

Whereupon, Council member Lorenzen motioned that the following Resolution be approved.

**RESOLUTION 2023-42**

**A RESOLUTION TO SET A DATE FOR PUBLIC HEARING FOR THE VACATION AND CONVEYANCE OF PUBLIC RIGHTS-OF-WAY**

**WHEREAS**, on April 26, 2023, the City Council received a request to vacate and convey three public rights-of-way; and,

**WHEREAS**, Alwyn and Jenny Van Jaarsveld, the owners of the real property which abuts said public rights-of-way, submitted the request to vacate and convey the public rights-of-way; and,

**WHEREAS**, the Planning and Zoning Commission shall meet to determine current or future public need or benefit for the public rights-of-way proposed to be vacated and conveyed, its maintenance at public expense, and if the proposed vacation and conveyance will not deny owners of property abutting the public rights-of-way reasonable access to their property; and,

**WHEREAS**, it is in the best interest of the City to set a hearing for the vacation and conveyance of the aforementioned rights-of-way and to provide an opportunity for further consideration of the public and the Planning & Zoning Commission; and,

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Eagle Grove, Iowa:

1. That the City Council shall require a recommendation from the Eagle Grove Planning & Zoning Commission prior to the consideration of an ordinance to permanently vacate the aforementioned public rights-of-way.
2. That the City Council of the City of Eagle Grove shall consider adoption of an ordinance permanently vacating the affixed Exhibit A: Legal Descriptions
3. NOTICE IS FURTHER GIVEN, that the City Council will consider the adoption of the proposed vacation ordinance and approval of the proposed conveyance after a public hearing to be held at six-thirty (6:30) p.m. in the Council Chambers located at the Public Safety Building, 210 East Broadway Street, Eagle Grove, Iowa on Monday, July 3, 2023.

The motion was seconded by Council member Limerick and after due consideration thereof, the roll was called and the following Council Members voted:

AYES: Weland, Lorenzen, Limerick, Pamperin (by phone)  
NAYS:

Whereupon, the Mayor declared said Resolution duly PASSED and APPROVED on this 1<sup>st</sup> day of May, 2023.

