

RESOLUTION NO. _____ - 2023

RESOLUTION APPROVING SALE AND TRASFER OF CITY'S OWNED REAL ESTATE LOCATED AT 20 AND 24 2nd AVE. NW, OELWEIN, FAYETTE COUNTY, IOWA

WHEREAS, the City of Oelwein, Iowa owns the following described real estate:

Parcel AD in the Southeast Quarter of the Northwest Quarter of section 21, Township 91 North, Range 9 West of the 5th p.m., consisting of lot 8, block 2, and a portion of lot 34, block 1, McDonald's Addition to Oelwein, Fayette County, Iowa, and Parcel AE in the Southeast Quarter of the Northwest Quarter of Section 21, Township 91 North, Range 9 West of the 5th p.m., consisting of portions of lots 5, 6, 7, and 34, block 1, McDonald's Addition to Oelwein, Fayette County, Iowa, all as described within the Amended Plat of Survey to Parcel AD, AE, and AF in the SE ¼ of the NW ¼ of Section 21-T91N-R9W City of Oelwein, Fayette County, Iowa recorded in Book 2020 Page 2782 on September 9, 2020 in the records of the Fayette County, Iowa Recorder.

WHEREAS, by Resolution # 5421-2023 the Council scheduled a Public Hearing on the proposed sale of the above-described property for June 26, 2023 at 6:00 p.m., during the regular City Council meeting to be held in the City Council Chambers, Oelwein City Hall, 20 2nd Avenue SW, Oelwein, Iowa, and

WHEREAS, notice of the Public Hearing was published in the Oelwein Daily Register on June on 17, 2023, consistent with the requirements of §364.7 and §362.3 of the Iowa Code, and

WHEREAS, the Mayor opened the Public Hearing, accepted public comment, received and considered any written comments received in advance of the Public Hearing, and upon the conclusion of the receipt of comments closed the public hearing, and

WHEREAS, the City Council discussed the proposed sale of said real estate and found that the City did not have a continuing use for the above-described property, that the property did not otherwise serve a public purpose, and that the sale of said property would, therefore, be in the best interest of the City, and

WHEREAS, the City Council also discussed the value of the real estate, the value to the community of the potential uses for the property, including job creation, sale tax revenues, and property tax revenues, and in consideration of the above and foregoing, determined it to be appropriate and in the best interests of the City to approve the sale of said property to RISE, Ltd., Development Corporation for the sum of \$2,000.

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

- Section 1. That the property described herein shall be transferred to RISE, Ltd., Development Corporation for the sum of \$2,000.00
- Section 2. That the property is being sold as is.
- Section 3. That the property shall be transferred by Quit Claim Deed with no abstract to be provided.
- Section 4. That the Quit Claim Deed, and related Clerk's Affidavit, shall be recorded at the expense of the Buyer.
- Section 5. The City Administrator shall be authorized to execute the QCD, and any other documents related to the approved transfer of this property as set forth above.
- Section 6. Action on this Resolution shall be final upon the delivery of the Deed by the City to RISE, Ltd., Development Corporation
- Section 7. 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 26 day of June, 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

Dylan Mulfinger, City Administrator

Stewart
Weber
Lenz
Garrigus
Seeders
Payne