

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING THE SALE OF THE CITY'S INTEREST IN THE PORTION OF THE VACATED ALLEY  
RUNNING EAST AND WEST ADJACENT TO LOTS 30-33, BLOCK 2, IRVINE'S ADDITION TO OELWEIN,  
FAYETTE COUNTY, IOWA

WHEREAS, the City is desirous of selling the above described real estate;

WHEREAS, the City Council has set forth its proposal to sell its interest in the west portion of the vacated alley running east and west adjacent to Lots 18-28 and Lots 30-41, Block 2, Irvine's Addition to Oelwein, Fayette County, Iowa, by Resolution and has published notice as provided in the resolution and 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 said vacated alley to the adjacent property owners 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:

THAT PORTION OF THE VACATED ALLEY ADJACENT TO LOTS 30, 31, 32 AND 33, BLOCK 2, IRVINE'S ADDITION TO OELWEIN, FAYETTE COUNTY, IOWA subject to a retained easement for underground storm sewer, water and gas service lines, easement in said alley and across the present streets connecting said for overhead or underground electricity or service facilities with poles and other appurtenances necessary thereto and for reasonable access to said services and installations,

To: Chad Davis, for the sum of \$826.72, plus costs, with said property owner(s) being solely responsible for the recording of the documents necessary to effectuate said transfer.

Section 2. The City Administrator shall co-sign such contracts and deeds. The Deed shall be delivered thirty days after 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 3. Costs shall include the cost by the city to publish notice and record the appropriate resolutions and notice in the Fayette county recorder's office, deed drafting and fees associated with closing of the real estate transaction. No abstract will be provided nor will tax proration be made.

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 24<sup>TH</sup> day of August, 2020.

\_\_\_\_\_  
Brett DeVore, Mayor

It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_  
That the Resolution as read be adopted, and upon roll call there were:

AYES      NAYS      ABSENT      ABSTAIN

M Weber  
Stewart  
Cantrell  
Fisk  
Seeders  
Payne

Attest:

\_\_\_\_\_  
Dylan Mulfinger, City Administrator

Recorded \_\_\_\_\_, 2020.

\_\_\_\_\_  
City Administrator