Recorded: 1/12/2023 at 2:31:19.0 PM
County Recording Fee: $17.00
Iowa E-Filing Fee: $3.00
Combined Fee: $20.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2023 PG: 99

Prepared by & Return to: Erin Learn, City of Delaware, 110 E. Washington St., Delaware, Iowa 52036, Phone: 563.608.0184

AFFIDAVIT RE: DISPOSAL OF CITY PROPERTY

STATE OF IOWA)
) ss:
DELAWARE COUNTY)

IN RE: That portion of the undeveloped alley described as lying between Lots 619, 620, 621, 622, 623, 624, 625, and 626, and the North ½ of Lots 775, 776, 777, and 778, all in Delaware, Iowa according to plat recorded in Book 2 L.D., Page 488 and Lots 779, 780, 781, and 782, Delaware, Iowa, according to plat recorded in Book 2 L.D., Pages 488-489 (locally known as the alley adjacent to 201 4th Street and 221 4th Street in Delaware, Iowa)

I, Erin Learn, first being duly sworn, on oath, state:

1. That I am City Clerk of the City of Delaware, Iowa.

2. That I caused to be posted a Notice of Public Hearing on the Proposed Sale of City Property for the above described property in the City of Delaware, Iowa, on August 9, 2022, and attached hereto is a copy of the notice.

3. That also attached is a copy of Resolution R-008-2022 passed by the City Council on August 13, 2022, which directs the sale of said property.

4. That the above items are a part of the public records in my custody as City Clerk and that all above mentioned resolutions and motions have been approved by the City Council of the City of Delaware, Iowa.

Dated this 12th day of January, 2023.

Erin Learn

Erin Learn, City Clerk

CITY OF DELAWARE CITY SEAL DELAWARE, IOWA

Subscribed and sworn to before me, a Notary Public, by Erin Learn this 12th day of January, 2023.

Laura K Thomas

Laura K. Thomas, Notary Public

LAURA K THOMAS
Commission Number 718135
My Commission Expires
August 26, 2023

NOTICE OF A PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF DELAWARE, IOWA, TO CONSIDER THE SALE OF A PORTION OF THE ALLEY LOCATED BETWEEN LOTS 619, 620, 621, 622, 623, 624, 625, AND 626, AND THE NORTH ½ OF LOTS 775, 776, 777, AND 778, ALL IN DELAWARE, IOWA ACCORDING TO PLAT RECORDED IN BOOK 2 L.D., PAGE 488 AND LOTS 779, 780, 781, AND 782, DELAWARE, IOWA, ACCORDING TO PLAT RECORDED IN BOOK 2 L.D., PAGES 488-489

NOTICE IS HEREBY GIVEN that on August 13, 2022 at 8:00 A.M. at Delaware City Hall, 110 East Washington Street, Delaware, Iowa, a public hearing will be held by the City Council on the proposed sale of the undeveloped alley lying between Lots 619, 620, 621, 622, 623, 624, 625, and 626, and the North ½ of Lots 775, 776, 777, and 778, all in Delaware, Iowa according to plat recorded in Book 2 L.D., Page 488 and Lots 779, 780, 781, and 782, Delaware, Iowa, according to plat recorded in Book 2 L.D., Pages 488-489. At the public hearing any interested resident may address the Council regarding the proposed sale. If you are unable to attend the hearing, you may submit your comments in writing prior to the meeting.

By order of the City Council.
Erin Learn, City Clerk
Posted on August 9, 2022

RESOLUTION R-008-2022
RESOLUTION APPROVING THE SALE OF CERTAIN REAL ESTATE

Whereas, the City of Delaware is the owner of real estate described as that portion of the vacated alley described as lying adjacent to Lots 619, 620, 621, 622, 623, 624, 625, and 626, and the North ½ of Lots 775, 776, 777, and 778, all in Delaware, Iowa according to plat recorded in Book 2 L.D., Page 488 and Lots 779, 780, 781, and 782, Delaware, Iowa, according to plat recorded in Book 2 L.D., Pages 488-489; and,

Whereas, the City Council of the City of Delaware has determined it is in the best interest of the City to sell that property, and,

Whereas, Iowa Code Section 364.7 requires that the City set forth its proposal in a resolution, publish notice, and hold a public hearing on said proposal; and,

Whereas, notice was posted as required by the Iowa Code on August 9, 2022, public hearing held August 13, 2022 on the proposed sale, and said resolution was passed at the council meeting August 13, 2022.

Therefore, be it resolved as follows:

1. It is found that the City of Delaware has no present use or use in the foreseeable future for the land above described.

2. The Council sells the property to:

Name	Property Description
Caitlin Salow*	The south half of the vacated alley adjacent to 779, 780, 781, and 782, Delaware, Iowa, according to plat recorded in Book 2 L.D., Pages 488-489
**upon her acquisition of the property at 211 East Adams Street*	
Larry & Teresa Tibbott	The north half of the vacated alley adjacent to Lots 619, 620, 621, 622, 623, 624, 625, and 626, and the south half of the vacated alley adjacent to the North ½ of Lots 775, 776, 777, and 778, all in Delaware, Iowa according to plat recorded in Book 2 L.D., Page 488

3. That the City Clerk and Mayor are authorized to do all things necessary to complete the sale transfer of the following described real estate: that portion of the vacated alley described as lying adjacent to Lots 619, 620, 621, 622, 623, 624, 625, and 626, and the North ½ of Lots 775, 776, 777, and 778, all in Delaware, Iowa according to plat recorded in Book 2 L.D., Page 488 and Lots 779, 780, 781, and 782, Delaware, Iowa, according to plat recorded in Book 2 L.D., Pages 488-489, for a valuable consideration and to in all ways necessary confirm the action of this Council.

Passed and approved August 13, 2022.

Lonny Fishler, Mayor

Erin Learn, City Clerk

CITY OF DELAWARE CITY SEAL DELAWARE, IOWA