with the exception that there is a child support order and an order establishing Petitioner's paternity in Boone County case DRCV040699 and there is a Child in Need of Assistance for the child in which concurrent jurisdiction was granted in Boone County case JVVJ002452;

d. Petitioner knows of no other person not a party to the proceeding who has physical custody of the child or claims rights of legal custody or physical custody of, or visitation with, the child.

7. This Petition is filed in good faith and for the purposes set forth herein.

WHEREFORE, the Petitioner respectfully requests that the Court:

a. Grant the parties joint legal custody of the child;

b. Grant the Petitioner physical custody of the child;

c. Order appropriate visitation with the Respondent;

d. Order Respondent to pay Petitioner's attorney fees and the court costs of the matter;

e. Order such other relief as deemed just and equitable.

JOHNSON LAW OFFICE, P.C.
By: Wesley A. Johnson AT0009613
214 W. Walnut P.O. Box 190
Ogden, Iowa 50212
Telephone: (515) 275-4018
Facsimile: (515) 275-2102
Email: wes_johnson@netins.net

ATTORNEYS FOR PETITIONER
STATE OF IOWA, BOONE COUNTY, ss: The undersigned, being duly sworn on oath, does depose and state that I am the natural father of the child named in this Petition, that I have read the Petition, and the contents are true and correct to the best of my information and belief.

Austin L. Smiley
Subscribed and sworn to before me this 17th day of August 2017.

Lee R. Johnson
Notary Public
Published in The Ogden Reporter
Wednesday, Nov. 22, 29 and Dec. 6, 2017.

PUBLIC NOTICE

IN THE IOWA DISTRICT COURT OF BOONE COUNTY EQUITY NO: EQCV041166 ORIGINAL NOTICE FOR PUBLICATION

Atlantica, LLC
Plaintiff,
vs.

All Unknown Heirs, Devisees, or Claimants with an interest in Property of James R. Fullerton, a/k/a Jim Fullerton, a/k/a Jim R. Fullerton, Deceased; Unknown Spouse, if any, of James R. Fullerton (Dorothy Eldenna Fullerton); Parties in Possession; Mortgage Electronic Registration Systems, Inc., as nominee for Wilmington Finance, a division of AIG FSB, its successors and assigns; United States of America, Internal Revenue Service; State of Iowa, Department of Revenue, et al.
Defendants.

You are notified that a petition has been filed in the office of this court naming you as a defendant in this action. The petition was filed on October 23, 2017, and prays for foreclosure of Plaintiffs Mortgage in favor of the Plaintiff on the property described in this notice and judgment for the unpaid principal amount of \$73,324.74, with 7.45% per annum interest thereon from March 1, 2015, together with late charges, advances and the costs of the action including (but not limited to) title costs and reasonable attorney's fees, as well as a request that said sums be declared a lien upon the following described premises from September 15, 2005, located in Boone County, Iowa:

Lots Eight (8) and Nine (9) in Block Two (2) in North Side Heights, a Subdivision of Part of Southwest Quarter (SW 1/4) of Southeast Quarter (SE 1/4) of Section Sixteen (16), Township Eighty-four (84) North, Range Twenty-Six (26), West of the 5th P.M., Boone County, Iowa. Situated in Boone County, Iowa.

More Correctly Described As:

Lots 8 and 9 in Block 2 in NORTH SIDE HEIGHTS, a Subdivision of Part of Southwest Quarter of Southeast Quarter (SW1/4SE1/4) of Section 16, Township 84 North, Range 26, West of the 5th P.M., Boone County, Iowa, commonly known as 2404 Boone Street, Boone, IA 50036 (the "Property")

The petition further prays that the Mortgage on the above described real estate be foreclosed, that a special execution issue for the sale of as much of the mortgaged premises as is necessary to satisfy the judgment and for other relief as the Court deems just and equitable. For further

details, please review the petition on file in the clerk's office. The Plaintiffs attorney is Emily Bartekoske, of SouthLaw, P.C.; whose address is 1401 50th Street, Suite 100, West Des Moines, IA 50266.

NOTICE

The plaintiff has elected foreclosure without redemption. This means that the sale of the mortgaged property will occur promptly after entry of judgment unless you file a written demand with the court to delay the sale. If you file a written demand, the sale will be delayed until twelve months (or six months if the petition includes a waiver of deficiency judgment) from the entry of judgment if the mortgaged property is your residence and is a one-family or two-family dwelling or until two months from entry of judgment if the mortgaged property is not your residence or is your residence but not a one-family or two-family dwelling. You will have no right of redemption after the sale. The purchaser at the sale will be entitled to immediate possession of the mortgaged property. You may purchase at the sale.

You must serve a motion or answer on or before 3rd day of January, 2018, and within a reasonable time thereafter, you must file your motion or answer with the Clerk of Court for Boone County, at the county courthouse in Boone, Iowa. If you fail to respond, judgment by default may be rendered against you for the relief demanded in the petition.

If you require the assistance of auxiliary aids or services to participate in a court action because of a disability, immediately call your District ADA Coordinator at 641-494-3611. If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942.

This case has been filed in a county that utilizes electronic filing. You may find more information and general rules governing electronic filing in Iowa Court Rules Chapter 16. You may find information concerning protection of personal information in court filings in Iowa Court Rules Chapter 16, Division VI.

By:
CLERK OF THE ABOVE COURT
Boone County Courthouse
201 State St.,
Boone, IA 50036

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

Published in The Ogden Reporter
Wednesday, Nov 29, Dec. 6 and Dec. 13, 2017.

