

**Calamus City Council Proceedings**  
**Special Meeting**  
**Public Hearing for The Sale of Parcels 42-01390000 and 42-00160100**  
**April 18, 2022**

Mayor Goettsch opened the public hearing on the sale of parcels 42-01390000 and 42-00160100 at 7:02 p.m. Council members present included; Reed, Buckner, Griebel, Sprague, Leibel. No public comments were received. Motion to close the public hearing at 7:04 p.m. was made by Leibel and 2<sup>nd</sup> by Griebel. All Ayes Council discussed dates on accepting sealed bids on both properties. Motion to approve **Resolution 2022-25** to accept sealed bids on parcel 42-01390000 until 3:30 p.m. on June 3, 2022 was made by Leibold with a 2<sup>nd</sup> by Buckner. All Ayes Motion to approve **Resolution 2022-26** to accept sealed bids on parcel 42-00160100 until 3:30 p.m. on June 3, 2022 was made by Buckner with a 2<sup>nd</sup> by Sprague. All Ayes. At 7:11 p.m. a motion to adjourn was made by Buckner with a second by Griebel. All ayes.

\_\_\_\_\_  
Lance Goettsch, Mayor

Attest:

\_\_\_\_\_  
Stacy Iams, City Clerk

## RESOLUTION 22-25

### NOTICE TO BIDDERS

#### Public Notice of City Property Parcel Number 42-01390000 for sale by SEALED BID

The property will be sold by sealed bid, to the highest bidder at 7:00 p.m. on Monday, June 6, 2022, at the Calamus City Hall located at 198 2<sup>nd</sup> St. Calamus, Iowa, during the Regular city Council Meeting, at which time and place all sealed bids will be opened, examined and declared.

#### Sealed bids to be taken under the following terms and conditions:

- a. All sealed bids must state the bidders name, mailing address, phone number, and total amount of the bid in dollars and cents. Bid must be signed by the bidder, and submitted in sealed envelopes clearly marked on the outside **PARCEL 42-01390000 BID**
- b. Sealed written bids will be accepted in person at City Hall, prior to 3:30 p.m. on Friday, June 3, 2022. Bids received after this day and time, will not be accepted.
- c. Any sealed written bids will be opened, examined, and declared by the mayor after 7:00 p.m., during the Regular City Council Meeting on Monday, June 6, 2022 at City Hall; located at 198 2<sup>ND</sup> St Calamus, Iowa.
- d. The City reserves the right to determine which bids conform to all terms and conditions specified in this Resolution. The City may reject any and all bids, and withdraw the Property from the bid. The final acceptance or rejection of any bid may be made at the same meeting or at any adjourned session of the same meeting held within twenty-one (21) days. Unless the City withdraws the Property, the right to purchase the Property will be granted to the highest bidder.
- e. **It is the bidders' responsibility to inspect the Property and to determine the Property's condition, value, current zoning district and comprehensive plan designation, access, matters affecting title, applicable development codes, and all other pertinent information about the Property.**
- f. The City is selling the Property in "as-is" condition and under the assumption that the successful bidder's purchase of the Property is based upon the bidder's independent investigation. The City makes no representations or warranties, express or implied, regarding the Property's physical condition or stability, the existence of hazardous materials on or under the surface of the Property, the Property's suitability for the bidder's purposes or for any other purposes, the Property's value, current zoning district, Comprehensive plan designation, or access, or matters affecting title, or applicable development codes.
- g. The Property shall be conveyed by Quit Claim Deed subject to existing liens, encumbrances, covenants, conditions, restrictions, reservations, right-of-way, and easements.
- h. The Property to be sold for cash. Within twenty-four (24) hours of the City's final acceptance of the highest bid, the highest bidder shall make a **NONREFUNDABLE** deposit of ten percent (10%) of the highest bid in the form of a Cashier's check payable to "The City of Calamus" delivered to City Hall. If the successful bidder fails to timely deliver the **non-refundable** deposit as required, the next highest bidder may submit a **non-refundable** deposit of ten percent (10%) of the next highest bid as provided in this paragraph within twenty-four (24) hours

of notification by the City. If the next highest bidder makes the deposit within such time, he or she will be deemed to be the successful bidder. The deposit shall be applied towards the purchase price of the Property.

