

## PROBATE

### THE IOWA DISTRICT COURT FOR WINNEBAGO COUNTY NOTICE OF PROOF OF WILL WITHOUT ADMINISTRATION IN THE MATTER OF THE ESTATE OF HAROLD NYHUS, Deceased Probate No. ESPR011069

To All Persons Interested in the Estate of Harold Nyhus, Deceased, who died on or about May 2, 2021:

You are hereby notified that on May 20, 2021, the last will and testament of Harold Nyhus, deceased, bearing date of October 20, 2006, 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 May 20, 2021.  
Roger Nyhus  
Proponent

Attorney for estate:  
Patrick Bernard Byrne  
ICIS#: AT01396  
12 S. 4th Street  
Clear Lake, IA 50428  
trustlaw@oldlawyers.com  
Date of second publication:  
June 9, 2021  
Probate Code Section 305  
Published in Buffalo Center Tribune on  
Wednesday, June 2 and June 9, 2021

## PROBATE

### NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR AND NOTICE TO CREDITORS IN THE IOWA DISTRICT COURT FOR WINNEBAGO COUNTY IN THE ESTATE OF HOWARD J. MICHAELSON, DECEASED. Probate No. ESPR011041

To All Persons Interested in the Estate of Howard J. Michaelson, Deceased, who died on or about the 3rd day of February, 2021.

You are hereby notified that on the 23rd day of February, 2021, the Last Will and Testament of Howard J. Michaelson, deceased, bearing the date of May 9, 1991, was admitted to probate in the above named court and that Elaine Michaelson 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 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 29th day of May, 2021.

Elaine Michaelson  
216 7th Avenue SW  
Buffalo Center, IA 50424  
Executor of the Estate

Jeremy J. Gray  
Newman Thompson & Gray, PC  
36131 Highway 69  
Forest City, IA 50436  
Attorney for Executor  
Date of second publication  
16th day of June, 2021.

Published in Buffalo Center Tribune on  
Wednesday, June 9 and June 16, 2021

## Trust Notice

### IN THE MATTER OF THE TRUST: Harold Nyhus Grantor Trust

To all persons regarding Harold Nyhus, deceased, who died on or about May 2, 2021. You are hereby notified that the trustee listed below is the trustee of the Harold Nyhus Grantor Trust, dated on October 20, 2006. Any action to contest the validity of the trust must be brought in the District Court of Winnebago 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 settlor and the spouse of the decedent settlor 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 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 May 20, 2021.

Roger Nyhus  
2430 340th Street  
Forest City, IA 50436

Patrick Bernard Byrne  
#AT001396

Attorney for Trustee  
Patrick B. Byrne, PLC  
12 S. 4th Street  
Clear Lake, Iowa 50428  
Date of second publication  
June 9, 2021

Published in Buffalo Center Tribune on  
Wednesday, June 2 and June 9, 2021

## PROCEEDINGS: Winnebago Co.

### WINNEBAGO COUNTY BOARD OF SUPERVISORS May 25, 2021

The Winnebago County Board of Supervisors met in session at 9:00 A.M. May 25, 2021 adjourned from May 18, 2021.

Present: Supervisors Smith, Durby and Jensvold

Absent:

The meeting is held today via You Tube and a conference call. This is due to COVID-19 and heightened public health risks.

On a motion by Jensvold and seconded by Smith the Supervisors moved to approve the minutes for the May 18, 2021 Board Meeting and approve the agenda for May 25, 2021. All voted aye. Motion carried.

The website for information for Covid-19 for Winnebago County is [www.winnebagoountyiowa.gov](http://www.winnebagoountyiowa.gov).

Doug Harmon discussed private tile being brought into DD 18. Private tile was put alongside Lat 11 years ago. The current Lat 11 has been breaking down over the years. On a motion by Smith and seconded by Durby the Supervisors moved to annex in the private tile to DD 18 and appoint Jacobson-Westergard as Engineer for the project. All voted aye. Motion carried.

Kris Oswald, Drainage Clerk discussed drainage districts including DD 5 Lat 19. Oswald will set up a meeting with landowners and Board of Supervisors to discuss the current condition of DD 5 Lat 19.

On a motion by Durby and seconded by Jensvold the Supervisors moved to set the Public Hearing for FY 2021 Budget Amendment for June 8, 2021 at 9:30 A.M. All voted aye. Motion carried.

