

RESOLUTION NO. 2025-

**RESOLUTION AUTHORIZING BID PROCESS AND SETTING A PUBLIC HEARING
FOR PROPOSED SALE OF 812 10th STREET NE**

WHEREAS, the City of Independence is the owner of that real property (“Property”) situated in the City of Independence, County of Buchanan, and State of Iowa, locally known as 812 10th Street NE (Parcel No. 06.35.152.004), the same being legally described as follows:

Lot 1, except the East 22 feet and Lot 2, except the West 45 feet thereof, all in Block 41, of Railroad Addition to Independence, Buchanan County, Iowa.

WHEREAS, the City acquired title to the Property by Court Order pursuant to the provisions of Iowa Code §657A.10B upon the Iowa District Court for Buchanan County finding the Property had been abandoned as a matter of law; and

WHEREAS, the City determined, prior to acquisition of the Property, that the structures situated on the Property constituted a public nuisance due to inoccupancy and dilapidation; and

WHEREAS, the City Council for the City of Independence has identified no public use for the Property; continued ownership of the Property would necessitate ongoing maintenance at public expenses; and the sale of the Property promises to generate sufficient funds to reimburse the City for its expense to acquire the Property, and to support the City’s ongoing nuisance abatement program; and

WHEREAS, the City Council, in compliance with relevant provisions of Iowa Code §364.7, desires to solicit public bids for the sale of the Property; and

WHEREAS, the City Council has reviewed the proposed Bid Packet for the Property, attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, no final determination on the City Council’s proposal to sell the Property shall be made until the City Council holds a duly noticed public hearing on the proposed sale of the property to the winning bidder in accordance with the provisions of Iowa Code §364.7.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Independence, Iowa, as follows:

Section 1: The Bid Packet for the Property attached hereto is approved and adopted.

Section 2: Sealed bids for the Property shall be accepted until 1:00 P.M. on May 2nd, 2025, as more fully provided in the Bid Packet.

Section 3: The City Clerk is directed to post the Invitation to Bid included the Bid Packet at City Hall, and to publish the same in a legal newspaper, published at least once weekly, and having general circulation in said City at the earliest possible opportunity following the approval of this Resolution.

Section 4. The City Council shall hold a duly noticed public hearing as part of its regular meeting at 5:00 P.M. on May 12, 2025, at Independence City Hall, 331 E. 1st Street, Independence, Iowa, for purposes of obtaining public input on the proposed sale of the Property by the winning bidder.

Section 5. That the City Clerk is hereby directed to cause at least one publication to be made of a notice of said public hearing, in a legal newspaper, published at least once weekly, and having general circulation in said City, said publication to be not less than four (4) clear days nor

more than twenty (20) days before the date of said public hearing, pursuant to the requirements of Iowa Code Section 364.7.

Section 6. The notice of public hearing shall be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF INDEPENDENCE IN THE STATE OF IOWA, ON THE MATTER OF THE PROPOSAL TO SELL REAL PROPERTY LOCALLY KNOWN AS 812 10th STREET TO WINNING BIDDER

PUBLIC NOTICE is hereby given that the Council of the City of Independence, Iowa, will hold a public hearing on May 12, 2025, at 5:00 P.M. at Independence City Hall, 331 E. 1st Street, Independence, Iowa, at which meeting the Council proposes to take action on the proposal to sell real property locally known as 812 10th Street NE to the winning bidder, said real property to being legally described as follows:

Lot 1, except the East 22 feet and Lot 2, except the West 45 feet thereof, all in Block 41, of Railroad Addition to Independence, Buchanan County, Iowa.

At the above meeting the Council shall receive comments from any resident or property owner of said City with respect to the proposed sale of the property. After all comments have been received and considered, the Council will take additional action on the proposal or will abandon the proposal.

Dated this 14th day of April 2025.

