

RESOLUTION NO. 2021 - 87

**RESOLUTION AUTHORIZING SALE OF PROPERTY
LOCALLY KNOWN AS 100 & 106 16th AVENUE NW**

WHEREAS, the City of Independence, Iowa, is the owner of real property (“Property”) situated in the City of Independence, Buchanan County, Iowa, locally known as 100 & 106 16th Avenue NW, Independence, Iowa, (Parcel No. 06.33.453.010), and legally described as follows:

LOT 13 AND THE WEST 56 AND 2/12 FEET OF LOT 14, BLOCK 1 OF RUSH PARK SUBDIVISION OF LOT 3, OF FIFIELD’S ADDITION TO INDEPENDENCE, BUCHANAN COUNTY, IOWA.

WHEREAS, the City acquired title to the Property by court order pursuant to the provisions of Iowa Code §657A.10B, and

WHEREAS, there is situated upon the Property two residential dwellings, a detached garage, and a shed (collectively “Structures”) that are severely dilapidated, which constitute continuing public nuisances and must be demolished; and

WHEREAS, the expense for the City to demolish the Structures would exceed the residual value of the nonconforming lot; and

WHEREAS, the owners of the adjacent parcel at 1506 1st Avenue West, Laree Randall and Willard Wright, have offered to purchase the Property from the City for \$500.00 and to demolish the Structures at their sole cost and expense, as more fully provided in the Purchase Agreement, attached hereto and incorporated herein by this reference; and

WHEREAS, the City Council held a duly noticed public hearing as part of its regular meeting at 6:30 P.M. on June 28, 2021 at City Hall, 331 1st Street E., Independence, Iowa, for purposes of obtaining public input on the proposed sale of the Property, at which point no objections were heard; and

WHEREAS, the sale and conveyance of the Property to Laree Randall and Willard Wright subject to the consideration, terms, and conditions set forth in the attached Purchase Agreement will enable the City to forego the considerable expense of demolishing the Structures on the Property and maintaining the Property thereafter; and

WHEREAS, the City Council has determined it to be in the best interest of the public to sell and convey the Property to Laree Randall and Willard Wright subject to the consideration, terms, and conditions set forth in the attached Purchase Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE IOWA, AS FOLLOWS:

NOW, THEREFORE, BE IT RESOLVED by the City Council of Independence, Iowa, that the sale of the Property to Laree Randall and Willard Wright in exchange for the consideration and upon the terms and conditions specified in the attached Purchase Agreement, is hereby authorized and approved; and

BE IT FURTHER RESOLVED, the Mayor and City Clerk of the City of Independence, Iowa, are hereby authorized and directed to execute a Quit Claim Deed and to take such further steps as may be necessary to facilitate the conveyance of the Property as aforesaid.

RESOLUTION NO. 2021-87 was passed and approved by a majority vote of the City Council of Independence, Iowa, on the 12th day of July, 2021.

Record of Voting:

Ayes: Kurtz, O’Loughlin, Hanna, Callahan, Rodriguez, Hill, Scharff

Nays:

Absent:

RESOLUTION NO. 2021-87 declared passed and adopted by the Mayor on this 12th day of July, 2021.

Bonita Davis, Mayor
Bonita Davis, Mayor

ATTEST:

Susi Lampe
Susi Lampe, IaCMC, IaCFO, City Clerk/Treasurer