

Preparer/Return Documents to:

Kerin Wright, City Clerk-City of Nevada, 1209 6<sup>th</sup> Street, Nevada IA 50201 515-382-5466

**RESOLUTION NO. 019 (2024/2025)**

**A RESOLUTION TO VACATE AND CONVEY THE SECOND STREET RIGHT-OF-WAY, IN THE CITY OF NEVADA, IOWA**

**WHEREAS**, The City Council of Nevada, Iowa currently owns property, legally described as:

*The Right-of-way of 2<sup>nd</sup> Street lying between block 3 & block 4 of Burris Addition to Nevada, Story County, Iowa in the Northeast Quarter of the Southwest Quarter of section 6, township 83 north, range 22 west of the 5<sup>th</sup> P.M., City of Nevada, Story County, Iowa described as follows:*

*Beginning at the northeast corner of said block 4; thence N89°42'04"E, along the north line of said Burris Addition, 70.00 feet, to the northwest corner of said block 3; thence S00°04'18"W, along the west line of said block 3, 404.76 feet, to the southwest corner of said block 3; thence N89°41'12"W, 70.00 feet, to the southeast corner of said block 4; thence N00°04'18"E, along the east line of said block 4, 404.02 feet, to the point of beginning.*

*Described area contains 28,307 square feet*

(The "Property"); and

**WHEREAS**, the City reaffirms that it has no use for the Property, that it has not been maintained at public expenses, that the disposal will have no significant impact on public access, and the City will not be inconvenienced by the vacation and conveyance of said Property; and

**WHEREAS**, the City Council proposes to dispose of the property to the developers of Northview Subdivision, Nevada Dev LLC.

**WHEREAS**, the resolution provided that notice of intention to vacate and convey the alleyway should be given by publication of a Public Notice, in accordance with Iowa Code §364.7, and the notice was duly published in the newspaper as required by law; and

**WHEREAS**, the resolution provided for a public hearing on the proposed vacation and conveyance, and such hearing has been held; and

**WHEREAS**, the City Council found and determined that the proposed vacation of said alleyway would serve the public interest.

**NOW, THEREFORE**, be it resolved by the City Council of Nevada, Iowa:

1. The City of Nevada, Iowa, hereby vacates and conveys all rights, title, and interest in and to the Property.
2. The Mayor is authorized and directed to sign the deed for the conveyance identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
3. The City Clerk is authorized and directed to forward the original of the quit claim deed, together with a certified copy of this resolution and of the affidavit of publication of notice of this hearing, to the Story County Recorder's Office for the purpose of causing these documents to be recorded.
4. Upon receipt of the recorded documents back from the Story County Recorder, the City Clerk shall mail the original of the Deed and copies of the other documents to the grantee.
5. Any resolution or part thereof in conflict or inconsistent with this resolution is repealed.

**PASSED AND APPROVED** this 26<sup>th</sup> day of August, 2024.

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Brett Barker, Mayor

Attest:

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Kerin Wright, City Clerk