

RESOLUTION 2023-60

A RESOLUTION AUTHORIZING THE DISPOSAL OF FOUR PUBLIC RIGHTS-OF-WAY


WHEREAS, on this 5th day of July, 2023, the City held a public hearing on its intended vacation and disposal of the property known as 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 after providing proper notice thereof; and

WHEREAS, on the 18th day of May, 2023, the City published notice of its intent to vacate and dispose of the above-described property and the setting of a public hearing thereon.

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

1. It is in the best interests of the City of Eagle Grove to sell 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 subject to the reservation of an easement for the continued use and maintenance of any utilities now in place, with the right of entry for the same. The City also reserves the right to assign an easement to Mid-American Energy for continued use and maintenance of any utilities now in place, with the right of entry for servicing the same.
2. The Mayor, City Administrator, and City Attorney are authorized to execute all documents and instruments of conveyance necessary to complete the disposal of real estate described herein to Alwyn and Jenny van Jaarsvelds upon receipt of the \$2,000 purchase price by van Jaarsvelds.

Passed and approved this 5th day of July, 2023.



Sandy McGrath, Mayor

Attest:



Bryce Davis, City Administrator

PUBLIC NOTICE
City of Eagle Grove

SUMMARY OF
ORDINANCE NO. 2023-03

AN ORDINANCE APPROVING THE VACATION OF THE RIGHTS-OF-WAY AS PLATTED. On July 05, 2023, the City Council of Eagle Grove, Iowa passed the aforementioned ordinance and a summary is as follows: SECTION 1. That the 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, SECTION 2: The City of Eagle Grove hereby reserves an easement upon the property described above for the continued use and maintenance of any utilities now in place, with the right of entry for servicing same. The City of Eagle Grove hereby reserves the right to assign an easement to MidAmerican Energy for continued use and maintenance of any utilities now in place, with the right of entry for servicing same. SECTION 3. That the City is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the Office of the Recorder of Wright County, Iowa. SECTION 4. The City of Eagle Grove hereby reserves the right to enter into a Resolution to convey the vacated rights-of-way per the Public Notice posted on the 18th day of May, 2023. SECTION 5. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

By Order of the City Council, Bryce Davis, City Clerk