



City Hall, 215 Sycamore St.  
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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

**Cc:** Gregg Mandsager, City Administrator

**From:** Steven Boka, Director of Community Development

**Date:** August 12, 2013

**Re:** Clark Request – Vacation the Alley R-O-W Remnant – Burnside Avenue

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**INTRODUCTION:** A vacation request has been submitted by Cynthia Clark, owner of the property abutting an unimproved alley right-of-way in Block 2 of Burnside's 2<sup>nd</sup> Addition off Burnside Avenue.

**BACKGROUND:** Four property owners border all of the alley right-of-way located within the property shown on the attached Vacation Plat. Collectively, the owners are now requesting that the remaining alley right-of-way adjacent to their property be vacated, sold and transferred to them for their future use. Following final action on the Ordinance on August 15<sup>th</sup>, the City Council must take action by resolution to authorize the sale of the alley right-of-way and act on the resolution approving the executed deeds. The Owners have agreed to a proposed purchase price of \$1.05/sq. ft.

**RECOMMENDATION/RATIONALE:** It is recommended that City Council take action to waive the 2<sup>nd</sup> reading and approve the ordinance on final reading. The City Council will then have the opportunity to act on the resolution authorizing the sale and transfer of the alley ROW and approve the resolutions approving the executed deeds for the alley right-of-way as shown on the attached Vacation Plat attached hereto.

**BACKUP INFORMATION:**

1. Resolution authorizing the sale of city property
2. Resolution approving the executed deed
3. Deed
4. Vacation Plat

Prepared by Steven Boka, 215 Sycamore Street, Muscatine, Iowa 52761 563.262.4141

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE SALE OF CITY PROPERTY**

**WHEREAS**, a Resolution was adopted by the City Council of Muscatine, Iowa, on July 18, 2013, concerning the proposed sale of the City's rights, 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 vacate and transfer the real property should be given by publication of a Public Notice 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 finds the sale of the real property will serve the public interest and has approved the sale of the real property;

**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 A to Dennis E. and P. Diane Schroeder for \$1,050.00.
2. 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 Junior Castillo for \$1,046.85.
3. 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 C to Cynthia Clark for \$1,171.80.

4. 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 D to Linda L. Allison for \$924.00.
5. The deeds 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 substantially the same form as the copy of the deed attached to this Resolution.
6. The Deeds will be delivered to the Buyers upon full payment of the purchase price.
7. Any Resolution or part thereof in conflict or inconsistent with this Resolution is repealed.

**PASSED, APPROVED, AND ADOPTED** this 15<sup>th</sup> day of August, 2013.

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

(SEAL)

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DeWayne Hopkins, Mayor

**ATTEST:**

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Gregg Mandsager, City Clerk