

RESOLUTION No. 2017-01

VACATING ALLEY AND AUTHORIZING THE FINAL DISPOSITION OF REAL ESTATE

Re: That Portion of the East West Alley in Block Thirty-Two (32), Original Plat, Calliope, Now A Part of The Incorporated City Of Hawarden, Sioux County, Iowa, Lying Directly North Of And Adjacent To Lot Four (4), Block Thirty Two (32), Original Plat, 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 as the That Portion of The East West Alley In Block Thirty-Two (32), Original Plat, Calliope, Now A Part Of The Incorporated City Of Hawarden, Sioux County, Iowa, Lying Directly North Of And Adjacent To Lot Four (4), Block Thirty Two (32), Original Plat, Calliope, Now A Part Of The Incorporated City Of Hawarden, Sioux County, Iowa 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 December 14, 2016 adopted Resolution 2016-29 proposing to vacate and sell this property to Russell Ruhland upon the following proposed 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 \$1,008.00;
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; and,

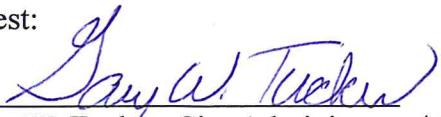
WHEREAS, notice was published in the Hawarden Independent, a weekly newspaper published in Hawarden, Iowa not less than four nor more than twenty days prior to the hearing date; and,

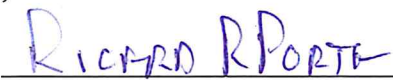
WHEREAS, at the public hearing on January 25, 2017 at 5:30 p.m. or shortly thereafter, in the Hawarden City Council Chambers, the matter being considered and there being no objections, written or oral to the vacation and sale and the Council having considered the proposal and the value and usefulness of the property to the public, and having reviewed the quit claim deed prepared by the City Attorney finds that the property should be vacated and that the vacation and sale is in the best interests of the City and the alley area is hereby vacated and the sale is approved upon the terms proposed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hawarden, Iowa that the vacation of the property and its sale 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 vacating the alley and to complete the sale.

Passed and approved this 25th day of January, 2017.

Attest:


Gary W. Tucker, City Administrator/ Clerk


Ricard R. Porter, Mayor