2010-04

Entered for taxation 24 day
of June A.D. 2010
Carla K Becker, Auditor
By g Rave, Deputy
R-139

Book 2010 Page 1679

Document 2010 1679 Type 06 018 Pages 4
Date 6/03/2010 Time 9:32:27AM
Rec Amt $24.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

RESOLUTION OF VACATION AND DISPOSAL OF PROPERTY

Prepared by: Linda Gaul, City clerk, City of Earlville, Box 188, Earlville, IA 52041 563-923-3365

Taxpayer Information: David G. Salow and Rosemary Salow, 213 S. William, PO Box 261, Earlville, IA 52041

2nd (X) Return Document to: Linda Gaul, City of Earlville, Box 188, Earlville, IA 52041

Grantors: City of Earlville, Iowa

Grantees: David G. Salow and Rosemary Salow, husband and wife

Legal Description is located on page: 2

Document or instrument number of previously recorded documents:

ADOPTION OF RESOLUTION NO. 2010-04

Resolution No. 2010-04 comes on for hearing pursuant to notice published in the Dyersville Commercial on 4/20/10 pursuant to Sections 362.3 and 364.7 of the Code of Iowa.

No person appeared in resistance to said Resolution.

RESOLUTION # 2010-04

A RESOLUTION VACATING A CERTAIN ALLEY AND CONVEYING THE SAME

BE IT RESOLVED BY THE CITY COUNCIL OF EARLVILLE, IOWA:

Section 1. The Council finds that the following alley is not needed for public use, will not deny reasonable access to abutting owners and in its jurisdiction finds that the best interest of the City require the following alley in the City of Earlville should be vacated and the same is hereby vacated:

That part of the South one-half (S½) of the alley lying adjacent to and North of Lots Seven (7) and Eight (8), Block 29 in the Town of Earlville formerly Nottingham, Delaware County, Iowa.

Section 2. Pursuant to the provisions of Section 354.23 of the Code of Iowa all of said property above described is hereby conveyed to David G. Salow and Rosemary Salow, husband and wife, the adjoining owners. This property was previously vacated and disposed of by the City in approximately the year of 1900. This vacating of the alley and conveying the same to the Grantees is merely to correct the failure to record the necessary documents years ago. The City reserves any easements for utilities now in place or to be placed there in the future.

Vote:

Ayes: ~~D. Salow~~, L. S. Richardson, B. Peters, E. Gibbs

Nays: _____

Absent: D. Lewin
Absain M. Salow

Whereupon the Mayor declared the motion carried, and the Resolution adopted.

Dan Wheeler – Mayor

ATTEST:

Linda Gaul – City Clerk

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

Signed and sworn to before me on the 27th day May, 2010 by Dan Wheeler-Mayor and Linda Gaul-City Clerk of the City of Earlville, Iowa

Elaine Mary Diesburg
Notary public

ELAINE MARY DIESBURG
Commission Number 177512
My Commission Expires
1-19-2013

STATE OF IOWA
DUBUQUE COUNTY SS:

CERTIFICATE OF PUBLICATION

I, Linda L. Vorwald, of Woodward Communications, Inc., an Iowa corporation, publisher of the Dyersville Commerical, a newspaper of general circulation published in the City of Dyersville, County of Dubuque and State of Iowa; hereby certify that the attached notice was published in said newspaper on the following dates April 28, 2010, and for which the charge is $13.27.

Subscribed to before me, a Notary Public in and for Dubuque County, Iowa, this 30th day of April 2010.

NOTARIAL SEAL IOWA
LINDA L. VORWALD
Commission Number 702790
MY COMM. EXP. 4-18-12

Linda L. Vorwald

Notary Public in and for
Dubuque County, Iowa

NOTICE OF PUBLIC HEARING
CITY OF EARLVILLE, IOWA

NOTICE IS HEREBY GIVEN that the Earlville City Council will hold a meeting on May 10, 2010, at 7:00 PM, at the Earlville City offices to consider the vacation and disposal of the following property:

That part of the South one-half (S 1/2) of the alley lying adjacent to and North of Lots Seven (7) and Eight (8), Block 29 in the Town of Earlville formally Nottingham; Delaware County, Iowa, to David G. Salow and Rosemary Salow.

The City Council in approximately 1900 approved the vacation of the alley and the disposal of the City's interest, but failed to record such documents. This vacation of the alley and the disposal of the City's interest is merely to correct an error that occurred over 100 years ago.

If there are any objections to the vacation and disposal of said property they may be filed with the City Clerk prior to the meeting, or persons shall be allowed to address the City Council with any objections at the public hearing.

PUBLISHED BY ORDER OF THE CITY COUNCIL OF EARLVILLE, IOWA.
Linda Gaul, City Clerk
4-28