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

RESOLUTION NO. 20-168

A RESOLUTION TO VACATE AND DISPOSE OF THE EAST/WEST ALLEY PLATTED IN BLOCK 37, BROWN'S SUBDIVISION, 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 east/west alley platted in Block 37, Brown's Subdivision, located South of Lots 1-15 and North of Lots 16-30, all in Block 37, Brown's Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, extending 660 feet from the West right-of-way line of South 35th Street, is of no benefit to the public and should be vacated; and

WHEREAS, a public meeting was held on this matter on the 13th day of July, 2020; 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 and quitclaiming 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:

92 Investments LLC and all successors in interest: The entirety of the vacated east/west alley platted in Block 37, Brown's Subdivision, located South of Lots 1-15 and North of Lots 16-30, all in Block 37, Brown's Subdivision, at no charge; and

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 354.23.

ADOPTED
AND
APPROVED: July 13, 2020.

_____
Matthew J. Walsh, Mayor

ATTEST: _____
Jodi Quakenbush, City Clerk

STATE OF IOWA)
COUNTY OF) ss
POTTAWATTAMIE)

On this _____ day of _____, 2020, 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