

Whereupon Council Member Hoy moved that the following Resolution be adopted:

RESOLUTION NO. 05-19-2807

RESOLUTION TO VACATING A PORTION OF THE RIGHT-OF-WAY OF 14TH AVENUE ADJACENT TO BLOCK 14, ORIGINAL TOWN OF ELDORA, HARDIN COUNTY, IOWA

WHEREAS, the City of Eldora, Hardin County, Iowa owns right-of-way legally described as:
Iowa:

Commencing at the SW Corner of Block 14, Original Town of the City of Eldora, Hardin County, Iowa for a point of beginning, thence S01°48'52"E, 12 feet, thence N88°01'29"E, 160 feet; thence N01°48'52"W, 12 feet; thence S88°01'29"W (Record Bearing), 160 feet along the South line of said Block 14 to the point of beginning.

and

WHEREAS, the Council finds after the public hearing on the 28th day of May, 2019, that pursuant to Iowa Code Section 354.23, the above described right-of-way is without benefit to the public as a right-of-way. The Council further finds that it is in the best interests of the City of Eldora to vacate the above described portion of right-of-way, reserving an easement for utilities, including, but not limited to, sewer and water lines, including the right of ingress and egress to maintain and repair said utilities.

and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Eldora, Iowa the following portion of the right-of-way described as:

Commencing at the SW Corner of Block 14, Original Town of the City of Eldora, Hardin County, Iowa for a point of beginning, thence S01°48'52"E, 12 feet, thence N88°01'29"E, 160 feet; thence N01°48'52"W, 12 feet; thence S88°01'29"W (Record Bearing), 160 feet along the South line of said Block 14 to the point of beginning.

is hereby vacated herein, reserving an easement for utilities, including, but not limited to, sewer and water lines, including the right of ingress and egress to maintain and repair said utilities. Further, the Council finds the ownership interest in the vacated right-of-way shall be transferred to the adjoining property owner. The Mayor and acting City Administrator are directed and authorized to execute a Quit Claim Deed from the City of Eldora to the adjoining landowner, Eldora Industrial Development Corp.

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

AYES: Hoy, John, Budweg and Priske

NAYES: None

ABSENT: Jones

Whereupon, Mayor David W, Dunn declared said Resolution duly passed and adopted this 28th day of May, 2019.

David W. Dunn, Mayor

Chandra Kyte, Deputy Clerk