

CONFIDENTIAL

INST # 11428
RECORDING FEE 15⁰⁰
AUDITOR FEE 5⁰⁰
RMA FEE 1⁰⁰

FILED FOR RECORD
POTTAWATTAMIE CO. IA.
98 FEB -3 AM 10:15
JOHN SCIORTINO
RECORDER

(P) #4

Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 - Phone: 328-4616
Prepared by: Community Development Dept., Co. Bluffs, IA 51503 - Phone: 328-4629

RESOLUTION NO. 98-16

A RESOLUTION TO VACATE AND TO DISPOSE OF THE ALLEYS ABUTTING LOTS 1 THROUGH 15 AND LOTS 17 AND 18, BLOCK 1, HILLCREST ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, following public hearing and having given careful study to the proposal, the City Council determines that city-owned right-of-way described as follows: the east/west alley abutting Lots 4 through 15 and Lots 17 and 18, and the north/south alley abutting Lots 1 through 4 and Lot 18, all in Block 1, Hillcrest Addition, City of Council Bluffs, Pottawattamie County, Iowa; are of no benefit to the public and should be vacated; and

WHEREAS, pursuant to Iowa Code Section 354.23, the City Council declares its intent to dispose of this City right-of-way by conveying and quitclaiming all its right, title, and interest in them to the abutting property owner(s); and

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:

That the above-described city right-of-way is hereby vacated, conveyed and quitclaimed as follows:
Lucy Beall Graeme, and all successors in interest: the east 1/2 of the vacated north-south alley abutting Lots 1 and 2, Block 1, Hillcrest Addition.
Council Bluffs Water Works, and all successors in interest: the east 1/2 of the vacated north-south alley abutting Lot 3, Block 1, Hillcrest Addition.
Keith and Loretta Wood, and all successors in interest: the north 1/2 of the vacated east-west alley abutting Lots 4 and 5, Block 1, Hillcrest Addition; and the west 1/2 of the vacated north-south alley abutting Lot 4, Block 1, Hillcrest Addition.
Gregory C. Spencer, and all successors in interest: the north 1/2 of the vacated east-west alley abutting Lot 6, Block 1, Hillcrest Addition.
Gerald D. Hoag, and all successors in interest: the north 1/2 of the vacated east-west alley abutting Lot 7, Block 1, Hillcrest Addition.
C. Robert and Merry Anne Davenport, and all successors in interest: the north 1/2 of the vacated east-west alley abutting Lot 8, Block 1, Hillcrest Addition.
Peter N. the III and Tamara E. Hobbs, and all successors in interest: the north 1/2 of the vacated east-west alley abutting Lot 9, Block 1, Hillcrest Addition.
Wilbert and Bernadette Stroebel, and all successors in interest: the north 1/2 of the vacated east-west alley abutting Lot 10, Block 1, Hillcrest Addition.
Jesse J. and Linda D. Jackson, and all successors in interest: the south 1/2 of the vacated east-west alley abutting Lot 11, Block 1, Hillcrest Addition.
Rae Lynne Reddish, and all successors in interest: the south 1/2 of the vacated east-west alley abutting Lots 12 and 13, Block 1, Hillcrest Addition.
Jonathan Fenner, and all successors in interest: the south 1/2 of the vacated east-west alley abutting Lot 14, Block 1, Hillcrest Addition, EXC. E. 43.5' LOT 14
Orville W. and Sharon K. Terry, and all successors in interest: the south 1/2 of the vacated east-west alley abutting Lot 15 and Lots 17 and 18, Block 1, Hillcrest Addition; and the west 1/2 of the vacated north-south alley abutting Lot 18, Block 1, Hillcrest Addition. & E. 43.5 LOT 14.

BE IT FURTHER RESOLVED

That the Mayor and the City Clerk be and are hereby authorized, empowered and directed to execute this resolution conveying the City's interest in the above-described alley rights-of-way in consideration of the vacation application fee already paid; and

Entered for Taxation FEB 4 1998

98-31491 *Marilyn Jo Drake* COUNTY AUDITOR

THIS LEGAL DESCRIPTION WAS CORRECTED IN THE AUDITORS OFFICE PER DAVID LOSCHEN AT COMMUNITY DEVELOPMENT. 2-4-98

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BE IT FURTHER RESOLVED

That the City Clerk is directed to deliver this resolution and attached documents to the County Recorder according to Iowa Code 354.23.

ADOPTED
AND
APPROVED: January 26, 1998

Thomas P. Hanafan
Thomas P. Hanafan Mayor

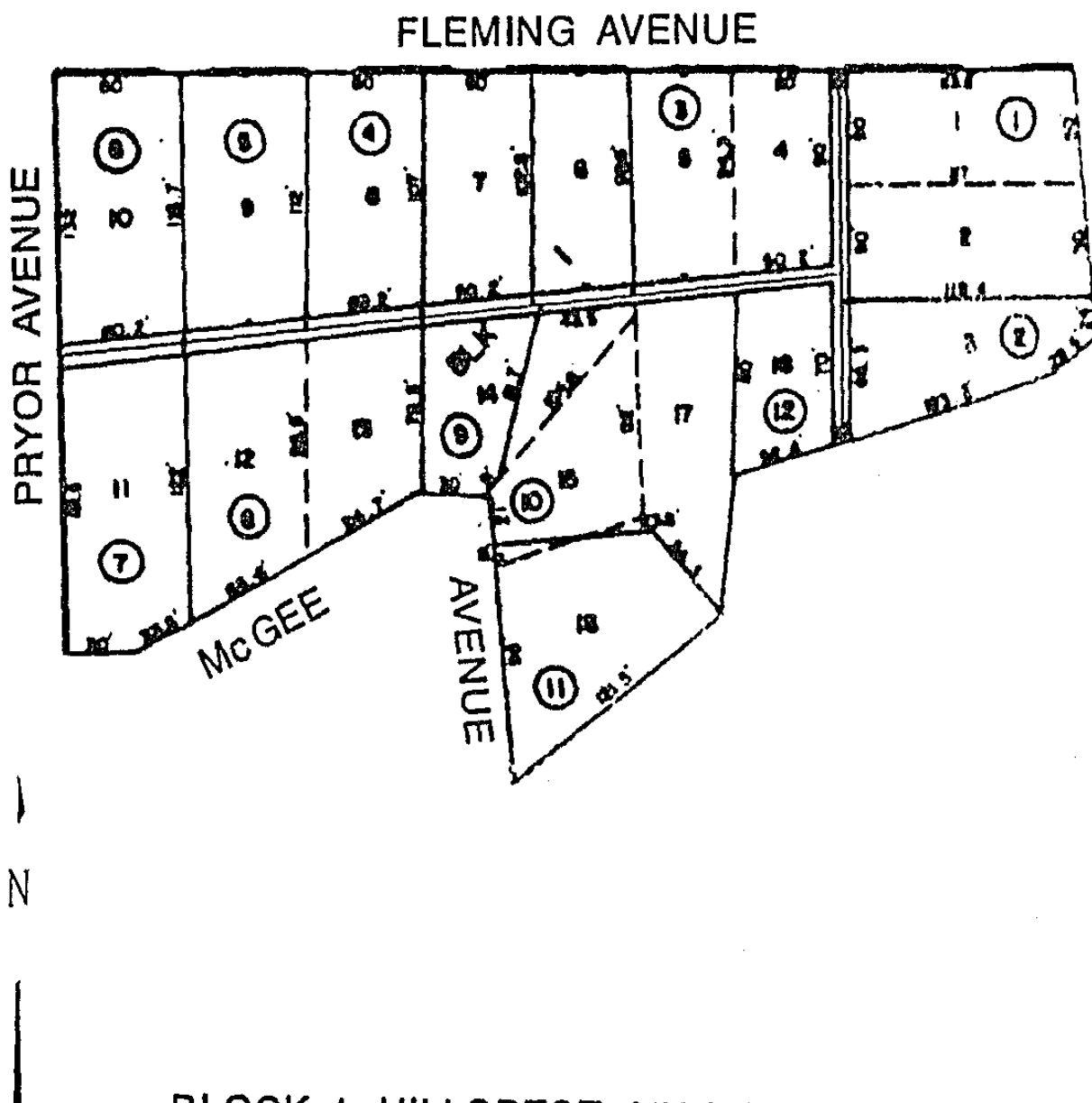
ATTEST: *Cheryl Puntney*
Cheryl Puntney Deputy City Clerk

STATE OF IOWA)
COUNTY OF)ss
POTTAWATTAMIE)

On this 26 day of Jan., 1998, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Thomas P. Hanafan and Olga Ramirez, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Thomas P. Hanafan and said Olga Ramirez, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.



Marcia Worden
Notary Public in and for said State



BLOCK 1, HILLCREST ADDITION

98-31492

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PROOF OF PUBLICATION

STATE OF IOWA
POTTAWATTAMIE COUNTY

I, JEANNETTE JOHNSON, on my oath do solemnly swear that I am the Accountant of the COUNCIL BLUFFS DAILY NONPAREIL, a newspaper issued DAILY and printed in said county;

that the annexed notice was published in said newspaper for 1 consecutive times as follows: The first publication thereof

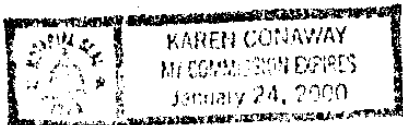
Began on the 21 day of Jan., 1998
the second on the _____ day of _____, 1998
the third on the _____ day of _____, 1998
the fourth on the _____ day of _____, 1998
the fifth on the _____ day of _____, 1998

Jeannette Johnson

Signed in my presence by the said JEANNETTE JOHNSON and by her sworn to before me this 24 day of Jan., A.D. 1998.

Witness my hand and Notarial Seal.

Karen Conaway
Notary Public



Filed this _____ day of _____, A.D. 1998

Publication Fee: \$ 8.00

98-31493

NOTICE OF PUBLIC HEARING
ON INTENT TO VACATE, DISPOSE,
AND CONVEY CITY PROPERTY
TO WHOM IT MAY CONCERN:
You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has expressed its intent to vacate, dispose, and convey both alleys in Block 1, Hillcrest Addition, Council Bluffs, Iowa; and
You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting to be held at 7:00 p.m., on the 26 day of January, 1998, in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa, at which time and place all persons interested in said matter will be given an opportunity to be heard.
Olga Ramirez, City Clerk
1998(121) Wednesday