BOONE COUNTY SUPERVISORS

November 22, 2017

Chairman Duffy called the regular meeting to order at 8:30 a.m. in the Supervisors chambers, with Duffy and Zinnel present. Zinnel moved and Duffy seconded motion to approve November 15, 2017 meeting minutes. NO: None. YES: Duffy and Zinnel. Motion approved.

Zinnel moved Duffy seconded motion to approve the agenda. NO: None. YES: Duffy and Zinnel. Motion approved.

Michelle DeLaRiva, Community Family Resources requested Boone County to make a 5 years commitment to fund a new facility in Fort Dodge and requested \$62,765 total or \$12,553 per year

Lois Powers, Boone County Landfill and Recycling director presented landfill departmental update.

Eric Sloan, IT Director and Penny Vossler, GIS updated Board on IT and GIS issues being addressed in department

Duffy called public hearing on Ordinance 136 proposing to rezone approximately 1 acre of property from A-1 (Agricultural Conservation) to R-1 (Rural Residential). No comments written or oral were received. Zinnel moved Duffy seconded motion to close the public hearing. NO: None. YES: Duffy and Zinnel. Motion approved.

Zinnel moved Duffy seconded motion to waive the third reading and approve Ordinance 136. NO: None. YES: Duffy and Zinnel. Motion approved.

Dallas Wingate, Public Safety Communication Project presented specifications and drawings necessary to receive quotes for construction of concrete pads for structures to house radio tower equipment.

Zinnel moved Duffy seconded motion to set November 29, 2017 at 12:00 p.m. to open quotes for the concrete pads to set equipment shelters for communication towers. Quotes must be in Auditors Office by 4:30 p.m. November 28, 2017. NO: None. YES: Duffy and Zinnel. Motion approved.

Michelle Hull, RSVP Director, requested \$1,800.00 for FY19 funding and would appreciate an in-kind donation of IT charges.

Tom Eastlund paid farm rent for 2017.

Zinnel moved Duffy seconded motion to approve signing 2018 Applications for Military Exemption and 2018 Applications for Homestead Credit and 2018 Disabled Veterans Homestead Credit as recommended by Boone County Assessor as follow. NO: None. YES: Duffy and Zinnel. Motion approved. Military & Homestead: Brian D & Rachel L Lawson, 702 NW 4th St, Ogden; Larry H & Wanda L Lingren, 1527 Tama St, Boone. Military: Frank & Patricia Biehn, 812 12th St, Boone; Ronald Roy & Becky Lou Johnson, 353 W 5th St, Boone. Disabled Veteran Homestead: Pamela Kay White, 125 Williams St, Boone. Homestead: Scott R Mumper & Megan J Whitver, 868 Leaf Rd, Boone (Yell Township), Christine E Redeker, 403 S Boone St, Boone; Tammi J & Todd A Swanson, 1277

Pullman Pl, Boone (Worth Township); Brittany Burns, 413 Southern Prairie Dr., Madrid.

Board reviewed and placed on file Boone County Sheriff's Office Memo of Fees collected for October, 2017.

Duffy and Meier signed Quit Claim Deed for property at 812 23rd St., Boone.

Zinnel moved Duffy seconded motion to approve signing "Notice of Termination of 28E Agreement Dated September 9, 2010 - M503763" giving notice to E911 Service Board of Boone County Attorney, Dan Kolacia, opinion that the agreement is unenforceable. NO: None. YES: Duffy and Zinnel. Motion approved.

Board reviewed and placed on file Boone County Conservation Board minutes for September 11, 2017 and October 9, 2017 meetings.

Zinnel moved Duffy seconded motion to approve pay adjustment for Tanner Scheuermann, Executive Director, Boone County Conservation Board to \$45,490 per annum effective November 13, 2017. NO: None. YES: Duffy and Zinnel. Motion approved.

Zinnel moved Duffy seconded motion to approve termination of Craig Bradke, Jailer, Boone County Sheriff's Office effective November 11, 2017. NO: None. YES: Duffy and Zinnel. Motion approved.

Zinnel moved Duffy seconded motion to approve hiring Aftin Haman, Part-time Jailer, Boone County Sheriff's Office at \$15.89 per hour effective November 22, 2017. NO: None. YES: Duffy and Zinnel. Motion approved.

Zinnel moved Duffy seconded motion to approve seasonal resignation of Richard Thul, Secondary Road Gravel Weigher effective August 15, 2017. NO: None. YES: Duffy and Zinnel. Motion approved.

Zinnel moved Duffy seconded motion to approve following de-certified union agreements until June 30, 2018 for jailors and courthouse employee units. NO: None. YES: Duffy and Zinnel. Motion approved.

Zinnel moved Duffy seconded motion to approve closing courthouse from 12:00 noon to 1:00 pm for employee Christmas Party December 14, 2017. NO: None. YES: Duffy and Zinnel. Motion approved.

ACCESS presented FY 19 Funding Request of \$ 3,500.00.

Scott Kruse, Boone County Engineer presented departmental update

Zinnel moved Duffy seconded motion to confirm the following drainage work awards: DD #16 winning bid Jet Drain \$700, other bid Hall Backhoe \$890; DD #189 winning bid Jet Drain \$700, other bid Hall Backhoe \$1,302.40; DD #162 winning bid Hall Backhoe \$690, other bid Jet Drain \$750. NO: None. YES: Duffy and Zinnel. Motion approved.

Duffy adjourned meeting at 12:15 p.m.

These minutes were approved November 29, 2017.

Attest:
Philippe E. Meier
Boone County Auditor