

**RESOLUTION No. 2019-47**

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

**Re: All of the East West alley lying adjacent to and between Lot 5 and Lot 6 in Block 1,  
Parkview Addition in the Incorporated City of Hawarden, 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 and dispose of the property by sale of the North half of the vacated alley to Ronald H. Yackel and Sue A. Gant, owners of Lot 6, and sale of the South half of the vacated alley to Maria Curiel Andrade, the owner of Lot 5 on the following terms and conditions:

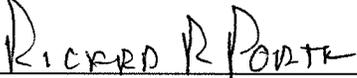
1. The property will be sold by quit claim deed and no abstract shall be provided by the City of Hawarden;
2. The environmental condition of the site is unknown and the property is being sold "AS IS" as vacant property;
3. The price of the property is \$630.00 to be paid half by Ronald H. Yackel and Sue A. Gant and half to be paid by Maria Curiel Andrade;
4. The purchasers 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 which will be paid in the same proportions as the purchase price;
5. The deeds from shall reserve to the City all existing easements on, under and over the property as needed for utilities.

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

1. The Council desires to vacate the alley 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 13th day of November 2019 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 23rd day of October 2019.

  
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Ricard R. Porter, Mayor

Attest:

  
\_\_\_\_\_  
Michael DeBruin, City Administrator/ Clerk

Seal: