

**RESOLUTION PROVIDING FOR THE CONVEYANCE AND TRANSFER
OF TITLE TO A PORTION OF VACATED BUT UNCONVEYED ALLEY
TO 918 SOUTH 11TH AVENUE**

WHEREAS, the Council of the City of Marshalltown, Iowa finds it is in the best interest of the City and proposes to convey and transfer by Quit Claim Deed, a portion of vacated but unconveyed alley set out and described in Section 1 hereof to the title owners of 918 South 11th Avenue for the purpose of effectuating the intent of Resolution 1953-8526; and

WHEREAS, the consideration for the transfer of a portion of vacated but unconveyed alley as set forth in Section 1, is the full sum of \$1.00 (One and 00/100), said sum payable to the City of Marshalltown; and

WHEREAS, the portion of vacated but unconveyed alley being transferred by the City of Marshalltown, Iowa has been utilized and maintained by the owners of 918 South 11th Avenue for over 70 years and is not required for any public purpose and no rights of private persons will be adversely affected by the proposed conveyance; and

WHEREAS, the City of Marshalltown hereby proposes the transfer of said portion of vacated but unconveyed alley shall be subject to easements for any installed utilities and all easements of record; and

WHEREAS, a notice of public hearing has been published according to law notifying the public of the proposed conveyance and transfer of title, and said public hearing was held.

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

Section 1. The City of Marshalltown, Iowa, by this resolution, approve the conveyance and transfer by Quit Claim Deed the following described portion of vacated but unconveyed alley in Marshalltown, Marshall County, Iowa to the title owners of 918 South 11th Avenue:

THAT PORTION OF THE EIGHT FOOT ALLEY EAST (E) OF BLOCK ONE (1) SUTTON'S ADDITION TO THE TOWN OF MARSHALL, NOW THE CITY OF MARSHALLTOWN, MARSHALL COUNTY, IOWA, AS VACATED BY CITY OF MARSHALLTOWN ORDINANCE 8523, AND SITUATED EAST OF LOT 10 AND THE SOUTH ½ OF LOT 9, BLOCK 1, SUTTON'S ADDITION TO THE TOWN OF MARSHALL, NOW THE CITY OF MARSHALLTOWN, MARSHALL COUNTY, IOWA; and

For the consideration for such conveyance shall be the sum of \$1.00 (One and 00/100).

Section 2. The City of Marshalltown hereby approves the transfer of said property, subject to easements being retained and rights of way of utilities, and access to and maintenance of said

utilities. Said easements, rights of way and access will be retained until such time as the utility no longer utilizes or needs facilities in this location.

Passed this 28th day of November 2022, and signed this _____ day of November 2022.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk