

RESOLUTION No. 2017-10

AUTHORIZING THE FINAL DISPOSITION OF REAL ESTATE

**Re: Approximately 2.2 acres, more or less, being part of 26.46 acres owned by the City of Hawarden in the NE SE E Pt of Government Lot 2, Section 34 Township Ninety Five North Range 48 West of the 5<sup>th</sup> P.M.. Being the cleared portion of such property located on the West side of Avenue D across from 1310 Avenue D and as shown roughly on the attached Sioux County GIS Web Map (old land fill site).**

WHEREAS, The City of Hawarden is the owner of the above identified property and has determined that ownership of this property is of no use to the public and the disposition of such property would be in the best interest of the City and citizens of Hawarden; and,

WHEREAS, The City Council on March 8, 2017 adopted Resolution 2017-07 proposing to sell this property to Dennis D. Pyzel and Denise M. Pyzel upon the following proposed terms and conditions:

1. The property will be sold AS IS by Quit Claim deed.
2. The property is sold in its present condition subject to all environmental hazards.
3. The property will be sold for \$4,000.00.
4. Buyers may obtain an abstract at Buyers' sole expense.
5. Buyers shall be solely responsible for the cost of a survey to provide a legal description with the survey to follow the area designated on the GIS Web Map.
5. Buyers shall pay for the costs of publication and recording of proof of compliance with City sale procedures, deed preparation recording costs and all other expenses.
6. City shall retain all present easements on, under and over the property as needed for utilities.

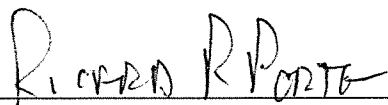
and,

WHEREAS, notice was published in the Hawarden Independent, a weekly newspaper published in Hawarden, Iowa not less than four nor more than twenty days prior to the hearing date; and,

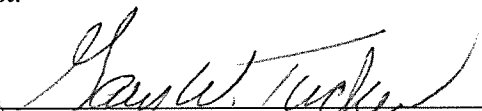
WHEREAS, at the public hearing on March 22, 2017 at 5:30 p.m. or shortly thereafter, in the Hawarden City Council Chambers, the matter being considered and there being no objections, written or oral to the vacation and sale and the Council having considered the proposal and the value and usefulness of the property to the public, and having reviewed the purchase agreement prepared by the City Attorney finds that that the sale is in the best interests of the City and the sale is approved upon the terms proposed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hawarden, Iowa that sale of the property upon the terms presented is hereby approved and the Mayor and City Administrator/Clerk are authorized and directed to execute and deliver any documentation and take any other steps necessary to establish the public record and to complete the sale.

Passed and approved this 22<sup>nd</sup> day of March, 2017.

  
\_\_\_\_\_  
Ricard R. Porter, Mayor

Attest:

  
\_\_\_\_\_  
Gary W. Tucker, City Administrator/City Clerk