

RESOLUTION NO. 2023-1

**RESOLUTION APPROVING VACATION OF A PORTION OF 7TH STREET
TO DENNIS AND ROBBOB BENBOW AND A PORTION
TO STURGEON PROPERTY INVESTMENTS, LLC**

WHEREAS, the City of Woodward wishes to work with property owners for the betterment of the community; and

WHEREAS, there is certain property owned by the City that is not of benefit to the City and could be productively used by the adjacent property owners; and

WHEREAS, the City of Woodward wishes to vacate a certain portion of 7th Street property to Dennis C. Benbow and Robbon J. Benbow as joint tenants and a portion to Sturgeon Property Investments, LLC; and

WHEREAS, pursuant to Sections 354.23 and 364.7 of the Code of Iowa, the City set forth its proposal to transfer the Property in a resolution and published notice as provided in Section 362.3 of the Code of Iowa of a date, time and place of a public hearing on such proposal and held the hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOODWARD, IOWA THAT:

1. The Woodward City Council hereby vacates the following described public right-of-way to Dennis C. Benbow and Robbon J. Benbow as joint tenants the following described real estate, to-wit:

The North 8 feet of that part of Seventh (7th) Street that lies between Lot Six (6) in Block Six (6) and Lot One (1) in Block Fourteen (14) in South Woodward Addition to the Town of Woodward, Dallas County, Iowa.

2. The Woodward City Council hereby vacates the following described public right-of-way to Sturgeon Property Investments, LLC the following described real estate, to-wit:

The South 8 feet of that part of Seventh (7th) Street that lies between Lot Six (6) in Block Six (6) and Lot One (1) in Block Fourteen (14) in South Woodward Addition to the Town of Woodward, Dallas County, Iowa.

3. The vacation of the above-described public right-of-way and transfer of the property to Dennis C. Benbow and Robbon J. Benbow as joint tenants and a portion to Sturgeon Property Investments, LLC is hereby approved, and the Mayor and City Clerk are hereby authorized and directed to execute such documents as may be necessary to transfer title to the Property.

4. The City of Woodward will no longer have any liability for this property and no future maintenance, snow plowing etc. will be conducted by the City on the property.
5. The Woodward City Council further resolves that this Resolution be filed in the Dallas County Auditor's office by the City Clerk.

PASSED AND APPROVED THIS 9th DAY OF JANUARY, 2023.

Moved by: Stone

Seconded by: Godwin

Ayes: Godwin, Gough, Kirts, Stone


Nays:

Absent: Patel



Todd Folkerts, Mayor

ATTEST:




Amy Orr, City Clerk

STATE OF IOWA
COUNTY OF DALLAS SS:

I the undersigned, Clerk of the City of Woodward, do hereby certify that attached hereto is a true and correct copy of the proceedings of the City Council relating to the Council's proposal to take action in connection with the vacation of right-of-way and transfer of real property, as referred to herein.

WITNESS MY HAND this 9th day of January, 2023.



City Clerk, Amy Orr