

Resolution No. 24-19

RESOLUTION TO PROVIDE NOTICE TO BIDDERS FOR THE SALE OF CITY OWNED PROPERTY LOCATED AT 104 RAILROAD STREET CALAMUS IA 52729 (Parcel No. 42-0092000) BY SEALED BIDS

WHEREAS, the City of Calamus, Iowa, currently owns 104 Railroad Street, Calamus, Iowa 52729, legally described as Lot five (5) in block sixteen (16) in the Town of Calamus, Iowa, EXCEPT the north eighty (80) feet thereof, Parcel No. 42-0092000, (hereinafter referred as “the property”);

WHEREAS, the City of Calamus, Iowa obtained title to the property by court order on April 23, 2024 via an Order Granting Default Judgment and Awarding Title filed in Clinton County District Court Case No. EQCV049577 due to the property being abandoned;

WHEREAS, the property is not needed for City purposes and selling the property is in the City’s best interest; and

WHEREAS, one of the primary goals of the City of Calamus is to stimulate population growth and residential development in the City, and putting this property back into residential use with stipulations that it be used for a residential dwelling would be in line with said goal; and

WHEREAS, Iowa Code §364.7 provides that a City may dispose of an interest in real property by sale, gift or otherwise, after a public hearing thereon; and

WHEREAS, on May 21, 2024, the City held a public hearing on the proposal to dispose of the property by sale via soliciting sealed bids, and received public comments thereon.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Calamus (“City”):

1. It is in the best interest of the City to sell the property, by sealed bid, as provided by Iowa Code 364.7, and the City hereby declares the property as surplus to the City’s needs.
2. The sale of the property is for purposes other than to establish, align, realign, change, vacate, or otherwise adjust any street, alley, avenue, or other thoroughfare, or portion thereof of flood control facility within the City.
3. That the City Clerk is directed to publish a Notice to Bidders with instructions for making a sealed bid on the property, and including the terms and conditions of a proposed sale to the successful bidder, which received bids shall be opened and examined by the City Council at their regularly scheduled meeting on Monday, August 5, 2024, at 7:00 P.M. at Calamus City Hall located at 301 2nd St., Calamus, Iowa.
4. As part of the Notice to Bidders resolution, any winning bidder shall be subject to and shall agree with the City that the Bidder, once title to the property is conveyed by the City by Special Warranty Deed, shall commence and complete construction of a residential

home on the above-described property within two (2) years of closing. If construction of the residential home is not completed within two (2) years, the above-described property will revert back to the City of Calamus, and Buyers shall agree to execute any and all necessary documents to transfer said property back to the City of Calamus, and the purchase price of the above-described property will not be refunded to the Bidder.

Motion by _____ Second by _____

The Roll Call Vote on this Resolution is as follows;

Roll Call:

Leibold _____

Griebel _____

Buckner _____

Sprague _____

Reed _____

PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF CALAMUS, IOWA,
THIS 21st day of May, 2024

By: _____

Lance Goettsch, Mayor

ATTEST:

I, Melissa Conner, City Clerk of the City of Calamus, Iowa, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings the above was adopted.

Melissa Conner, City Clerk