

**RESOLUTION NO. 2021\_0041**

**A Resolution Declaring Certain Described Real Estate as Surplus and Authoring the Execution of a Quit Claim Deed to Said Described Real Estate to Matthew Ray Schumacher and Sarah Roberta Schumacher**

**WHEREAS**, as Resolution was adopted by the City Council of Muscatine, Iowa, on February 4, 2021, concerning the proposed sale of all the City's rights, title, and interest in and to the real property described in the copy of the Deed "Exhibit A" to this Resolution and incorporated by reference; and

**WHEREAS**, due notice of said proposal to convey said real property convey to adjoining property owners was given as provided for by law, setting forth the time and place for hearing on said proposal; 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**, in accordance with said notice, those interested in said proposed 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 February 4, 2021; and

**WHEREAS**, the City Council of Muscatine, does hereby declare to be surplus and it to be in the best interest of the public to dispose of the described real estate, in Muscatine, Iowa,

**WHEREAS**, the City of Muscatine, Iowa on February 4, 2021 approved sale between the City of Muscatine and Matthew Ray Schumacher and Sarah Roberta Schumacher for \$1,000

**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 Matthew Ray Schumacher and Sarah Roberta Schumacher.
2. The deed will be delivered upon receipt of \$1,000.
3. 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 A" to this Resolution.

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 Any Resolution or part thereof in conflict or inconsistent with this Resolution is repealed.

**PASSED, APPROVED AND ADOPTED this 4<sup>th</sup> day of February, 2021.**

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

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**Diana L. Broderson, Mayor**

**Attest:**

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**Carol Webb, City Clerk**

Exhibit A

Prepared by: April Limburg, 215 Sycamore Street, Muscatine, IA 52761; 563.262.4141  
Return and Tax Statement to: Matthew and Sarah Schumacher, 1312 Orange St, Muscatine IA 52761-0071

**WARRANTY DEED**

The City of Muscatine, Iowa, a municipal corporation situated in Muscatine County, Iowa, for valuable consideration, transfers and conveys Matthew Ray Schumacher and Sarah Roberta Schumacher all its right, title, and interest in the following real property in Muscatine County, Iowa:

**All that part of Lots Fifty-four (54) and Eighty-three (83) of Oak Ridge Addition to the City of Muscatine, Iowa, as per Auditor's Plat thereof, and all that part of Lot Twenty-Three (23) of Peasley's Addition to the City of Muscatine, Iowa, as per Auditor's Plat thereof, lying Northwesterly of the following described straight line, to-wit:**

Commencing on the Westerly side of Orange Street in the City of Muscatine, Iowa, at a point 46 Feet northerly from the most southeasterly corner of said Lot Fifty-Four (54) of Oak Ridge Addition; thence extending in a southwesterly direction to a point on the southwesterly line of Lot Eighty-three (83) of Oak Ridge Addition to the City of Muscatine, Iowa, as per Auditor's Plat thereof, 46 feet northwesterly from the most southwesterly corner of said Lot Eighty-Three (83),

and, also,

**All that part of Lot fifty-three (53) of Oak Ridge Addition to the City of Muscatine, Iowa, as per Auditor's Plat thereof, and all that part of Lot Twenty-Two (22) of Peasley's Addition to the City of Muscatine, Iowa as per Auditor's plat thereof, lying Southeasterly of the following described straight line, to-wit:**

Commencing on the Westerly side of Orange Street in the City of Muscatine, Iowa, at a point 8 feet northwesterly from the most southeasterly corner of Lot Fifty-Three (53) of Oak Ridge Addition to the City of Muscatine, Iowa, as per Auditor's Plat thereof; thence extending in a southwesterly direction to a point 13.4 feet northeasterly from the southwesterly line of Lot 22 of Peasley's Addition to the City of Muscatine, Iowa, as per Auditor's Plat thereof, and 37 feet Southeasterly from the Northwesterly line of said Lot Twenty-Two (22), of Peasley's Addition to the City of Muscatine, Iowa as per Auditor's Plat thereof.

*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.

Exhibit A

IN WITNESS WHEREOF, the City of Muscatine, Iowa, has caused this instrument to be executed in its corporate name by its Mayor and City Administrator and its seal to be affixed on February 4, 2021.

CITY OF MUSCATINE, IOWA

(CITY SEAL)

By \_\_\_\_\_  
Diana L. Broderson  
Mayor

ATTEST:

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Carol Webb  
City Clerk

STATE OF IOWA, MUSCATINE COUNTY, ss.

This instrument was acknowledged before me on \_\_\_\_\_, 2021, by Diana L. Broderson and Carol Webb as Mayor and City Clerk, respectively, of the City of Muscatine, Iowa.

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Cinda Hilger, Notary Public in and for the State of Iowa