*Return to: City Clerk, 209 Pearl Street, Council Bluffs, IA 51503 – Phone: (712) 890-5261*
*Prepared by: Community Development Dept., Council Bluffs, IA 51503 – Phone: (712) 890-5350*

**RESOLUTION NO. 24-187**

**A RESOLUTION TO VACATE AND DISPOSE OF THE EAST/WEST ALLEY ABUTTING LOTS 5 AND 6, BLOCK 2, BAYLISS 2ND ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.**

**WHEREAS,** following public hearing and having given careful study to the proposal, the City Council determines that City-owned right-of-way described as follows: the vacation of the east/west alley abutting Lots 5 and 6, Block 2, Bayliss 2nd Addition, City of Council Bluffs, Pottawattamie County, Iowa; and

**WHEREAS,** a public meeting was held on this matter on the 8th day of July, 2024; and

**WHEREAS,** pursuant to Iowa Code Section 354.23, the City Council declares its intent to dispose of this City right-of-way by conveying all of its right, title, and interest in it to the abutting property owner(s); and

**NOW, THEREFORE, BE IT RESOLVED**
**BY THE CITY COUNCIL**
**OF THE**
**CITY OF COUNCIL BLUFFS, IOWA**

That the above-described city right-of-way is hereby vacated and conveyed as follows:

Monte Wilson: The South ½ of the east/west alley abutting Lot 6, Block 2, except the westerly 83 feet thereof, and part of Lot 5, Bayliss 2nd Addition, City of Council Bluffs, Pottawattamie County, Iowa, in consideration of the vacation application fee already paid.

Council Bluffs Finance Inc.: The North ½ of the east/west alley abutting property legally described as Part of Lot 5, Block 2, Bayliss 2nd Addition and being more particularly described as: commencing at the northwest corner of Lot 5, thence South 32 ½ feet to the North line of an 8 foot driveway, thence East to a point which is 33.3 feet South of the Northeast corner of said Lot 5, thence North 33.3 feet to corner, thence West 133 feet to point of beginning, all in the City of Council Bluffs, Pottawattamie County, Iowa, in consideration of the vacation application fee already paid.

Richard and Jeanette Adams: The South ½ of the east/west alley abutting the South 24 2/3 feet of the westerly 83 feet of Lot 5 and the west 83 feet of Lot 6, all in Block 2, Bayliss 2nd Addition,

City of Council Bluffs, Pottawattamie County, Iowa, in consideration of the vacation application fee already paid.

**BE IT FURTHER RESOLVED**

That the Mayor and the City Clerk be and are hereby authorized, empowered and directed to execute this resolution conveying the City's interest in the above described alley right-of-way in consideration of the vacation application fee already paid; and

**BE IT FURTHER RESOLVED**

That the City Clerk is directed to deliver this resolution and attached documents to the County Recorder according to Iowa Code Section 354.23.

ADOPTED
AND
APPROVED: July 8, 2024.

_____
Matthew J. Walsh, Mayor

ATTEST: _____
Jodi Quakenbush, City Clerk

STATE OF IOWA )
COUNTY OF )ss
POTTAWATTAMIE)

On this _____ day of _____, _____, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Matthew J. Walsh and Jodi Quakenbush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Matthew J. Walsh and said Jodi Quakenbush, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

_____
Notary Public in and for said State