RESOLUTION NO. 24-283

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE AGREEMENTS AND ACCEPTANCE OF PARCEL NO. 7444 12 451 004 DESCRIBED IN EXHIBIT "A" WITH RODNEY D. RHODEN TRUST PURSUANT TO THE TERMS OF THE REAL ESTATE TRANSFER AND REMEDIATION AGREEMENT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS TRANSFERRING THIS PROPERTY BACK TO RODNEY D. RHODEN TRUST UPON SUCCESSFUL CLEAN UP OF THE PROPERTY OR IF THE CITY DOES NOT SUCCESSFULLY OBTAIN A GRANT FROM THE FEDERAL GOVERNMENT FOR CLEANUP OF THIS PROPERTY.

WHEREAS, The City is working with Rodney D. Rhoden, as Trustee of the Rodney D. Rhoden Trust, on the old shooting range property located at the northeast corner of S. Expressway and Veteran's Memorial Highway; and

WHEREAS, The City intends to apply for an EPA Brownfield's cleanup grant from the federal government to clean up the lead bullets on this property and as part of the requirements for this grant, the property must be City owned; and

WHEREAS, If the City successfully obtains the EPA Brownfield's grant and following cleanup, this property will be transferred back to Rodney D. Rhoden Trust; and

WHEREAS, If the City does not receive this EPA Brownfield's grant for cleanup of this property, the City shall deed this property back to the Rodney D. Rhoden Trust pursuant to the terms of the Agreement; and

WHEREAS, Community Development believes this agreement is in the best interest of the City.

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

That the City Council of the City of Council Bluffs, Iowa authorize and direct the Mayor to execute the Real Estate Transfer and Remediation Agreement and any and all documents necessary to transfer this property legally described in "Exhibit A" from Rodney D. Rhoden Trust.

BE IT FURTHER RESOLVED

If the City successfully receives the EPA Brownfield's grant, the City will perform the cleanup and then transfer the property back to Rodney D. Rhoden Trust and the City Council of the City of Council Bluffs, Iowa authorize and direct the Mayor to execute any and all documents necessary to transfer Parcel No. 7444 12 451 004 described in Exhibit "A"

BE IT FURTHER RESOLVED

If the City does not receive the EPA Brownfield's grant, the City will transfer this property back to Rodney D. Rhoden Trust pursuant to the Agreement and the City Council of the City of Council Bluffs, Iowa authorize and direct the Mayor to execute any and all documents necessary to transfer Parcel No. 7444 12 451 004 described in Exhibit "A".

ADOPTED
AND October 7, 2024.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

Exhibit "A"

Tax Description of the Property

CO BLUFFS LEWIS AGRI 12-74-44 E637.83' SW SE LYING N HWY & LTS 1, 2 & 3 RHODENS SUB