/s/Susi Lampe
Susi Lampe, IaCMC, IaCFO,
Assistant City Manager/City Clerk/Treasurer of the
City of Independence, Iowa

(End of Notice)

RESOLUTION NO. 2025- was passed and approved by a majority vote of the City Council of Independence, Iowa, on the 14th day of April 2025.

Record of Voting:

Ayes:

Nays:

Abstain:

RESOLUTION NO. 2025- declared passed and adopted by the Mayor on this 14th day of April 2025.

Brad Bleichner, Mayor of the City of Independence, Iowa

ATTEST:

Susi Lampe, IaCMC, IaCFO,
Assistant City Manager/City Clerk/Treasurer of the City of Independence, Iowa

INSTRUCTIONS TO BIDDERS

SALE OF REAL PROPERTY

The City of Independence, Iowa, is accepting sealed bids on the following parcel of real property:

Address: 812 10th Street NE, Independence, Iowa 50644

Property Identification Number (PIN): 06.35.152.004

Legal Description: Lot 1, except the East 22 feet and Lot 2, except the West 45 feet thereof, all in Block 41, of Railroad Addition to Independence, Buchanan County, Iowa.

Property size (approximate): 0.2 acres

Zoning: R-2 (One- and Two-Family Residence District)

Current Use: Vacant Lot

INSTRUCTION TO BIDDERS: Confidential bids, sealed in an envelope and marked (on the outside of the envelope) bid for (identify PIN # shown above), will be accepted until 1:00 PM on Friday, May 2nd, 2025, at which time the bids will be opened and read publicly in the Council Chambers at City Hall (331 E. 1st Street, Independence, Iowa 50644). A tabulation of the responsive bids will be created and distributed to bidders via email before the end of the day on Friday, May 2nd, 2025. Bidders must include an email address in their submitted documents. Bidders are strongly encouraged to attend the May 2nd, 2025, bid opening, as the top three bidders will be asked if they would like to increase their bid following the opening of all bids. The City Council will make the final decision on responsive bids during its regular meeting on May 12th, 2025.

Bids may be mailed or submitted in person to: City Clerk, 331 E. 1st Street, Independence, Iowa 50644. No faxed or emailed bids will be accepted.

To be considered a responsive bid, the bidder, in their bid envelope, shall provide:

1. A letter of intent, including but not limited to the full legal name of the person or entity submitting the bid, valid telephone number, physical mailing address, email address and the amount you wish to bid. The bid amount must be a specific dollar figure and cannot include escalators or similar clauses. The letter of intent must be signed by an individual with the requisite authority to legally bind the bidder.
2. Their intentions for the property if successfully acquired (Examples: I would like to construct a single-family home on this lot within 18 months of acquisition)
3. Bid bond in the amount equal to 25% of the enclosed bid. Bid bond may be in the form of certified check, cashier's check or certified bond. (Bid bonds will be returned to non-winning bidders upon an approved purchase agreement between the City of Independence, Iowa and the awarded bidder. If an award is made and the awarded bidder defaults on the purchase agreement, the bid bond will be forfeited to the City of Independence Iowa.

The minimum bid which may be accepted on this parcel is \$13,000.00 (U.S. Currency). All bids less than this amount will be considered non-qualified bids and will not be accepted. The bid amount is payable in cash, cashier's or certified check upon Notice of Award of bid by the City of Independence, Iowa and an approved purchase agreement.

The property is being sold in AS-IS Condition, with all faults. The City reserves the right to award the sale to the highest responsible bidder or to reject all bids. Transfer of the property to the winning bidder will be by quit claim deed. Note: The City of Independence will not represent the awarded bidder during closing. The awarded bidder should seek out objective legal opinion during closing, therefore the closing cost incurred by the awarded bidder shall be awarded bidders responsibility.

Questions related to the property or process should be directed to:

Matthew Chesmore

Building Official

Phone: (319) 334-4711

Email: mchesmore@independencia.gov