

RESOLUTION NO. _____

RESOLUTION DIRECTING THE SALE OF THE CITY'S INTEREST IN THE VACATED ALLEY
RUNNING NORTH AND SOUTH ADJACENT TO LOTS 1, 2, 3 AND LOTS 11, 12, 13, BLOCK 3,
ORIGINAL 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 vacated alley
running North and South in Block 3 between Lots 1, 2, 3 and Lots 11, 12, 13, Original 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:

THE ALLEY RUNNING NORTH AND SOUTH ADJACENT TO LOTS 1, 2, 3 AND LOTS 11, 12, 13,
BLOCK 3, ORIGINAL OELWEIN, FAYETTE COUNTY, IOWA subject to a retained easement for
underground storm sewer, water and gas service lines, easements in said alley and across the
present streets connecting said alley 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: _____, for the sum of \$1.00 and in exchange for the South ½ of Lot 14, Block 3,
Original Oelwein, Fayette County, Iowa, 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 _____ day of
_____, 2021.

Brett DeVore, Mayor

Attest:

Dylan Mulfinger, City Administrator

Recorded _____, 2021.

City Administrator

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

AYES NAYS ABSENT ABSTAIN

Weber
Stewart
Cantrell
Payne
Seeders
Fisk