

RESOLUTION SETTING A PUBLIC HEARING FOR THE CONVEYANCE AND TRANSFER OF TITLE TO A PORTION OF VACATED BUT UNCONVEYED ALLEY TO THE TITLE OWNERS OF 5 SOUTH 12TH STREET

WHEREAS, the City Council of the City of Marshalltown adopted Ordinance 8914 on September 6, 1955, which vacated the East and West Alley between the South 12th Street and South 13th Street; and

WHEREAS, the City Council held a public hearing and adopted resolution 1955-8991 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 on December 12, 1955; and

WHEREAS, the quit claim deed transferring title of the portion of the vacated alley to 5 South 12th Street appears to have not been recorded; and

WHEREAS, the below-referenced portion of the vacated but unconveyed alley have been utilized and maintained by the owner of 5 South 12th Street 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 5 South 12th Street, 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 1955-8991:

The North 8 ¼' of the East 155 2/3' of the vacated alley adjacent on the South of Lot 38 of Messengers Sub of Lot 1 and Lot 1 of Lot 2 of Binford's Sub of Lots 2 & 3, all in the Subdivision of the NE Quarter of the NW Quarter of Section 34, Township 84 North, Range 18 West of the 5th P.M., Marshall County, Iowa.

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 May 8, 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 24th day of April 2023, and signed this _____ day of April 2023.

CITY OF MARSHALLTOWN, IOWA

Joel T.S. Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk