

## RESOLUTION NO. 2019-43

### AUTHORIZING THE FINAL DISPOSITION OF REAL ESTATE

**Tract 23 in the Hawarden Industrial Park in Outlot 3 of Musson's Subdivision, in the Incorporated City of Hawarden, Sioux County, Iowa According to the Recorded Plat Thereof Recorded October 2, 2007 at 2007 File Card No 5266 with the improvements thereon, and all rights, easements and appurtenances thereto.**

**This property is 1.44 acres of bare lot, the 2<sup>nd</sup> Lot East of Anderson Trucking and 3rd lot East of Bomgaars locally known as 30298 484<sup>th</sup> Street and taxed as Parcel #1902354009**

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

WHEREAS, the City of Hawarden finds that the disposition of said City property for the purposes of creating a viable economic use for the property, encouraging the establishment and expansion of businesses in the community, generating funds for the Hawarden Municipal Utilities and generating property tax income for the City, are valid public purposes and will further the overall public quality of life, economic well-being and general welfare of the community; and,

WHEREAS, The City Council proposes to dispose of the property by sale to Truesdell Oil Co. on the following terms and conditions:

1. The property will be sold AS IS by Quit Claim deed and no abstract will be provided.
2. The property is sold "AS IS" and the environmental condition of the site is unknown.
3. The property will be sold for \$31,600.00 and the City will provide the purchaser with an economic development grant in the amount of \$10,000.00.
4. Purchaser shall be responsible for payment of all costs of sale including but not limited to costs for publication and recording of all sales procedures and documents of title.
5. City shall retain all existing easements on, under and over the property as needed for utilities.
6. Purchaser agrees not to seek any property tax abatement to which it might otherwise be entitled with regard to this property.
7. The purchaser shall complete construction of a bulk propane plant suitable for a minimum storage of 30,000 gallons of propane upon the property prior to April 1, 2020 and shall grant the City an Option to purchase the property for \$21,600.00 if this obligation is not fulfilled.
8. This Resolution and subsequent proceedings are duplicative of earlier proceedings for the sale of this property wherein the property was described as being in Outlot 25 instead of Outlot 3 and to confirm title.

WHEREAS, a notice was published in the Hawarden Independent/Ireton Examiner, a weekly newspaper published in Hawarden, Iowa not less than four or more than twenty days prior to the hearing date, proof of said publication having been made by affidavit of the publisher in accordance with the Code of Iowa; and,

**WHEREAS**, at the public hearing held on August 14, 2019 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 sale of said property, it is the judgment of the City Council that it is in the best interest of the City and all parties concerned, that the disposition proposal drafted, advertised, heard, and discussed be adopted and that the conveyance and title for the property be transferred.

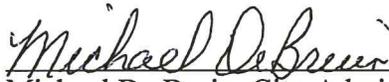
**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Hawarden, Iowa that they hereby approve the sale proposal presented to sell the above described property. The Mayor and City Administrator are hereby authorized to execute and deliver any necessary documents and necessary to follow through with the approved sale and any previous acts by them for the purposes of transferring the property to the purchaser are hereby ratified.

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

**PASSED AND APPROVED** this 14<sup>th</sup> day of August, 2019.

  
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Ricard R. Porter, Mayor

ATTEST:

  
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Michael De Bruin, City Administrator/Clerk