

Recorded: 8/11/2022 at 11:36:47.0 AM  
County Recording Fee: \$17.00  
Iowa E-Filing Fee: \$3.00  
Combined Fee: \$20.00  
Revenue Tax:  
Delaware County, Iowa  
Daneen Schindler RECORDER  
BK: 2022 PG: 2396

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 alley described as lying between Lots 668, 669, 732 and Lot 733, and the West 15 ½ feet of Lots 667 and 734, Delaware, Iowa, according to plat recorded in Book 2 L.D., Pages 488-489

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 February 8, 2022, and attached hereto is a copy of the notice.
3. That also attached is a copy of Resolution R-004-2022 passed by the City Council on March 12, 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 12<sup>th</sup> day of May, 2022.

*Erin Learn*

Erin Learn, City Clerk



Subscribed and sworn to before me, a Notary Public, by Erin Learn this 12<sup>th</sup> day of May, 2022.

*Laura K. Thomas*

Laura K. Thomas, Notary Public



**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 DESCRIBED AS LYING BETWEEN LOTS 668, 669, 732 AND LOT 733, AND THE WEST 15 ½ FEET OF LOTS 667 AND 734, DELAWARE, IOWA, ACCORDING TO PLAT RECORDED IN BOOK 2 L.D., PAGES 488-489 (211 WEST ADAMS STREET) IN THE CITY OF DELAWARE, IOWA**

**NOTICE IS HEREBY GIVEN that on March 12, 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 alley described as lying between Lots 668, 669, 732 and Lot 733, and the West 15 ½ feet of Lots 667 and 734, Delaware, Iowa, according to plat recorded in Book 2 L.D., Pages 488-489 (211 West Adams Street) in the City of Delaware, Iowa. 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 March 8, 2022**

**RESOLUTION R-004-2022**

**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 alley described as lying between Lots 668, 669, 732 and Lot 733, and the West 15 ½ feet of Lots 667 and 734, 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,

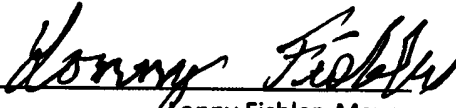
**Whereas**, notice was posted as required by the Iowa Code on March 8, 2022, public hearing held March 12, 2022 on the proposed sale, and said resolution was passed at the council meeting March 12, 2022.


**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 BCC Properties LLC for the sum of \$264.00.
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 alley described as lying between Lots 668, 669, 732 and Lot 733, and the West 15 ½ feet of Lots 667 and 734, Delaware, Iowa, according to plat recorded in Book 2 L.D., Pages 488-489, and to in all ways necessary confirm the action of this Council.

Passed and approved March 12, 2022.

  
Erin Learn, City Clerk

  
Lonny Fishler, Mayor

The seal is circular with a double-lined border. The outer border contains the text "CITY OF DELAWARE" at the top and "DELAWARE, IOWA" at the bottom, separated by two stars. The inner circle contains the words "CITY SEAL" in the center.