- i. The sale of the Property shall be consummated through escrow at Brubaker, Flynn & Darland. All costs associated with the sale of the Property, including but not limited to any escrow fees, closing costs, title insurance premiums, abstract creation and update, real property transfer tax or other taxes, appraisal fees, publication costs, commissions and loan costs shall be paid by the successful bidder.
- j. The deadline for close of escrow is sixty (60) days after the City's final acceptance of the highest bid. Time is of the essence. The Successful bidder may request one (1) thirty (30) day extension of the deadline for close of escrow along with the deposit of an additional ten percent (10%) **nonrefundable** deposit to be applied towards the purchase price upon closing. In the event the successful bidder fails to perform within sixty (60) days, or ninety (90) days if an extension has been granted, (i) the City may terminate the escrow and rebid the Property, (ii) the successful bidder forfeits its **nonrefundable** deposit, and (iii) such failure shall be deemed by Brubaker, Flynn & Darland, as instruction to immediately refund the deposit to the City without any future instruction or court order.
- k. Any individual who submits a sealed or written bid on behalf of an entity shall be deemed to have represented and warranted that such individual has the legal power, right, and authority to bind the entity to purchase the Property on the terms contained in this Resolution.
- l. All bidders shall be deemed to have represented and warranted that either they, or the entity or individual they represent, have the funds necessary to pay the amount bid and all costs associated with the bid and sale of the Property.

Published upon the Order of the City of Calamus, Iowa.

Attest: Stacia Iams

Stacia Iams

City Clerk

Lance Goettsch

Lance Goettsch

Mayor



## RESOLUTION 22-26

### NOTICE TO BIDDERS

#### Public Notice of City Property Parcel Number 42-00160100 for sale by SEALED BID

The property will be sold by sealed bid, to the highest bidder at 7:00 p.m. on Monday, June 6, 2022, at the Calamus City Hall located at 198 2<sup>nd</sup> St. Calamus, Iowa, during the Regular city Council Meeting, at which time and place all sealed bids will be opened, examined and declared.

#### Sealed bids to be taken under the following terms and conditions:

- a. All sealed bids must state the bidders name, mailing address, phone number, and total amount of the bid in dollars and cents. Bid must be signed by the bidder, and submitted in sealed envelopes clearly marked on the outside **PARCEL 42-00160100 BID**
- b. Sealed written bids will be accepted in person at City Hall, prior to 3:30 p.m. on Friday, June 3, 2022. Bids received after this day and time, will not be accepted.
- c. Any sealed written bids will be opened, examined, and declared by the mayor after 7:00 p.m., during the Regular City Council Meeting on Monday, June 6, 2022 at City Hall; located at 198 2<sup>ND</sup> St Calamus, Iowa.
- d. The City reserves the right to determine which bids conform to all terms and conditions specified in this Resolution. The City may reject any and all bids, and withdraw the Property from the bid. The final acceptance or rejection of any bid may be made at the same meeting or at any adjourned session of the same meeting held within twenty-one (21) days. Unless the City withdraws the Property, the right to purchase the Property will be granted to the highest bidder.
- e. **It is the bidders' responsibility to inspect the Property and to determine the Property's condition, value, current zoning district and comprehensive plan designation, access, matters affecting title, applicable development codes, and all other pertinent information about the Property.**
- f. The City is selling the Property in "as-is" condition and under the assumption that the successful bidder's purchase of the Property is based upon the bidder's independent investigation. The City makes no representations or warranties, express or implied, regarding the Property's physical condition or stability, the existence of hazardous materials on or under the surface of the Property, the Property's suitability for the bidder's purposes or for any other purposes, the Property's value, current zoning district, Comprehensive plan designation, or access, or matters affecting title, or applicable development codes.
- g. The Property shall be conveyed by Quit Claim Deed subject to existing liens, encumbrances, covenants, conditions, restrictions, reservations, right-of-way, and easements.
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- k. Any individual who submits a sealed or written bid on behalf of an entity shall be deemed to have represented and warranted that such individual has the legal power, right, and authority to bind the entity to purchase the Property on the terms contained in this Resolution.
- l. All bidders shall be deemed to have represented and warranted that either they, or the entity or individual they represent, have the funds necessary to pay the amount bid and all costs associated with the bid and sale of the Property.

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City Clerk

Lance Goettsch

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Mayor