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COMMUNITY DEVELOPMENT

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

MEMORANDUM

To: Mayor and City Council Members
From: Andrew Fangman, City Planner
Cc: Gregg Mandsager, City Administrator
Dave Gobin, Community Development Director
Date: December 6, 2018
Re: Resolution's Authorizing the Sale of and Executing a Deed of Surplus City Property (the Southerly 9,422 Sq. feet of Parcel #0836128003 - Located at the End of Halstead Street)

The City of Muscatine has accumulated a number of parcels of land for which the continued public ownership of no longer serves any useful purpose. In order to return these parcels to a useful purpose, restore them to the tax roll, and to reduce maintenance costs associated with these parcels to the City, the City Council has previously declared a number of City owned parcel as surplus and directed City Staff to actively seek the sale of these surplus properties.

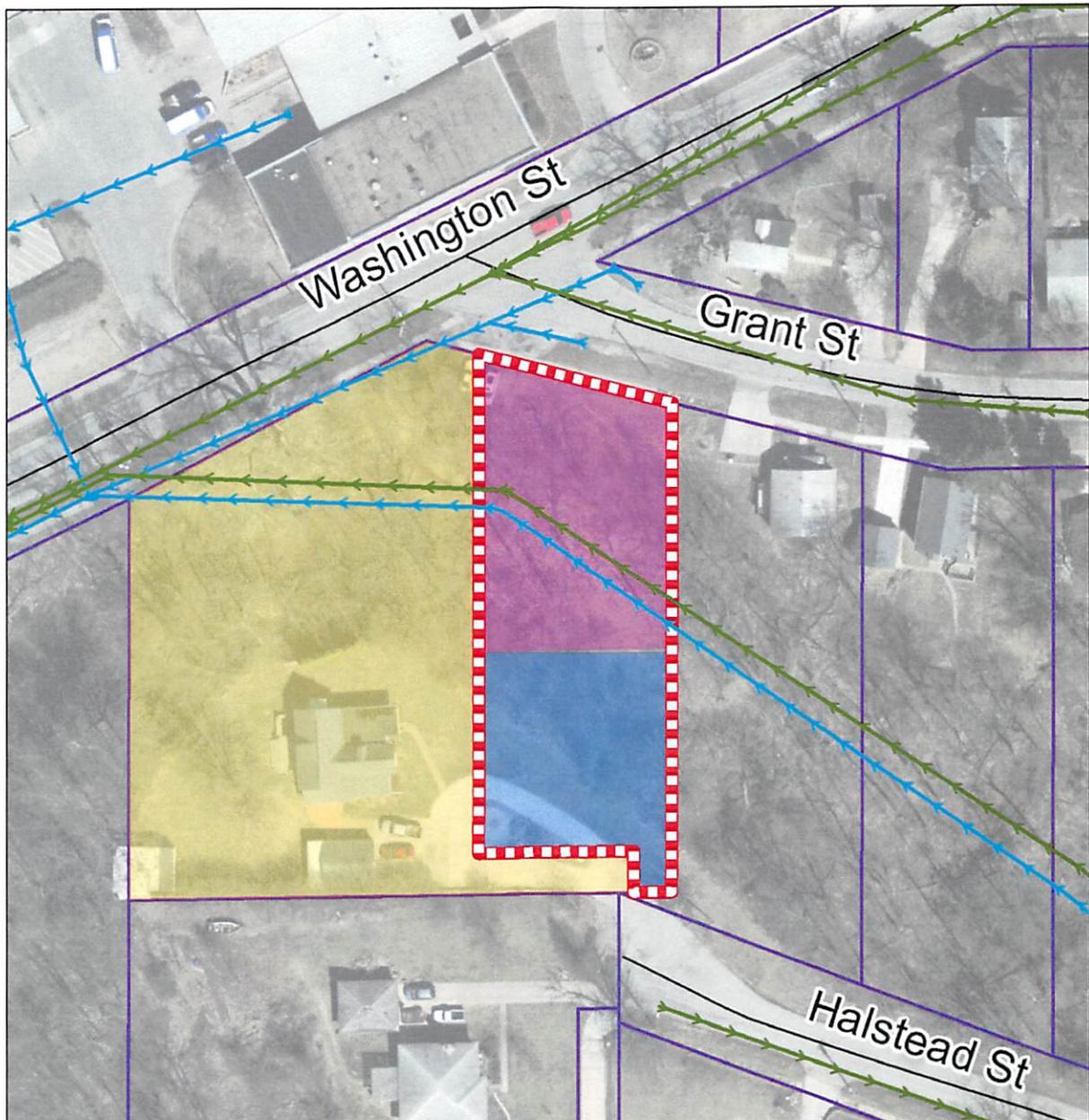
City Staff has negotiated a purchase agreement with Shelley L. Meyer and Jonathan P. Meyer, adjoining property owners, regarding the sale of a portion of a surplus city owned parcel (Parcel #0836128003, located at the end of Halstead Street). Under this agreement the Meyer's would purchase the southernmost 9,422 square feet of this parcel for \$1,900 and then combine the purchase with their adjoining parcel. The City would retain ownership of the remainder of Parcel #0836128003. At its December 6th meeting City Council approved this purchase agreement, it is now necessary for Council to pass a resolution authorizing the sale of this parcel as directed by this agreement, and a resolution executing this deed.

City ownership of the northern portion of Parcel #0836128003 will be retained because of the presence of existing City infrastructure. A sanitary and storm sewer lines cross the area that will be retained under City ownership. Because these sewer lines were constructed after the City acquired this parcel, no easements for these sewer lines were established. Additionally, there is a small overflow parking lot, for the City Public Works Department, on the northern edge, where adjoins Washington Street, of this parcel.

