

**BUSINESS OF THE CITY COUNCIL
WINDSOR HEIGHTS, IOWA
AGENDA STATEMENT**


Item No. 5
For Meeting of 11/30/09

ITEM TITLE: Consideration of a resolution approving a quit claim deed for the city owned property located directly west of the intersection at 69th and Mott Avenue to the highest bidder.

CONTACT PERSON: Marketa George Oliver, City Administrator

SUMMARY EXPLANATION

The City of Windsor Heights owns property located just west of 69th Street and Mott Avenue. Originally, many years ago, before Wal-Mart and Sam's Club were located in Windsor Heights, this area would have been a continuation of Mott Avenue through, most likely to 73rd Street. Since Sam's Club has built, this road will most likely never be needed or wanted by the residents or the city. The Council directed city staff to collect bids for the purchase of the property, at a minimum bid of \$2,500. The City advertised for bids and received one bid, from Deb and Chris Klyn in the amount of \$2,600. The purchaser will be responsible for paving the driveway, which is currently gravel, and allowing access for properties to both the north and south property owners, since they currently have garage access. A public hearing vacation that portion of the street was held May 20, 2009.

<input checked="" type="checkbox"/> Resolution _____ <input type="checkbox"/> Ordinance _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Other (Specify) _____
Funding Source _____
APPROVED FOR SUBMITTAL _____ <div style="text-align: center;"> City Administrator</div>

STAFF RECOMMENDATION: Adopt resolution on a roll call vote authorizing mayor to execute property transaction.

RESOLUTION NO. 09-1130/

RESOLUTION APPROVING A QUICK CLAIM DEED FOR THE CITY OWNED PROPERTY LOCATED DIRECTLY WEST OF THE INTERSECTION AT 69TH AND MOTT AVENUE TO CHRIS AND DEB KLYN, THE HIGHEST BIDDER.

WHEREAS, for the consideration of two thousand six hundred dollars, the City of Windsor Heights, Iowa, does hereby Quit Claim to Chris and Deb Klyn, all its right, title, interest, estate, claim and demand in the following described real estate in Polk County, Iowa; and

WHEREAS, the purchasers agree to pave the driveway and maintain access to the garages from said paved driveway for the property to the south of the purchased property and pay all abstracting costs; and

WHEREAS, the real estate is the East 150 Fee of Lot B, Walnut Creek, an Official Plat, now included in and forming a part of the City of Windsor Heights, Polk County, Iowa.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Windsor Heights, Iowa, that the City Council does hereby authorize the Mayor and City Clerk to execute the Quit Claim and other appropriate documents to Chris and Deb Klyn.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to cause appropriate documentation to be recorded in the office of the Polk County Recorder in the manner provided by law.

PASSED AND APPROVED THIS 30TH DAY OF NOVEMBER, 2009.

Jerry Sullivan, Mayor

ATTEST:

Marketa George Oliver, City Administrator/City Clerk