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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: Andrew Fangman, City Planner

Date: April 5, 2012

Re: Voluntary Annexation - City of Muscatine -Municipal Airport Property - 2 Areas - 47 Acres

INTRODUCTION: Section 368.7 of the Code of Iowa sets out the procedures that a city must follow when processing a request for voluntary annexation.

BACKGROUND: Over the past several years additional acreage was acquired by the City of Muscatine and added to the Muscatine Municipal Airport as part of the Federal Aviation Admiration's Building Restriction Line program. Approximately 47 acres of this area added to the Muscatine Municipal Airport is located outside, but is adjacent to the Corporate Limit Line.

Staff has initiated the process to annex these 47 municipally owned acres which are located in two distinct locations at the Muscatine Municipal Airport. This annexation would bring the entire municipal airport within the City of Muscatine corporate limit. Additionally that City would benefit from a small savings on property taxes paid on any portion these 47 acres leased for agricultural production

The application was reviewed and recommend for approval by the Planning and Zoning Commission at their February 14, 2012 Meeting. The City Council was briefed on this proposed voluntary annexation at the March 8, 2012 In-depth meeting. A public hearing on this proposed annexation was held on April 5, 2012. No objections to this proposed voluntary annexation have been raised.

The resolution approving this proposed voluntary annexation will place the newly annexed real estate in A-P Airport District, consistent with the zoning of the rest of the Muscatine Municipal Airport.

RECOMMENDATION: It is therefore recommended that the City Council approve the attached resolution voluntary annexing of 47 acres of real estate owned by the City of Muscatine at the Muscatine Municipal Airport.

BACKUP INFORMATION:

1. Resolution
2. Exhibit A- Legal Description
3. Exhibit B- Map

Prepared by Andrew Fangman, 215 Sycamore Street, (563) 262-4141, Muscatine, Iowa 52761

RESOLUTION NO. _____

**RESOLUTION VOLUNTARILY ANNEXING CERTAIN REAL
ESTATE TO THE CITY OF MUSCATINE, IOWA**

WHEREAS, the City of Muscatine, Iowa, is a duly organized municipal corporation; and

WHEREAS, there has been presented to the City Council an request in accordance with the requirements of by Iowa Code 368.7 for the annexation of municipally owned real estate, said real estate lying adjacent to the existing corporate limits of the City of Muscatine, Iowa, said real estates exists in two distinct and discontinuous areas hereafter referred to as Area A and Area B, and being described in Exhibit A attached hereto; and

WHEREAS, a map showing the relationship of the territories to be annexed to the existing boundaries of the City of Muscatine is attached hereto as Exhibit B; and

WHEREAS, the City of Muscatine, Iowa, desires to annex said real estate:

IT IS, THEREFORE RESOLVED BY THE CITY OF MUSCATINE, IOWA, as follows:

1. The annexed real estate is owned by the City of Muscatine, Iowa, and the City of Muscatine, Iowa desires said real estate to be annexed.
2. The annexed real estate shall be and become part of the City of Muscatine, Iowa, upon receipt of acknowledgement by the Secretary of State for the State of Iowa that it has received the attached map, resolution, and a certificate by the City Clerk that copies of the attached map and this resolution have been filed with the Muscatine County Recorder and the Secretary of State and that copies of this resolution and attached map and legal description have been filed with the Iowa Department of Transportation.
3. The annexed real estate shall be zoned as A-P Airport District.
4. The City Clerk shall cause this Resolution and the Exhibits attached hereto to be filed with the Secretary of State, the Muscatine County Recorder, and the Iowa Department of Transportation as required as required by Iowa Code 368.7

PASSED, APPROVED AND ADOPTED this 5th day of April, 2012.

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

DeWayne M. Hopkins, Mayor

Attest:

Gregg Mandsager, City Clerk

Exhibit A Voluntary Annexation- City of Muscatine -Municipal Airport Property - 47 Acres

Legal Description of Real Estate Being Annexed

Area A

Beginning at the southwest corner of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 24, Township 76 North, Range 3 West of the 5th Principal Meridian; in Muscatine County, Iowa; thence east 171.15 feet along the south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 24 to the intersection of the south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 24 and the southeast line Lot 14 of the Keokuk Lake Survey in Muscatine County; thence north 56°00'59"west along said lot line 43.39 feet; thence north 56°00'59' west 165.51 feet along the northeast line of Parcel H recorded in Plat Book 10, page 297 to the intersection with the west line of Section 24; thence north 56° 00'59" west 330.58 feet along the northeast line of said parcel; thence south 33°59'01" west, 845.36 feet along the northwest line of said parcel; thence south 33°59'01" west, 154.64 feet; thence south 56°00'59" east, 81.01 feet; thence south 56°00'59" east along southwest line of Parcel G recorded in Plat Book 10, page 297 to the intersection of said parcel line and the west line of Section 24; thence north along the west line of Section 24 to the point of beginning. All referenced documents have been recorded in the Office of the Muscatine County Recorder.

Area B

Beginning at northeast corner of Section 26, Township 76 North, Range 3 West of the fifth Principal Meridian; in Muscatine County, Iowa; thence south 89°34'35" west 1000 feet to the northwest corner of Parcel "R", recorded as Document No. 2006-02093; thence south 0°25'25" east 666 feet along the west line of said parcel; thence north 88°47'55" east 316.24 feet along said parcel line; thence south 33°03'04" east 784.77 along said parcel line; thence south 33°03'04" east 715.23 feet along the west line of Parcel "S", recorded as Document No. 2006-02092; thence north 56°56'56" east 1,114.87 feet along said parcel line to south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 25; thence west along the south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 25 to the intersection with the east line of Section 26; thence north along east line of Section 26 to point of beginning. All referenced documents have been recorded in the Office of the Muscatine County Recorder.

Exhibit B Voluntary Annexation- City of Muscatine -Municipal Airport Property - 47 Acres

Map Showing the Relationship of the Territory to be Annexed to the Existing Boundaries of the City of Muscatine