### RESOLUTION NO. 5-25-21-01-01 To fix a date of meeting at which it is proposed to approve a Resolution authorizing Tax Increment Loan

WHEREAS, Winnebago County, Iowa (the "County"), pursuant to and in strict compliance with all laws applicable to the County, and in particular the provisions of Chapter 403 of the Code of Iowa, has established the Winnebago County UR-2 Economic Development Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, the Board of Supervisors (the "Board") has identified a Winnebago County Courthouse Re-proof project to be undertaken in the Urban Renewal Area (the "Project"); and

WHEREAS, the Board desires to create an internal loan (the "Internal Loan") to pay the cost of the Project, which would be repaid from future incremental property tax revenues produced in the Urban Renewal Area; and

WHEREAS, Section 331.479 of the Code of Iowa requires a County to set a date for and hold a hearing before establishing the Internal Loan;

NOW THEREFORE, IT IS RESOLVED by the Board of Supervisors of Winnebago County, Iowa, as follows:

Section 1. This Board shall meet on June 8, 2021, at 10:00 a.m., at the County Courthouse, Forest City, Iowa, at which time and place a public hearing will be held and action will be taken to approve the Internal Loan.

Section 2. Notice of the proposed action, the time when and place where the meeting will be held, shall be published, at least once not less than four days and not more than twenty days before the meeting, in a legal newspaper of general circulation in the County. Said notice shall be in substantially the following form:

### NOTICE OF HEARING ON NONCURRENT DEBT

The Board of Supervisors of Winnebago County, Iowa, will meet on June 8, 2021, at 10:00 a.m., at the County Courthouse, Forest City, Iowa, to hold a public hearing on incurring noncurrent debt (the "Non-current Debt") in an amount not to exceed \$2,500,000 for the purpose of paying the costs, to that extent, of undertaking the construction of improvements to the Courthouse, including re-roofing, located in the Winnebago County UR-2 Economic Development Urban Renewal Area (the "Project").

At that time and place, oral or written objections may be filed or made to the proposal to incur the Noncurrent Debt.

The Noncurrent Debt will be in the form of an internal advance from the County's Courthouse Capital Projects Fund (Fund 1502) for the payment of costs of the Project and will be repaid from incremental property tax revenues. The Noncurrent Debt will be incurred pursuant to authority contained in Chapter 403 and in Sections 331.478 and 331.479 of the Code of Iowa.

By order of the Board of Supervisors of Winnebago County, Iowa.

*Karla Weiss*  
*County Auditor*  
Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Passed and approved May 25, 2021

*Terry Durby, Chairperson*  
*Attest: Karla Weiss*  
*County Auditor*  
On motion and vote the meeting adjourned.

*Terry Durby, Chairperson*  
*Attest: Karla Weiss*  
**SET DATE FOR HEARING ON 2021 INTERNAL TIF DEBT RESOLUTION**  
**Forest City, Iowa**  
**May 25, 2021**

The Board of Supervisors of Winnebago County, Iowa, met at the County Courthouse, Forest City, Iowa, on May 25, 2021, at 9:00 a.m. The Chairperson presided and the roll being called, the following named Supervisors were present and absent:

Present: Durby, Jensvold, Smith

Absent:

The County Auditor reported that it was necessary for the Board to set a date for a public hearing on a resolution to authorize a noncurrent debt in the form of an internal tax increment loan related to the Winnebago County Courthouse Re-roof project. Supervisor Jensvold introduced the resolution next hereinafter set out and moved its adoption, seconded by Supervisor Smith; and after due consideration thereof by the Board, the Chairperson put the question upon the adoption of the resolution, and the roll being called, the following named Supervisors voted:

Ayes: Durby, Jensvold, Smith

Nays:  
Whereupon, the Chairperson declared said resolution duly adopted, as follows:

Scott Meinders, Engineer discussed Secondary Road matters including the road crossing work on DD 18 Lat 11 went well, working on tile project, and hauling rock.

On a motion by Jensvold and seconded by Smith the payroll claims were approved and ordered to be paid. All voted aye. Motion carried.

The session was adjourned until 9:00 A.M. June 1, 2021.

*Terry Durby, Chairperson*  
*Attest: Karla Weiss, Auditor*  
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