

RESOLUTION NO. 2023-15

Fixing a date of meeting for public hearing on the receipt, consideration and, if appropriate, approval of proposals for the disposal and development of certain City-owned real property in the Eagle Grove Urban Renewal Area

WHEREAS, the City of Eagle Grove, Iowa (the "City") has previously established the Eagle Grove Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, one of the City's objectives is to promote residential, commercial and industrial development in the Urban Renewal Area; and

WHEREAS, the City desires to entertain proposals for the development of certain real property currently owned by the City and situated at the intersection of 7th Street NE and N. Eagle Avenue (the "Property"), the description of which is set forth as Exhibit A, for future residential, commercial and industrial business development thereon; and

WHEREAS, it is now necessary to make provision for the possible disposition of the Property, in accordance with the provisions of Section 403.8 and 364.7 of the Code of Iowa, to a developer who can undertake the development thereof;

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Eagle Grove, Iowa, as follows:

Section 1. In accordance with the provisions of Section 403.8.1 of the Code of Iowa, the City Council hereby prescribes the following process for the disposition of the Property:

A. The City Council will advertise for proposals for the acquisition and development of the Property in a newspaper of general circulation in the City at least once not less than 30 days in advance of the date on which the proposals shall be due. In addition, the City shall advertise for proposals by posting the advertisement at City Hall and through available electronic means as soon as may be practical.

B. The City Council will make information packets (the "Development Proposal Packets") detailing the development objectives for the Property and the expectations to be placed upon the developer of the Property available in the Office of the City Clerk. Proposals shall be due by no later than 10:00 a.m. on April 26, 2023, at the office of the City Clerk at City Hall, Eagle Grove, Iowa. Each proposal submitted shall set forth the proposed developer's plan for developing the Property in accordance with the Development Proposal Packet.

C. A public hearing will be held on the proposal to sell the Properties as set forth in Section 2 of this Resolution. Following the public hearing, the City Council may determine to dispose of the Property to the developer whose proposal, if carried out, would be in the best interests of the City in light of the urban renewal and development objectives of the City as set forth in the Development Proposal Packet.

Section 2. The City Council will hold a public hearing on the proposal to sell the Property as set out in the preamble hereof at 7 o'clock p.m., on the 1st day of May, 2023, at the Council Chambers in the City. Following the public hearing the City Council may accept the

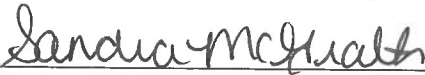
proposal deemed to be in the best interests of the City and proceed with the disposition of the Property.

Section 3. The City Clerk is hereby authorized and directed to give notice of this resolution and of the public hearing on the proposal to sell the Property, by publication, at least once, not less than thirty days prior to the date set for the consideration or acceptance of proposals, in a newspaper of general circulation in the City. Furthermore, the City Clerk is hereby authorized and directed to give notice by posting notice in City Hall and by such reasonable electronic means as may be available to the City as soon as practical following the adoption of this resolution. Such notice shall be substantially in the form which is attached to this resolution.

Section 4. The City Council hereby declares that if, after review and public hearing, an acceptable proposal is received which represents the best interests of the City with respect to the development of the Property as set forth in the Development Proposal Packets, such proposal shall be approved and finally accepted by the City Council on May 1, 2023, and the Property shall be subsequently disposed of in accordance therewith. The City Council further declares that this Resolution constitutes the notification of intent to accept proposals as provided for in Section 403.8 of the Code of Iowa. The City reserves the right to consider the legal and financial ability of developers submitting proposals to carry out the desired development of the Property. Furthermore, the City reserves the right to negotiate for proposals with respect to the desired development of the Properties.

Section 5. All resolutions or parts thereof which are in conflict herewith are hereby repealed.

Passed and approved this 6th day of March, 2023.



Mayor

Attest:



City Clerk

NOTICE OF PUBLIC HEARING AND REQUEST FOR
PROPOSALS TO DISPOSE OF AND DEVELOP PROPERTY

The City Council of the City of Eagle Grove, Iowa, will meet on the 1st day of May, 2023, at the Council Chambers, located at 210 E. Broadway, in the City, at 7 o'clock p.m., for the purpose of conducting a public hearing on the proposal to dispose of the real property (the "Property") described as follows:

1. Lot 2 and the North 50' of Lot 3, all in Block 3, Wright's Third Addition to Eagle Grove, Iowa.

Proposals for the purchase and development of the Property must be received in the office of the City Clerk at City Hall by no later than 10:00 a.m. on April 26, 2023. Proposals shall set forth the developer's plan for the development of the Property for future residential, commercial and industrial business development, such development to be carried out in accordance with the objectives and details set forth in the City's Development Proposal Packet with respect to the Property. If the Council finds a proposal acceptable, the Property will be sold to the developer whose proposal, if carried out, would be in the best interests of the City and would best tailor the future use of the Property to the City's development objectives. The City reserves the right to consider the legal and financial ability of developers submitting proposals to carry out the desired development of the Property. Furthermore, the City reserves the right to negotiate for proposals with respect to the desired development of the Properties.

Development Proposal Packets containing necessary information with respect to the development objectives for the Property may be obtained from the Office of the City Clerk, City Hall, Eagle Grove, Iowa.

On March 6, 2023, the City Council adopted a resolution constituting notification of intent to accept, if received, an acceptable a proposal for the development of the Property.

At the aforementioned time and place, oral or written comments or objections may be filed or made. Following the public hearing, the City Council will consider the submitted proposals for acceptance.

By order of the City Council of the City of Eagle Grove, Iowa.

Bryce Davis
City Clerk

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On motion and vote, the meeting adjourned.

Sandra McHale
Mayor

Attest:

Byrne Davis
City Clerk

Exhibit A
Description of the Property

Lot 2 and the North 50' of Lot 3, all in Block 3, Wright's Third Addition to Eagle Grove, Iowa.

STATE OF IOWA
COUNTY OF WRIGHT
CITY OF EAGLE GROVE

SS:

I, the undersigned, Clerk of the aforementioned City, do hereby certify that attached hereto is a true and correct copy of the proceedings of the City Council relating to fixing a date for hearing on the Council's proposal to take action in connection with the disposition of real property, as referred to therein.

WITNESS MY HAND hereto affixed this 6th day of March,
2023.

Byrne Davis
City Clerk

(PLEASE NOTE: Do not date and return this certificate until you have received the publisher's affidavit and have verified that the notice was published on the date indicated in the affidavit but please return all other completed pages to us as soon as they are available.)

STATE OF IOWA
COUNTY OF WRIGHT
CITY OF EAGLE GROVE

SS:

I, the undersigned, Clerk of the aforementioned City, do hereby certify that pursuant to the resolution of its Council fixing a date of meeting at which it is proposed to take action to with respect to the receipt of proposals for development of property, the notice, of which the printed slip attached to the publisher's affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND hereto affixed this _____ day of _____,
2023.

City Clerk

(Attach here publisher's original affidavit with clipping of the notice, as published.)