

Recorded: 4/9/2024 at 1:30:32.0 PM  
County Recording Fee: \$17.00  
Iowa E-Filing Fee: \$3.00  
Combined Fee: \$20.00  
Revenue Tax: \$0.00  
Delaware County, Iowa  
Daneen Schindler RECORDER  
BK: 2024 PG: 761

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**

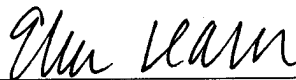
STATE OF IOWA                     )  
  ) ss:  
DELAWARE COUNTY                )

IN RE: That portion of the undeveloped street described as lying north of Lots 170, 171, 172, 173, 174, 175, and 176, all in Delaware, Iowa according to plat recorded in Book 2 L.D., Pages 488-489 (locally know as the undeveloped street lying north of 105 West Main 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 November 11, 2023, and attached hereto is a copy of the notice.
3. That also attached is a copy of Resolution R-005-2023 passed by the City Council on December 13, 2023, 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.

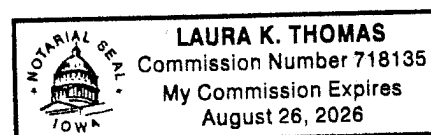
Dated this 9<sup>th</sup> day of April, 2024.



Erin Learn, City Clerk

Subscribed and sworn to before me, a Notary Public, by Erin Learn this 9<sup>th</sup> day of April, 2024.

  
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 THE UNDEVELOPED STREET DESCRIBED AS LYING ADJACENT TO THE NORTH PROPERTY  
LINE OF LOTS 170, 171, 172, 173, 174, 175, AND 176, DELAWARE, IOWA ACCORDING TO PLAT  
RECORDED IN BOOK 2 L.D., PAGES 488-489

NOTICE IS HEREBY GIVEN that on December 13, 2023 at 6:00pm 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 street lying adjacent to the north property line of Lots 170, 171, 172, 173, 174, 175, and 176, Delaware, Iowa according to plat recorded in Book 2 L.D., Pages 488-489 (locally known as the undeveloped street north of 105 West Main Street). 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 November 11, 2023

**RESOLUTION R-005-2023**  
**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 undeveloped street lying adjacent to the north property line of Lots 170, 171, 172, 173, 174, 175, and 176, Delaware, Iowa according to plat recorded in Book 2 L.D., Pages 488-489 (locally known as the undeveloped street north of 105 West Main Street); 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,

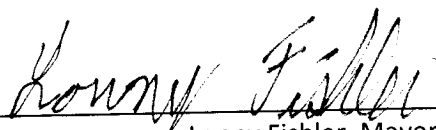
**Whereas**, Iowa Code Section 364.7 requires that the City set forth its proposal in a resolution, post notice, and hold a public hearing on said proposal; and,

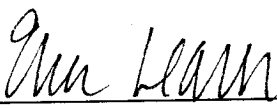
**Whereas**, notice was posted as required by the Iowa Code on November 11, 2023, a public hearing was held December 13, 2023 on the proposed sale, and said resolution was passed at the council meeting December 13, 2023.

**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 Robert Trenkamp.
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 undeveloped street lying adjacent to the north property line of Lots 170, 171, 172, 173, 174, 175, and 176, Delaware, Iowa according to plat recorded in Book 2 L.D., Pages 488-489 (locally known as the undeveloped street north of 105 West Main Street), for a valuable consideration and to in all ways necessary confirm the action of this Council.

Passed and approved December 13, 2023.

  
\_\_\_\_\_  
Lonny Fishler, Mayor

  
\_\_\_\_\_  
Erin Learn, City Clerk