

RESOLUTION No. 2017-11

**PROPOSING TO VACATE ALLEY AND DISPOSE OF REAL PROPERTY AND
PUBLISHING A NOTICE OF PUBLIC HEARING**

Re: That Portion of the East West Alley Lying Adjacent To And Between Lot Three (3) and Lot Four (4), in Block Ten (10), Johnson's Addition To Calliope, Now A Part Of The Incorporated City Of Hawarden, Sioux County, Iowa,

WHEREAS, the City of Hawarden is the owner of the property legally described above; and,

WHEREAS, the City of Hawarden finds that the City ownership of this property is not necessary to the public for use as an alley and the disposition of such property would be in the best interest of the City and citizens of Hawarden for the purpose of reducing maintenance expenses, reducing liability exposure and generating property tax; and,

WHEREAS, The City Council proposes to vacate the portion of the alley described above dispose of the property by sale to James L. Abbott and Judy Abbott on the following terms and conditions:

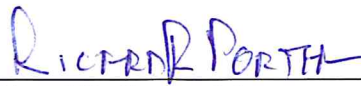
1. The property will be sold by quit claim deed and no abstract shall be provided by the City of Hawarden;
2. The environmental condition of the site is unknown and the property is being sold "AS IS" as vacant property;
3. The price of the property is \$564.48;
4. The purchaser of the property shall be responsible for all costs of advertising and all recording fees and expenses associated with vacating the alley and conveying title;
5. The purchaser shall be responsible for any survey costs;
6. The city shall retain an easement over the property, as needed for utilities.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hawarden, Iowa that:

1. The Council desires to vacate the alleys and dispose of the property as described herein according to the terms above.
2. The Council shall make a final determination on the proposal following a public hearing, which shall be held on the 26th day of April 2017 at 5:30 p.m. or soon thereafter, in the City Council Chambers, second floor of the Hawarden Community Center, at 1150 Central Avenue.
3. Pursuant to Iowa Code 364.7 the City Administrator/City Clerk is hereby directed to publish the proper notice of the public hearing with correct legal description and the proposed property disposal proposal.

All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND APPROVED this 12th day of April, 2017.



Ricard R. Porter, Mayor

ATTEST:



Gary Tucker, City Administrator/City Clerk