

RESOLUTION

RESOLUTION FIXING A DATE FOR A PUBLIC HEARING TO CONSIDER THE APPROVAL AND AUTHORIZATION OF THE SALE OF THE ABANDONED SEWER TREATMENT SITE LOCATED ON SE CREEKVIEW DRIVE FROM THE CITY OF ANKENY TO MIDWEST RADIO, INC.

WHEREAS, the City of Ankeny owns certain real property that contains an abandoned sewer treatment site located on SE Creekview and which is legally described as:

COMMENCING AT THE NW CORNER OF THE SW 1/4 NW 1/4 OF SECTION NINETEEN (19) TOWNSHIP 80 NORTH OF RANGE 23 WEST OF THE 5TH P.M. IN ANKENY, IOWA, THE POINT OF BEGINNING. THENCE N 89° 54' 02.89" W 144.40', THENCE N 3° 31' 25.07" W 137.25', THENCE N 10° 26' 54.53" E 297.84', THENCE S 88° 56' 47.03" E 291.77', THENCE S 0° 40' 39.00" E 625.05', THENCE N 89° 56' 24.00" W 100.01', THENCE N 0° 40' 39.00" W 200.02', THENCE N 89° 56' 24.00" W 100.01', TO THE POINT OF BEGINNING; and

WHEREAS, the City of Ankeny solicited interest from the adjacent property owners in acquiring this site since the property is fully abandoned and is of limited value to the City; and

WHEREAS, Midwest Radio, Inc., has presented a Purchase Agreement to the City of Ankeny for the purpose of acquiring the site; and

WHEREAS, the Code of Iowa requires that, before a city may dispose of an interest in real property by sale, the city must set forth its proposal in a resolution and public notice as provided in Section 362.3, of the resolution and of a date, time and place of a public hearing on the proposal; and

WHEREAS, the Code of Iowa also requires that, before a city may enter into a proposed purchase agreement for the real property that a public hearing must be held on the proposed agreement.

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

Section 1. The City Council will hold a public hearing on the proposal to sell the sewer lift station site and to enter into a Purchase Agreement as set out in the preamble hereof at 5:30 o'clock p.m., on the 5th day of March 2018, at City Hall in the City of Ankeny.

Section 2. The City Clerk is hereby authorized and directed to give notice of this resolution and of the public hearing on the proposal to sell the site and to enter into a Purchase Agreement, by publication at least once, not less than four nor more than twenty days before the date of the hearing, in a newspaper of general circulation in the City of Ankeny. Such notice shall be substantially in the form which is attached to this Resolution.

Section 3. All resolutions or parts thereof which are in conflict herewith are hereby repealed.

PASSED AND APPROVED this 19th day of February 2018.

Gary Lorenz, Mayor

ATTEST:

Pamela DeMouth, City Clerk