

RESOLUTION NO. 499

RESOLUTION VACATING CUL-DE-SAC EASEMENT FROM PHASE TWO OF
DECOTEAU SUBDIVISION

WHEREAS, the City of Harpers Ferry maintains an easement adjacent to Lots 6 and 7 of Phase 2 of the deCoteau subdivision, further described as follows:

Starting at the northwest corner of Lot 6; thence 134.53 feet along the arc of a 50.00 foot radius curve convex northerly with a central angle of $154^{\circ}-09'-29''$ and a long chord which bears $N 11^{\circ}-29'-22'' E$, 97.47 feet; thence $N 88^{\circ}-34'-06'' E$, 55.00 feet; thence $S 01^{\circ}-25'-54'' E$, 5.00 feet; thence $S 88^{\circ}-34'-06'' W$, 50.00 feet; thence $S 01^{\circ}-25'-54'' E$, 90.00 feet; thence $S 88^{\circ}-34'-06'' W$, 30.00 feet back to the northwest corner of Lot 6; and

WHEREAS, pursuant to paragraph 4 of the development agreement between the City of Harpers Ferry ("City") and Patrick Cota and Mary McGuire-Cota ("Developers") signed by both parties on March 13, 2023, the City agreed to release said easement back to the Developers upon completion of certain items of work; and

WHEREAS, the work specified in the development agreement has been completed to the City's satisfaction;

NOW THEREFORE, be it resolved by the Council of the City of Harpers Ferry, Iowa, as follows:

Section 1. The City will vacate the cul-de-sac easement specified above and release that property back to the Developers.

Section 2. All resolutions or parts of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

Passed and adopted by the Council and approved by the Mayor on the 12th day of February, 2024.

Jerry Valley

Mayor

ATTEST:

Kelli Melcher

City Clerk