

RESOLUTION NO. 5406 - 2023

Resolution Directing The Sale Of The City's Interest 205 3RD ST NW, 602 2ND AVE NE, 123 6TH AVE NE, 145 2ND AVE NW, 149 2ND AVE NW, 202 4TH AVE NW, 206 4TH AVE NW, AND 210 4TH AVE NW Oelwein, Fayette County, Iowa

WHEREAS, the City is desirous of selling the real estate described herein.

WHEREAS, the City Council has set forth its proposal to sell its interest in the above-described real estate and has published notice of the date, time and place of a public hearing thereon; and

WHEREAS, said public hearing was held and the City Council believes it is in the best interest of the City to sell the real estate in the above-described real estate on the terms and conditions set forth below;

BE IT RESOLVED by the Council of the city of Oelwein, Iowa, as follows:

Section 1. On behalf of the City, the Mayor shall contract to sell and shall convey by Quit Claim Deed the following described real estate:

THE SOUTH 80 FEET OF LOTS 5 AND 6, BLOCK 2, MARTIN'S SECOND ADDITION TO OELWEIN, FAYETTE COUNTY, IOWA COMMONLY KNOWN AS 205 3rd St NW

LOT 145, BLOCK 15, WING'S ADDITION TO OELWEIN, FAYETTE COUNTY, IOWA COMMONLY KNOWN AS 602 2nd Ave NE

LOT 9, AND THE SOUTH HALF OF LOT 10, BLOCK, KINT AND BOYACK'S ADDITION TO OELWEIN, FAYETTE COUNTY, IOWA COMMONLY KNOWN AS 123 6th Ave NE

LOT 22, BLOCK 3, McDONALD'S ADDITION TO OELWEIN, FAYETTE COUNTY, IOWA COMMONLY KNOWN AS 145 2nd Ave NW

LOT 21, BLOCK 3, McDONALD'S ADDITION TO OELWEIN, FAYETTE COUNTY, IOWA COMMONLY KNOWN AS 149 2nd Ave NW

LOT 13, BLOCK 5, IOWA DEVELOPMENT COMPANY'S ADDITION TO OELWEIN, FAYETTE COUNTY, IOWA COMMONLY KNOWN AS 202 4th Ave NW

LOT 12, BLOCK 5, IOWA DEVELOPMENT COMPANY'S ADDITION TO OELWEIN, FAYETTE COUNTY, IOWA COMMONLY KNOWN AS 206 4th Ave NW

LOT 11, BLOCK 5, IOWA DEVELOPMENT COMPANY'S ADDITION TO OELWEIN, FAYETTE COUNTY,
IOWA COMMONLY KNOWN AS 210 4th Ave NW

To: Kies Real Estate, LLC

For the sum of \$1,000 per property, with a grand total of \$8,000, pursuant to the terms of the Offer to Buy attached hereto as Exhibit A, and by this reference incorporated within this Resolution as if set forth fully verbatim herein, with said property owner being solely responsible for the recording of the documents necessary to effectuate said transfer.

Section 2. That the City as Seller and Kies Real Estate, LLC as Buyer will enter into a separate agreement regarding "Reversion" of the property to the City, to be recorded by and at the expense of the Buyer along with the Quit Claim Deed as described within Section 1, the Reversion Agreement being attached hereto as Exhibit B, and by this reference incorporated within this Resolution as if set forth fully verbatim herein.

Section 3. The City Administrator shall be authorized to execute the QCD and Reversion Agreement on behalf of the City Council. The Deed and Reversion Agreement shall be delivered to Buyer after the passage of thirty (30) days following the date of this Resolution, unless an appeal on this action has been made to District Court. Action on this Resolution shall be final upon the purchaser of the Deed giving evidence to the Clerk that the Deed has been recorded, and such facts to be noted on the official record of this Resolution.

Section 4. This resolution shall be in effect upon its passage and approval as provided by law.

Passed and adopted by the City Council of the City of Oelwein, Iowa, this 24th day of April, 2023.



Brett Devore, Mayor

Attest:



Dylan Mulfinger, City Administrator

Recorded April 25, 2023.



City Administrator

It was moved by Weber and seconded by Payne that the Resolution as read be adopted, and upon roll call there were:

	AYES	NAYS	ABSENT	ABSTAIN
Stewart	x			
Weber	x			
Lenz	x			
Garrigus	x			
Seeders	x			
Payne	x			