



Document 2006 1546

Book 2006 Page 1546 Pages 2  
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*J. Marie Gohman, Deputy*

LORI M. KLIEGL, COUNTY RECORDER  
PALO ALTO COUNTY IOWA

Prepared by Jill R. Kliegl, City Clerk, City of Emmetsburg  
2021 Main Street, Emmetsburg, Iowa 50536 (712)852-4030

#### RESOLUTION NO. 06-44

#### A RESOLUTION DIRECTING THE SALE OF AN INTEREST IN REAL PROPERTY

Be it Resolved by the City Council of the City of Emmetsburg, Iowa; that the City Council hereby deems it desirable and in the best interest of the City to sell a portion of the following City Street- 8<sup>th</sup> Street described as follows:

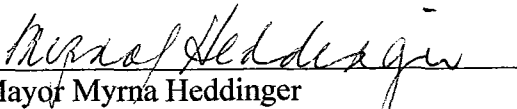
*Eighth Street between Lot Five (5) of Block Nine (9) and Lot Eight (8) of Block 10 in Burnham's Addition to Emmetsburg, Palo Alto County, Iowa; except for the portion of Eighth Street in Burnham's Addition to Emmetsburg beginning at Northwest corner of Lot (5), Block Nine (9), thence North to Southeast corner of Lot One (1), Block Ten (10); thence East to the Chicago, Rock Island and Pacific Railroad right-of-way; thence Southerly along said right-of-way to a point east of the North line of Block Five (5), thence West to the point of beginning, EXCEPT the South Thirteen (13) feet thereof. Said tack is subject to easement for utilities reserved by the City of Emmetsburg in deed recorded in Book 20, page 340, Office of Palo Alto County Recorder. Also, except for the South Thirteen Feet (S13') of a portion of Eighth (8<sup>th</sup>) Street in Burnham's Addition to Emmetsburg, Palo Alto County, Iowa, described as follows: Beginning at Northwest corner of Lot Five (5), Block Nine (9); thence North to Southeast corner of Lot One (1), Block 10; thence East to the Chicago, Rock Island and Pacific Railroad right-of way; thence southerly along said right-of-way to a point East of the North line of Block Five (5); thence West to the point of beginning; subject to easement for utilities reserved by the City of Emmetsburg, in deed recorded in Book 20, page 340, Office of the Palo Alto County Recorder.*

A public hearing was held on June 26, 2006 in the Council Chambers of City Hall, at which time the City Council was prepared to hear comments from any interested party to the possible sale of city streets.

The Mayor, on behalf of the City of Emmetsburg, shall contract to sell and shall deed the above stated property to Kerber Milling Company for the sum of \$2.00, plus survey, legal and property transfer fees:

Whereas, the Mayor and City Clerk shall co-sign all such contracts and deeds. The deeds shall be delivered thirty (30) days after the date of this resolution. Action on this resolution shall be final upon the purchaser of the deed giving evidence to the City Clerk that the deed has been recorded, and such fact to be noted on the official record of this resolution.

PASSED and APPROVED this 10th day of July 2006.

  
Mayor Myrna Hedding

  
City Clerk, Jill P. Kiegl