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. 22-129

A RESOLUTION TO DISPOSE OF CITY PROPERTY DESCRIBED AS FORMER WABASH RAILROAD RIGHT-OF-WAY ACROSS LOTS 13 THROUGH 22, BLOCK 27, FLEMING AND DAVIS ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has previously expressed its intent to dispose of City owned property legally described as former Wabash Railroad right-of-way across Lots 13 through 22, Block 27, Fleming and Davis Addition, City of Council Bluffs, Pottawattamie County, Iowa.

WHEREAS, a public hearing has been held in this matter on May 9, 2022, at 7:00 p.m.

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

That the Mayor and City Clerk be and are hereby authorized, empowered and directed to execute a quit claim deed conveying the City's interest in the above-described property as follows:

John R. Rapaich: Property legally described as former Wabash Railroad right-of-way across Lots 13 through 22, Block 27, Fleming and Davis Addition, City of Council Bluffs, Pottawattamie County, Iowa.

BE IT FURTHER RESOLVED

That the purchase price for the subject property be $5,675.00, with the remainder beyond the $567.50 down payment being due prior to conveyance of the property to the above-mentioned party. Property closing shall occur within sixty (60) days of the date of approval.

BE IT FURTHER RESOLVED

That the title shall not be conveyed to the applicant unless the Zoning Board of Adjustment approves an amendment of the conditional use permit associated with the property at 1608 14th Avenue to allow for an expansion of the contractor yard on the property.

BE IT FURTHER RESOLVED

That the applicant shall submit a request to combine the subject property with the abutting property owned by the applicant at 1608 14th Avenue, legally described as Lots 13 through 22 excluding railroad right-of-way, Block 27, Fleming and Davis Addition, City of Council Bluffs, Iowa, within 30 days of title conveyance.

BE IT FURTHER RESOLVED

That the applicant shall not sell the subject property separately from the property legally described as Lots 13 through 22 excluding railroad right-of-way, Fleming and Davis Addition, City of Council Bluffs, Iowa.

BE IT FURTHER RESOLVED

That the City Clerk is directed to deliver this resolution and attached documents to the County Recorder.

ADOPTED
AND
APPROVED: May 9, 2022.

_____
Matthew J. Walsh Mayor

ATTEST: _____
Jodi Quakenbush City Clerk