A purchase price of \$1,900 has been negotiated. The Muscatine County Assessor has assessed the entirety of Parcel #0836128003 at \$2,680. Because the Meyer's are only portion of this parcel the negotiated the purchase price of \$1,900 represents is prorated portion of the assessed value based on the amount of Parcel #0836128003 being purchased by the Meyer's.

Supporting Documents

1. Map
2. Purchase Agreement
3. Resolution Authorizing the Sale of a Surplus City Property
4. Resolution Executing a Deed



Legend

-  City Owned Parcel that is to be Split
-  Property to be Retained by the City
-  Property to be Conveyed to the Meyer's
-  The Meyer's Current Parcel
-  Parcel Lines
-  Sanitary Sewers
-  Storm Sewers



Date Source: Muscatine Area Geographic Information Consortium and City of Muscatine
Prepared by: Andrew Fangman, City Planner
Date: November 20, 2018

RESOLUTION NO. _____

A Resolution Authorizing the Sale of
City Property to Shelley L. Meyer and Jonathan P. Meyer

WHEREAS, as Resolution was adopted by the City Council of Muscatine, Iowa, on December 20, 2018, concerning the proposed sale of all the City's right, title, and interest in and to the real property described in the copy of the Deed attached to this Resolution and incorporated by reference; and

WHEREAS, the Resolution provided that notice of intention to sell the real property should be given by publication of a Public Notice in *The Muscatine Journal* no less than 4 or more than 20 days before the City Council meeting to be held on January 3, 2019, and the notice was published as specified in the Resolution and as required by law; and

WHEREAS, the Resolution provided for a public hearing on the proposed sale of real property, and such public hearing has been held; and

WHEREAS, the City Council of Muscatine, Iowa, on December 6, 2018 approved a purchase agreement between City of Muscatine and Shelley L. Meyer and Jonathan P. Meyer for \$1,900.

IT IS, THEREFORE, RESOLVED, by the City Council of Muscatine, Iowa, as follows:

1. The City of Muscatine, Iowa, will sell and convey all its right, title, and interest in and to the real property described as **Except for the Westerly 76 feet of the Southerly 20 feet, The Southerly 117 feet of Lot "P" of the Subdivision of Outlot One in Section 36, in Township 77 North, of Range 2 West, of the 5th Principal Meridian, in the City of Muscatine, in Muscatine County, Iowa.**, Iowa to Shelley L. Meyer and Jonathan P. Meyer in exchange for \$1,900.

2. The Mayor is authorized and directed to sign the Deed for the conveyance identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature; and will be in substantially the same form as the copy of the Deed attached to this Resolution as "Exhibit A".

4. The deed will be delivered upon receipt of \$1,900.

5. Any resolution or part thereof in conflict or inconsistent with this Resolution is repealed.

PASSED, APPROVED, AND ADOPTED on January 3, 2019.

(CITY SEAL)

ATTEST:

Diana L. Broderson, Mayor

Gregg Mandsager, City Clerk

Prepared by: Andrew Fangman, 215 Sycamore Street, Muscatine, IA 52761; 563.262.4141
Return and Tax Statement to Shelley L. Meyer and Jonathan P. Meyer, 1103 Halstead Street, Muscatine,
IA 52761

WARRANTY DEED

The City of Muscatine, Iowa, a municipal corporation situated in Muscatine County, Iowa, for valuable consideration, transfers and conveys to Shelley L. Meyer and Jonathan P. Meyer all its right, title, and interest in the following real property in Muscatine County, Iowa:

Except for the Westerly 76 feet of the Southerly 20 feet, The Southerly 117 feet of Lot "P" of the Subdivision of Outlot One in Section 36, in Township 77 North, of Range 2 West, of the 5th Principal Meridian, in the City of Muscatine, in Muscatine County, Iowa.

Exempt from transfer tax per Iowa Code Section 428A.2(6).

The City covenants with the grantee, its successors and assigns, to warrant and defend the real property against the lawful claims of all persons claiming by, though, or under the City.

IN WITNESS WHEREOF, the City of Muscatine, Iowa, has caused this instrument to be executed in its corporate name by its Mayor and City Clerk and its seal to be affixed on January 3, 2019.

CITY OF MUSCATINE, IOWA

(CITY SEAL)

By _____
Diana L. Broderson
Mayor

ATTEST:

Gregg Mandsager
City Clerk

STATE OF IOWA, MUSCATINE COUNTY, ss.

This instrument was acknowledged before me on _____, 2019, by Diana L. Broderson and Gregg Mandsager as Mayor and City Clerk, respectively, of the City of Muscatine, Iowa.

Notary Public in and for the State of Iowa

Prepared by/Return to: Andrew Fangman 215 Sycamore St Muscatine IA 52761 (563) 262-4141

STATE OF IOWA)
) ss:
MUSCATINE COUNTY)

CERTIFICATE

I, Nancy Lueck, Director of Finance of the City of Muscatine, Iowa, certify that true copies of the following documents are attached to this Certificate:

- a. Resolution No. _____ concerning a proposed sale of City property, with Public Notice attached.
- b. Affidavit of Published Notice.
- c. Resolution No. _____ authorizing the sale of City property and approving the attached Deed.
- e. Original Deed.

These documents relate to the vacation and sale of property in the City of Muscatine, Iowa; the Ordinance and Resolutions were duly adopted and approved by the City Council of Muscatine, Iowa; and the originals are on file at City Hall in Muscatine, Iowa.

Nancy Lueck, Director of Finance

Signed and sworn to before me on _____, 2019.

Notary Public in and for the
State of Iowa