

COMMUNITY DEVELOPMENT

MEMORANDUM

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

To: Mayor and City Council Members
From: Andrew Fangman, Assistant Community Development Director
Cc: Gregg Mandsager, City Administrator
Date: July 18, 2019
Re: Resolution Authorizing the Sale of and Executing
(Parcel # 083518225), Lots 5 & 10 Scholten's Addition

The City of Muscatine has accumulated a number of parcels of land for which the continued public ownership 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 parcels as surplus and directed City Staff to actively seek the sale of these surplus properties.

City Staff has negotiated a purchase agreement Robert E. Wilson, an adjoining property owner, regarding the sale of a portion of surplus city owned Parcel # 083518225, Lots 5 & 10 Scholten's Addition, which adjoins 1015 Sycamore Street.

This property is landlocked, it is only accessible by crossing a parcel owned by someone else, and there are no access easements. The remnant alley right of way which adjoins this parcel does not connect with any public right of way, and so does not provide legal access to this property. As such, despite the fact the City owns this property and has the duty to maintain this parcel, the City has no legal means to access this property to perform this required maintenance.

The continued ownership of a parcel that cannot be accessed is not in the best interest of the City. The best solution is to sell this to one of the owners of one of the five directly adjoining parcels, and have them make it part of their existing parcel.

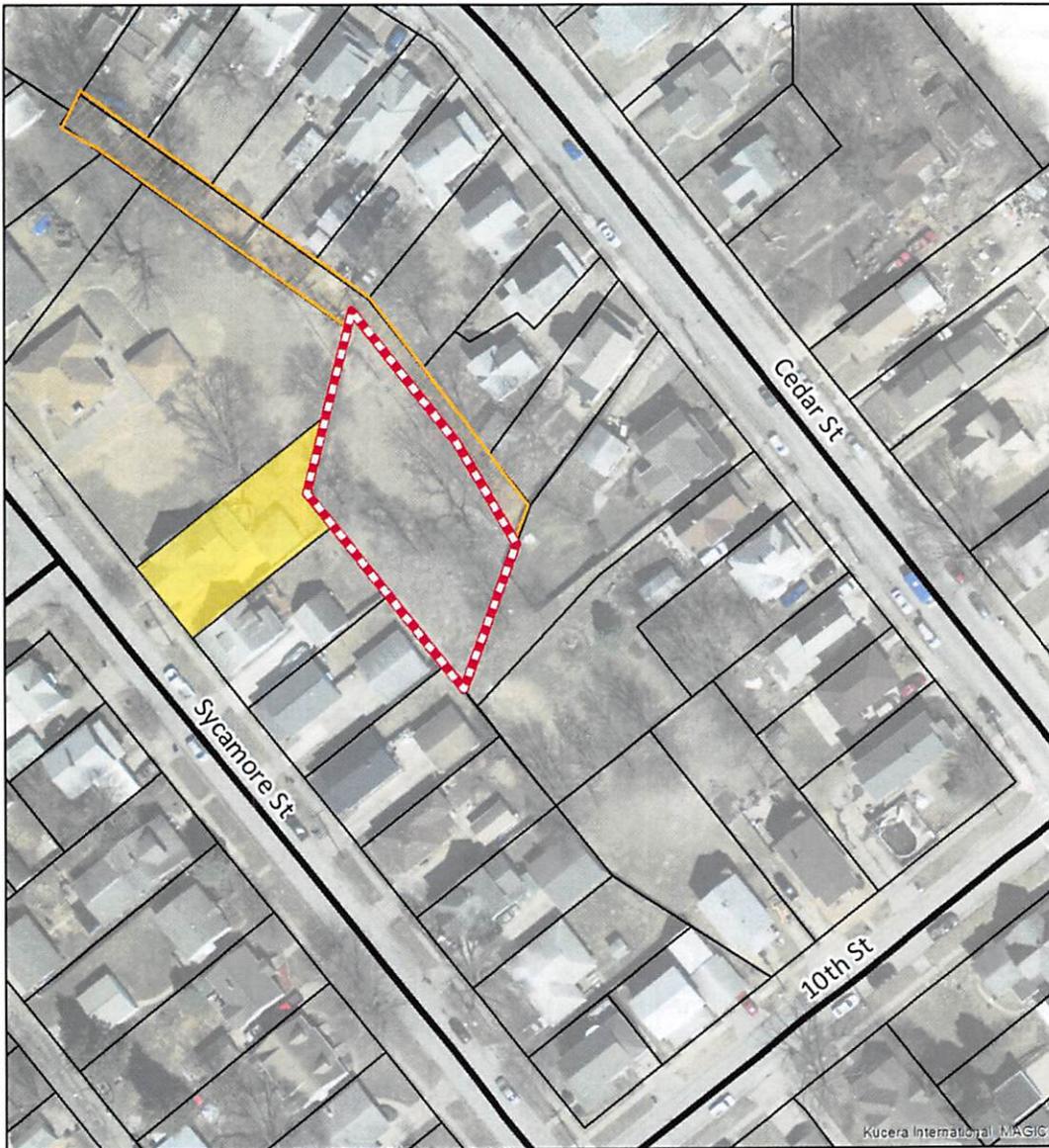
A purchase agreement and purchase price of \$250 has been negotiated with Robert Wilson, the only adjoining landowner who showed an interest in this property. The negotiated price of \$250 is based on the costs to the City of processing the sale of a surplus property. The sale price of \$250 ensures the cost to the City of completing this transaction does not exceed its sale price.

On June 6, 2019 the City Council approved this purchase agreement. The attached resolution will allow this agreement to be executed.

Supporting Documents

1. Resolution Authorizing the Sale of and Executing a Deed of Surplus City Property

"I remember Muscatine for its sunsets. I have never seen any
on either side of the ocean that equaled them" – Mark Twain

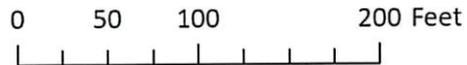


Kucera International, MAGIC

Legend

-  Surplus Parcel Proposed for Sale
-  Alley Rement
-  Wilson Parcel
-  Parcel Lines

Date Source: Muscatine Area Geographic Information Consortium and City of Muscatine
 Prepared by: Andrew Fangman,
 Assistant Community Development Director
 Date: May 10, 2018



RESOLUTION NO. 2019-0209

**A Resolution Authorizing the Sale of
City Property to Robert E. Wilson**

WHEREAS, as Resolution was adopted by the City Council of Muscatine, Iowa, on July 3, 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 July 18, 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 June 6, 2018 approved a purchase agreement between City of Muscatine and Robert E. Wilson for \$250.

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 **Lots 5 & 10 of Scholten's Addition to the City of Muscatine, Iowa "in Muscatine County, Iowa, Iowa tp Robert E. Wilson in exchange for \$250.**

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 "Exhibited A".

4. The deed will be delivered upon receipt of \$250.

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

PASSED, APPROVED, AND ADOPTED on July 18, 2019.

(CITY SEAL)

Diana L. Broderson, Mayor

ATTEST:

Gregg Mandsager, City Clerk

Prepared by: Andrew Fangman, 215 Sycamore Street, Muscatine, IA 52761; 563.262.4141
Return and Tax Statement to: Robert E. Wilson, 1015 Sycamore 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 Robert E. Wilson all its right, title, and interest in the following real property in Muscatine County, Iowa:

Lots 5 & 10 of Scholten's Addition to the City of Muscatine, Iowa "in Muscatine County, Iowa.

Exempt from transfer tax per Iowa Code Section 428A.2(21).

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 July 18, 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