

RESOLUTION NO. #2020-37

FINALLY APPROVING DISPOSITION OF A PORTION OF RAILWAY AVENUE, ALLEYWAY AND PART OF 3 RD STREET IN THE UNINCORPORATED CITY OF CORNELL TO ADJOINING LANDOWNERS.

WHEREAS, a hearing was held on July 14, 2020, after publication of notice, on the proposed vacating and disposal of a portion of Railway Avenue, an alleyway in Block 9 and Part of 3rd Avenue and 1st Avenue in the unincorporated City of Cornell, Iowa within the county to adjoining landowners in exchange for an easement granted by adjoining land owners to Clay County for the existing 490th Avenue; and

WHEREAS, quit claim deeds and easement have been prepared by the county attorney for execution by Clay County, Iowa;

NOW, THEREFORE, be it resolved by the Board of Supervisors of Clay County, Iowa, as follows:

Section 1. The disposition of a portion of Railway Avenue, an alleyway in Block 9 and Part of 3rd Avenue and 1st Avenue in the unincorporated City of Cornell, Iowa within Clay County, Iowa, as more particularly described below, to adjoining landowners, is hereby approved in exchange for an easement granted by adjoining land owners to Clay County for the existing 490th Avenue. Said disposition shall be by quit claim deed with no warranties of title, and no abstract of title shall be furnished to any adjoining landowner.

Section 2. The legal description of the lands/street being transferred is:

- a. That part of Railroad Ave. lying east of the east line of Main Street along Lot Twenty-two (22), Block Nine (9) in the Town of Cornell, Clay County, Iowa.
- b. That portion of an alleyway that runs to the west of Lots 26 through 30, Block Nine (9), Town of Cornell, County of Clay, State of Iowa.
- c. That part of 3rd Street and 1st Avenue where they overlap in the Town of Cornell, Clay County, Iowa.

Section 3. The Chairperson of the Clay County Board of Supervisors is hereby authorized and directed to execute said quit claim deeds as well as any other documents necessary to affect this transfer of title.

Section 4. All resolutions or parts of resolutions in conflict herewith and the same are hereby repealed to the extent of such conflict.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 14th day of July, 2020 and the vote thereon being as follows:

AYES: Supervisors Swanson, Anderson, Matthews, Hamrick, and Skelton.

NAYES: None.

/s/Dan Skelton, Chairperson

ATTEST: /s/Marjorie A. Pitts, County Auditor