Sandra McGrath

Sandra McGrath, Mayor

ATTEST

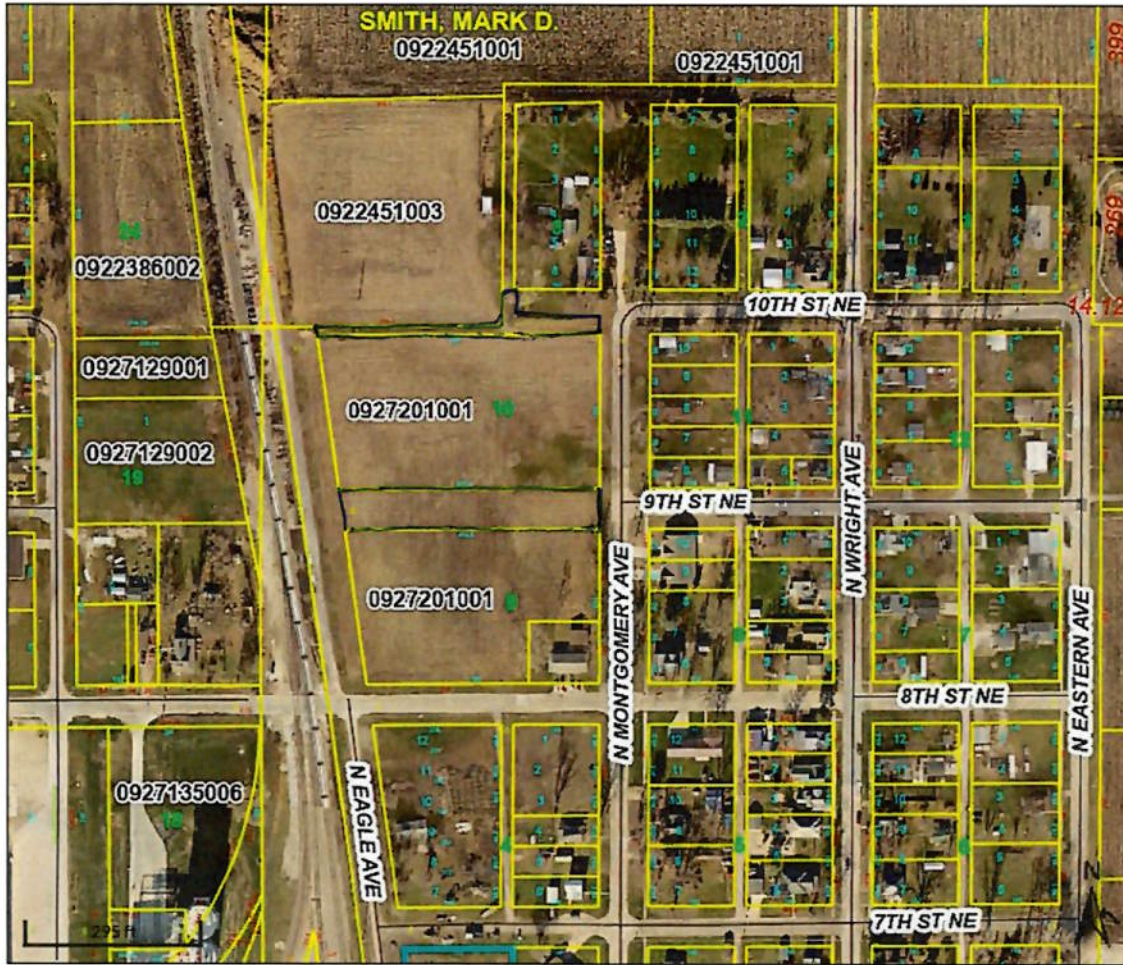
Bryce Davis

Bryce Davis, City Administrator/Clerk

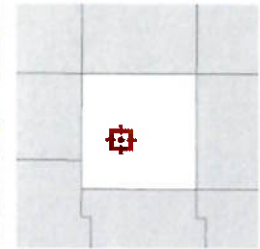
**Exhibit A**

**Legal Descriptions**

1. The remaining 33'x140' of 10<sup>th</sup> St NE;
2. The missing 66'x20' of 10<sup>th</sup> St. NE;
3. The 14'x458' alley west of 10<sup>th</sup> St. NE; and
4. The 66' alley west of 9<sup>th</sup> St. SE.



Overview



Legend

-  Parcels
- Roads and Highways**
-  Interstate
-  US Hwy
-  State Hwy
-  Road

Parcel ID	0927210001	Alternate ID	n/a	Owner Address	City of Eagle Grove, Iowa
Sec/Twp/Rng	0-0-0	Class	C		PO Box 165
Property Address		Acreage	n/a		Eagle Grove, IA 50533-0165
District	EAGLE GROVE CORPORATION				
Brief Tax Description	LOTS 2 & N 50' OF LOT 3 BLOCK 3 WRIGHT'S 3RD				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 4/28/2023  
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**PUBLIC NOTICE**  
**Notice of Intent to Vacate**  
**and Dispose of**  
**Rights-of-Way**

**NOTICE OF INTENT TO VACATE**  
**AND DISPOSE OF**  
**RIGHTS-OF-WAY**

NOTICE IS HEREBY GIVEN that the City Council of the City of Eagle Grove, Iowa, shall consider adoption of a resolution vacating and disposing of four (4) public rights-of-way measuring the South 33' of the East-West right of way lying South of Block 3 of Porter's 1st Addition, measuring approximately 33'x140', Eagle Grove, Wright County, Iowa; the North-South right of way measuring approximately 20'x66' lying West of the termination of 10th St NE, Eagle Grove, Wright County, Iowa; the East-West alley measuring 14'x458' lying North of Block 10, Wright's Third Addition, Eagle Grove, Wright County, Iowa; and the East-West alley measuring 66' in width lying between Block 9 and Block 10, Wright's Third Addition, Eagle Grove, Wright County, Iowa, be sold to adjoining landowners of the real property locally known as 1101 N. Montgomery Street, Eagle Grove.

NOTICE IS FURTHER GIVEN that the City Council adopted a resolution proposing to dispose of such rights-of-way, as described above, to Alwyn and Jenny van Jaarsveld, subject to an easement for all existing utilities.

NOTICE IS FURTHER GIVEN that the City Council will consider the adoption of the proposed vacation and disposal of real estate after a public hearing to be held at 7:00 p.m., at the Public Safety Building, 210 East Broadway, Eagle Grove, Iowa, on Monday, July 3, 2023. Persons interested in the proposals will be given the opportunity to express their views at that hearing.

By Order of the City Council for the City of Eagle Grove,  
*Bryce Davis, City Clerk*

Published in the Eagle Grove Eagle on Thursday, May 18, 2023

**PROOF OF PUBLICATION**

**STATE OF IOWA** }  
**Wright County** } **ss.**

I, the undersigned, being duly sworn, depose and say, that I am Matthew Grohe, CEO of the Eagle Grove Eagle, a weekly newspaper printed in the English language, published at Eagle Grove in Wright County, State of Iowa, and that the annexed Public Notice of intent to Vacate and Dispose of Rights - of - Way

notice was published in said paper once each week for 1 consecutive weeks, the first publication thereof was on the 18<sup>th</sup> day of May, 2023, the second on the \_\_\_ day of \_\_\_, 20\_\_\_, the third on the \_\_\_ day of \_\_\_, 20\_\_\_, the fourth on the \_\_\_ day of \_\_\_, 20\_\_\_,

*Matthew Grohe*

Matthew Grohe, CEO

Subscribed and sworn to before me and in my presence the 23 day of May, 2023.

*Rebekah H Mahan*

Notary Public; In and for the State of Iowa



**Rebekah H Mahan**  
**Commission Number 837544**  
**My Commission Exp. February 18, 2025**

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