



City of Muscatine



AGENDA ITEM SUMMARY

DATE: 8-19-21

City Council

STAFF

Andrew Fangman, Assistant Community Development Director

SUBJECT

A request to approve a temporary construction easement at 117 West 3rd Street

EXECUTIVE SUMMARY

The Stanley Center for Peace and Security is requesting a temporary construction easement across a portion of the Clark House property at 117 West 3rd Street in order to facilitate their construction project at 304 Iowa Avenue

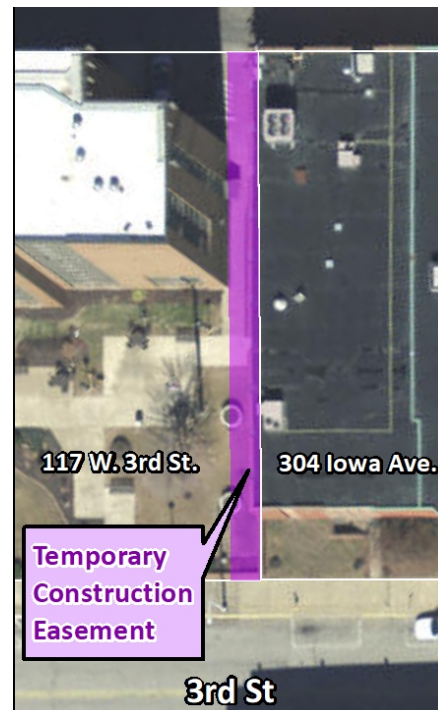
STAFF RECOMMENDATION

Staff recommends Council, acting as the Board of Commissioners for the Low Rent Housing Commission (Muscatine Municipal Housing Agency), approve attached temporary construction easement.

BACKGROUND/DISCUSSION

In October 2020 Stanley Center for Peace and Security acquired the former location of the Musser Public Library from the City of Muscatine to be renovated for the Center's new office. The building will become one of the most environmentally-friendly and ecologically-sustainable buildings in the world upon completion. It will include space dedicated to the center's programming and provide opportunities to synergize with local resources such as the Musser Library, Muscatine School District, Muscatine Art Center, and international visitor programs. The renovated building will model green practices and raise awareness about the need for collective action on global challenges, such as climate change.

The Stanley Center is requesting a temporary construction easement on the easternmost 8 feet of the Clark House property. This easement would allow for building materials to be moved in and out of the project site at 304 Iowa Ave. Granting this temporary easement will not impact operations at the Clark House, and the Stanley Center will be responsible for the restoration of the temporary easement area.



CITY FINANCIAL IMPACT

None.

ATTACHMENTS

1. Easement Agreement

WHEN RECORDED RETURN TO:

Andrew Fangman, Assistant Community Development Director
215 Sycamore Street
Muscatine, IA, 52761

Preparer Information: Erin M. Clanton, 6701 Westown Parkway, Suite 100, West Des Moines, Iowa 50266 (515) 274-1450

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, the Low Rent Housing Commission d/b/a Muscatine Municipal Housing Agency, hereinafter referred to as "Grantor" in consideration of the sum of one dollar (\$1.00), and other valuable consideration, in hand paid by the Grantee, receipt of which is hereby acknowledged, does hereby sell, grant and convey unto The Stanley Foundation d/b/a Stanley Center for Peace and Security, an Iowa non-profit organization, in the County of Muscatine, State of Iowa, hereinafter referred to as "Grantee" or "Stanley", a permanent easement under, through, and across the following described real estate:

The easterly 8' of Lot 3 of Block 55 of the Original Town of Muscatine, Iowa

(as depicted on the attached Exhibit 1) the "Easement Area"

That the above described easement is granted unto Stanley to have temporary access to the Clark House property during the construction phase of its project on Lots 4 and 5 of Block 55 of the Original Town of Muscatine, Iowa (the "Project"). Such temporary easement shall begin on the date of this Easement and expire on July 1, 2023.

In connection herewith it is specifically agreed that by this easement, Stanley shall have the right to enter upon said premises as shall be necessary to construct, reconstruct, inspect, maintain and service the Project.

That the Grantor does hereby covenant with the said Grantee, and successor-in-interest, that said Grantor holds said real estate by title and fee simple; that it has good and lawful authority to sell and convey the same; that said premises are free and clear of all liens and encumbrances whatsoever, except as may be herein stated.

IN WITNESS WHEREOF, we have hereunto affixed our hands this _____ day of _____, 2021.

LOW RENT HOUSING COMMISSION D/B/A MUSCATINE MUNICIPAL HOUSING AGENCY

By _____
Diane L. Broderson, Chair

ATTEST:

Carol Webb, City Clerk

STATE OF IOWA)
) ss:
COUNTY OF MUSCATINE)

On this _____ day of _____, 2021, before me, a Notary Public in and for said county, personally appeared Diane L. Broderson and Carol Webb, as Chair and City Clerk respectively, to me personally known, who being by me duly sworn said this instrument was properly signed by the Low Rent Housing Commission d/b/a Muscatine Municipal Housing Agency and acknowledged the execution of said instrument to be the voluntary act and deed of the Low Rent Housing Commission d/b/a Muscatine Municipal Housing Agency.

Notary Public in and for the State of Iowa

Exhibit 1



Legend



Easement Area



Parcel Lines

20 10 0 20 Feet

