

RESOLUTION NO. _____

A RESOLUTION CONVEYING VACATED RIGHT-OF-WAY (A PORTION OF HANCOCK STREET AND LAKE PARK BOULEVARD) IN THE CITY OF MUSCATINE, IOWA TO Kenneth W. LaRue and Dana A. LaRue

WHEREAS, the Planning and Zoning Commission of the City of Muscatine has recommended approval of the vacation and conveyance of the Hancock Street and Lake Park Boulevard right of way the adjoining property owners and; and

WHEREAS, due notice of said proposal to vacate and convey said right-of-way and to further convey said vacated right to the adjoining property owners was given as provided by law, setting forth the time and place for hearing on said proposal; and

WHEREAS, in accordance with said notice, those interested in said proposed vacation and conveyance, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council of the City of Muscatine, Iowa at public hearing held on September 19, 2019; and

WHEREAS, the said right-of-way was vacated by Ordinance, on October 18, 2019; and

WHEREAS, Kenneth W. LaRue and Dana A. LaRue are the adjoining property for the portion said vacated right of way identified in the Right of Way Vacation Plat attached hereto as Exhibit A and is described as follows:

PARCEL "DD" –

THE SOUTH 15 FEET OF HANCOCK STREET IN PARK PLACE ADDITION TO THE CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA LYING EAST OF THE ALLEY IN BLOCK 71 OF PARK PLACE ADDITION AND WEST OF ISETT AVENUE. CONTAINING 3,241 SQUARE FEET.

and

PARCEL "EE" –

A PART OF LAKE PARK BOULEVARD IN PARK PLACE ADDITION TO THE CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA. COMMENCING AT THE NORTHEAST CORNER OF LOT 2 IN BLOCK 71 OF PARK PLACE ADDITION; THENCE NORTH 86°35'56" EAST 71.83 FEET TO THE POINT OF BEGINNING; THENCE NORTH 53°18'37" EAST 52.90 FEET TO THE WEST LINE OF ISETT AVENUE; THENCE SOUTH 03°23'46" EAST 29.03 FEET; THENCE SOUTH 86°35'56" WEST 44.21 FEET TO THE POINT OF BEGINNING. CONTAINING 642 SQUARE FEET AND SUBJECT TO EASEMENTS OF RECORD.

PARCEL "FF" –

BEGINNING AT THE NORTHEAST CORNER OF LOT 2 OF BLOCK 71 OF PARK PLACE ADDITION TO THE CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA; THENCE NORTH 86°35'56" EAST 99.16 FEET; THENCE SOUTH 53°18'37" WEST 118.63 FEET TO THE EASTERLY LINE OF LOTS 1 AND 2 IN BLOCK 71 EXTENDED; THENCE NORTH 03°23'46" WEST 65.11 FEET TO THE POINT OF BEGINNING. EXCEPT FOR THE WESTERLY 22' OF SAID PARCEL "FF"

WHEREAS, it the intent of the City to convey said vacated right of way Kenneth W. LaRue and Dana A. LaRue.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA, as follows:

1. The City of Muscatine, Iowa, will sell and convey its rights, title, and interest in and to the real property described in the copy of the deed attached to this Resolution marked Exhibit B to Kenneth W. LaRue and Dana A. LaRue. for \$10.00, the receipt of which is hereto acknowledged.
2. The deed will be in the name of the City of Muscatine, Iowa; will be signed by the Mayor and attested by the City Clerk; and will be in substantially the same form as the copy of the deed attached as Exhibit B to this Resolution.
3. Any Resolution or part thereof in conflict or inconsistent with this Resolution is repealed.

PASSED, APPROVED AND ADOPTED this 17th day of October, 2019.

**BY THE CITY COUNCIL OF THE
CITY OF MUSCATINE, IOWA**

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: Kenneth W. LaRue and Dana A. LaRue, 45 Colony Dr, 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 Kenneth W. LaRue and Dana A. LaRue all its right, title, and interest in the following real property in Muscatine County, Iowa:

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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, through, 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 October 17, 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 October 17, 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