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) 328-4629

RESOLUTION NO. 19-139

A RESOLUTION TO DISPOSE OF CITY PROPERTY DESCRIBED AS LOT 1 AND A 20' BY 7' STRIP OF VACATED POMONA STREET ADJACENT, AUDITOR'S SUBDIVISION OF LOT 1 BLOCK 4 GLENDALE ADDITION AND THAT PART OF LOT 95, ORIGINAL PLAT OF COUNCIL BLUFFS, IOWA WEST OF HUNTINGTON AVENUE, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has previously expressed its intent to dispose of owned property described as Lot 1 and a 20' by 7' strip of vacated Pomona Street Adjacent, Auditor's Subdivision of Lot 1 Block 4 Glendale Addition and that part of Lot 95, Original Plat of Council Bluffs, Iowa West of Huntington Avenue, City of Council Bluffs, Pottawattamie County, Iowa; and

WHEREAS, a public hearing has been held in this matter on June 10, 2019 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:

Yoder Construction, Inc., and all successors in interest: Lot 1 and a 20' by 7' strip of vacated Pomona Street Adjacent, Auditor's Subdivision of Lot 1 Block 4 Glendale Addition and that part of Lot 95, Original Plat of Council Bluffs, Iowa West of Huntington Avenue, City of Council Bluffs, Pottawattamie County, Iowa; and

BE IT FURTHER RESOLVED

That the purchase price be $16,777.00, with costs beyond the $1,677.70 down payment being forgiven by the City of Council Bluffs upon issuance of a Certificate of Occupancy for a completed home that adheres to the architectural standards below; and

BE IT FURTHER RESOLVED

The subject property, assigned the Case number #OTB-19-005, shall be grouped with the properties assigned Case Numbers #OTB-19-006, #OTB-19-007, #OTB-19-008, #OTB-19-009, #OTB-19-010. One home shall be completed on one of these grouped properties within a 12 month period; and

BE IT FURTHER RESOLVED

The constructed homes shall adhere to the architectural standards as submitted with the application. The completed home shall include a roofed front porch that runs the width of the home, accent siding (such as the shake siding that is shown on the submitted elevation plan) on the second floor, dormers on the second floor, Headers and Crowns over the second floor dormer windows, and pitched roofs of a 12/12 pitch or a 10/12 pitch. Final design approval will be determined by the Community Development Department with the approval of the building permit; and

BE IT FURTHER RESOLVED

Neighborhood identification banners, which are located on poles in or near the right-of-way, shall remain on the property; and

BE IT FURTHER RESOLVED

The date of closing shall within 45 days after the final decision of the Zoning Board of Adjustment regarding a proposed variance to allow one parking space for each dwelling unit to be located within the front yard setback. If the Zoning Board of Adjustment does not see adequate findings of fact to prove the need for the proposed parking variance, the applicant shall have the option to withdraw his application and request a refund of the submitted down payment.

ADOPTED
AND
APPROVED: June 24, 2019.

_____
Matthew J. Walsh Mayor

ATTEST: _____
Jodi Quakenbush City Clerk