

899/

RESOLUTION ADOPTING TENTATIVE RESOLUTION FOR THE SALE AND CONVEYANCE OF THE VACATED ALLEY EXTENDING FROM SOUTH TWELFTH STREET TO SOUTH THIRTEENTH STREET AND LOCATED BETWEEN WEST MAIN STREET AND WEST CHURCH STREET IN THE CITY OF MARSHALLTOWN, IOWA.

WHEREAS, the Council of the City of Marshalltown, Iowa, did on November 14, 1955, place on file a tentative resolution whereby it proposed to sell, dispose of and convey the title and interest of the City of Marshalltown, Iowa, in and to a certain vacated public alley being the alley extending from South Twelfth Street to South Thirteenth Street and located between West Main Street and West Church Street to the owners of lots and parts of lots abutting thereon according to their several interests in and to such abutting property; and

WHEREAS, public notices as required by law have been duly published and no objections to the proposed sale of such vacated alley has been filed in writing with the City Clerk and none are made in open council to said proposed sale and this is the time and place provided in said tentative resolution and in the public notices for this Council to take final action upon the final adoption of said tentative resolution and the proposal of sale as is therein contained.

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

Section 1. That the tentative resolution placed on file in the office of the Clerk of the City of Marshalltown, Iowa, on November 14, 1955, wherein it was proposed to sell, dispose of and convey the title and interest of the City of Marshalltown, Iowa, in and to that parcel of ground heretofore existing as a public alley sixteen and one-half ($16\frac{1}{2}$) feet wide and extending from South Twelfth Street to South Thirteenth Street and located between West Main Street and West Church Street and

Being that parcel of ground sixteen and one-half ($16\frac{1}{2}$) feet wide lying between Lot Thirty-eight (38) of Messenger's Subdivision of Lot One (1) and Lots One of Two (1 of 2), Two of Two (2 of 2), Three of Two (3 of 2) and Four of Two (4 of 2) of Binford's Subdivision of Lots Two and Three (2 and 3), all in the Subdivision of the Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) of Section Thirty-four (34), Township Eighty-four (84) North (N), Range Eighteen (18), West (W) of the 5th P. M., Marshall County, Iowa, on the north side thereof, and Lot Thirty-seven (37) of Messenger's Subdivision of Lot One (1) and Lots Seven of Two (7 of 2), Eight of Two (8 of 2), Nine of Two (9 of 2), Ten of Two (10 of 2) and Eleven of Two (11 of 2) of Binford's Subdivision of Lots Two and Three (2 and 3), all in the Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) of Section Thirty-four (34), Township Eighty-four (84) North (N), Range Eighteen (18) West (W) of the 5th P. M., Marshall County, Iowa, on the south side thereof,

heretofore vacated by a duly adopted and published ordinance of vacation of said public alley to the following designated owners of abutting lots as their interests therein is hereinafter set forth, be now finally adopted and that the sale and conveyance thereof as is hereinbefore described be now approved and that quit claim deeds to the following portions thereof be executed and delivered upon the payment to the City Clerk by such abutting owners of all publication costs of the vacation of said alley, publication costs of the notice of hearing on the said proposed sale and conveyance thereof and the recording costs of recording the Council proceedings with reference thereto. That the conveyance of said vacated alley be to the following named persons and in the respective portions thereof:

To Kenneth E. Brintnall the North 8 1/4 feet of the West 60 feet of said vacated alley,

To George S. La Frenz the North 8 1/4 feet of the East 45 feet of the West 105 feet of said vacated alley,

To Malcolm H. and Eleanor C. Gold the North 8 1/4 feet of the East 45 feet of the West 150 feet of said vacated alley,

To Ethyl K. Alden the North 8 1/4 feet of the East 90 feet of the West 240 feet of said vacated alley,

To Ruth J. Middleton the North 8 1/4 feet of the East 155 2/3 feet of said vacated alley,

To Delmar M. and Wilda J. Roth the South 8 1/4 feet of the West 180 feet of said vacated alley,

To Roy P. and Alice B. McBride the South 8 1/4 feet of the East 55 3/4 feet of the West 235 3/4 feet of said vacated alley,

To Horace D. and Louise Miller the South 8 1/4 feet of the East 159 11/12 feet of said vacated alley.

Section 2. The Mayor and Clerk, respectively, of the City of Marshalltown, Iowa, are hereby authorized and directed to execute quit claim deeds to the above named persons to the respective portions of said vacated alley as is described in Section 1 of this resolution. That upon payment of the costs as is herein set forth that said quit claim deeds be then delivered to the said persons as is herein designated.

Passed and approved this 12th day of December, 1955.

Attest: Rena Van Corman
Clerk, City of Marshalltown, Iowa.

John A. Newmy
Mayor, City of Marshalltown, Iowa.