

## RESOLUTION

### A RESOLUTION AUTHORIZING THE SALE OF REAL ESTATE VACATED BY THE CITY OF ANKENY TO JASON AND VANESSA WHITINGER

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**WHEREAS**, by Ordinance No. 1920 the City has vacated certain real estate shown on the attached Easement Vacation Exhibit and hereinafter described; and

**WHEREAS**, Jason and Vanessa Whiting, have offered to purchase said real estate for an amount equal to the costs incurred by the City to vacate such property; and

**WHEREAS**, public hearing on said vacation and sale was held on the 3<sup>rd</sup> day of July, 2017, pursuant to notice published as required by law; and

**WHEREAS**, this Council, having heard all comments for and against said offer to purchase, determines that the offer should be accepted.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Ankeny, Iowa, as follows:

1. The City accepts the offer of Jason and Vanessa Whiting to purchase, for an amount equal to the costs incurred by the City in preparing all proceedings and documents necessary to affect vacation and conveyance, the following described property:

FLOODWAY, GOLF COURSE AND SANITARY SEWER EASEMENT

A PART OF LOT 1 BRIAR CREEK SOUTH PLAT 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF ANKENY, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1: THENCE NORTH 89°49'17" WEST ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 135.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°12'55" WEST, 104.00 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE NORTH 89°49'17" WEST ALONG SAID SOUTH LINE, 35.00 FEET; THENCE NORTH 00°12'55" EAST, 104.00 FEET TO SAID NORTH LINE; THENCE SOUTH 89°49'17" EAST ALONG SAID NORTH LINE, 35.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.08 ACRES (3,640 S.F.).

2. The Mayor and City Clerk are hereby authorized and directed to execute and deliver a quit claim deed conveying the aforesaid property to the purchaser upon receipt of the full amount of the purchase price. The Clerk shall compute such amount.

**PASSED AND APPROVED** this 7<sup>th</sup> day of August, 2017.

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Gary Lorenz, Mayor

Attest:

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Pamela DeMouth, City Clerk