

RESOLUTION PROVIDING FOR THE CONVEYANCE AND TRANSFER OF TITLE OF THE EAST-WEST ALLEY BEHIND 1108 WEST CHURCH STREET TO ADJOINING PROPERTY OWNERS

WHEREAS, the City of Marshalltown, Iowa, is the owner of a public right-of-way legally described below in Section 1; and

WHEREAS, the below-referenced alley is not required for any public purpose and no rights of private persons will be adversely affected by the proposed vacation; and

WHEREAS, upon vacation of this alley, the abutting owners will request to combine it with their parcels; and

WHEREAS, the City of Marshalltown hereby proposes that the transfer of said portion of vacated alley shall be subject to easements for any installed utilities and all easements of record. Easement access rights shall be granted to all existing utilities on said described alley/street/road vacation to allow access to their current facilities, now and in the future, for maintenance, repair, patrol, operation, and reconstruction to said facilities; 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; and

WHEREAS, the City Council of the City of Marshalltown, Iowa, find this vacation is in the best interest of the City of Marshalltown and approves the quit claim deed; and

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 un conveyed alley in Marshalltown, Marshall County, Iowa to the adjoining property owner at 1108 West Church Street:

That portion of the sixteen and one-half (16 ½) foot wide alley running east-west and situated south of Lot 5 and the east two and one-half (2 ½) feet of Lot 6 of Dickson's Subdivision of the East Half of the North Two-Thirds of Lot 5 of the Northwest Quarter of the Northeast Quarter of Section 34, Township 84 North, Range 18 West of the 5th P.M., Marshall County, Iowa.

For the consideration for such conveyance shall be the sum of \$250.00 (Two Hundred Fifty 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 13th day of November 2023, and signed this _____ day of November 2023.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk