

RESOLUTION NO. _____ - 2023

RESOLUTION DIRECTING THE SALE OF THE CITY'S INTEREST 34 5TH AVE SE, 418 7TH AVE SE,
AND 219 LINCOLN DR NE, 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:

LOT 28 AND THE NORTH 11 FEET OF LOT 29, BLOCK 2, OELWEIN'S FOURTH ADDITION TO OELWEIN, FAYETTE COUNTY, IOWA COMMONLY KNOWN AS 34 5TH AVE SE

LOT 14, BLOCK 16, GRANDVIEW ADDITION TO OELWEIN, FAYETTE COUNTY, IOWA COMMONLY KNOWN AS 418 7TH AVE SE

LOTS 154 AND 155, BLOCK 16, WINGS ADDITION TO OELWEIN, FAYETTE COUNTY, IOWA COMMONLY KNOWN AND 219 LINCOLN DR NE

To: Kies Real Estate, LLC

For the sum of \$1,000 per property, with a grand total of \$3,000, 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 13th day of March, 2023.

Brett DeVore, Mayor

Attest:

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

AYES NAYS ABSENT ABSTAIN

Stewart
Weber
Lenz
Garrigus
Seeders
Payne

Dylan Mulfinger, City Administrator

Recorded March 14, 2023.

City Administrator