

RESOLUTION SETTING A PUBLIC HEARING FOR THE CONVEYANCE AND TRANSFER OF TITLE TO A PORTION OF VACATED BUT UNCONVEYED ALLEY IN THE 900 BLOCK OF SOUTH 11TH AVENUE TO ABUTTING PROPERTY OWNERS

WHEREAS, the City Council of the City of Marshalltown adopted Ordinance 10141 on August 3, 1961, which vacated an eight (8) foot alley to the west of Block Two (2), Sutton's Addition to the Town of Marshall; and

WHEREAS, the City Council held a public hearing and adopted resolution 1961-10159 Providing for the Sale and Conveyance by the City of Marshalltown, Iowa, to the Abutting Lot Owners of Their Respective Portions of the Vacated Alley West of Block Two (2), Sutton's Addition to the Town of Marshall on September 25, 1961; and

WHEREAS, the quit claim deed transferring title of the portion of the vacated alley to 903 South 11th Avenue, 911 South 11th Avenue, 913 South 11th Avenue, and 917 South 11th Avenue appears to have not been recorded; and

WHEREAS, the above-referenced portions of the vacated but unconveyed alley have been utilized and maintained by the owners of these parcels and is not required for any public purpose and no rights of private persons will be adversely affected by the proposed conveyance; and

WHEREAS, this portion of the vacated but unconveyed alley is not presently attributed ownership in the County system and is not identified by the County as a taxable parcel; and

WHEREAS, the City Council of the City of Marshalltown, Iowa, proposes to convey and transfer by Quit Claim Deed to the current record owner of 903 South 11th Avenue, 911 South 11th Avenue, 913 South 11th Avenue, and 917 South 11th Avenue, for the sum of \$1.00 and other good and valuable consideration, title to the following described portion of vacated but unconveyed alley in the City of Marshalltown, Marshall County, Iowa, for the purpose of effectuating the intent of Resolution 1961-10159:

THOSE PORTION OF THE EIGHT FOOT ALLEY WEST (W) OF BLOCK TWO (2) SUTTON'S ADDITION TO THE TOWN OF MARSHALL, NOW THE CITY OF MARSHALLTOWN, MARSHALL COUNTY, IOWA, AS VACATED BY CITY OF MARSHALLTOWN ORDINANCE 10141, AND SITUATED WEST OF THE SOUTH 24.7 FEET OF LOT 2 AND WEST OF LOT 3, LOT 6, LOT 7, LOT 8, AND LOT 9, BLOCK TWO (2) SUTTON'S ADDITION TO THE TOWN OF MARSHALL, NOW THE CITY OF MARSHALLTOWN, MARSHALL COUNTY, IOWA; and

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

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

Section 1. The City Clerk shall cause to be published the notice required by law, by publication once in the Marshalltown Times-Republican, a newspaper having general circulation in the City of Marshalltown, Iowa, the publication to be not less than four (4) days nor more than twenty (20) days prior to the date hereinafter fixed in the City Hall, 10 W State Street, Marshalltown, Iowa, on March 27, 2023, 5:30 pm to consider any and all comments filed with the City Clerk or made in open Council to the proposal for conveyance as herein contained and to take final action thereon.

Passed this 13th day of March 2023, and signed this _____ day of March 2023.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk