

COMMUNITY DEVELOPMENT

MEMORANDUM

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

To: Mayor and City Council Members
Cc: Gregg Mandsager, City Administrator
From: Andrew Fangman, City Planner
Date: July 2, 2015
Re: Resolution Accepting a Quit Claim Deed for Property Need for the Diana Queen Drive Construction Project

INTRODUCTION: Central State Bank has agreed to donate the 1.23 acres of property need to complete the Diana Queen Drive Construction Project.

BACKGROUND: It is the intent of the City to extend Diana Queen Drive to connect with Steamboat Way from where it currently terminates just north of the Sunnybrook Assisted Living Facility. To do this acquisition of 1.23 acres of property, currently owned by Central State Bank is necessary. Central State Bank has agreed to donate this property to the City of Muscatine in order to make this project possible.

RECOMMENDATION/RATIONALE: Staff recommends approval of this resolution.

BACKUP INFORMATION:

1. Plat of Survey



RESOLUTION NO. _____

**A RESOLUTION ACCEPTING THE QUIT CLAIM DEED FROM
CENTRAL STATE BANK TO THE CITY OF MUSCATINE, IOWA**

WHEREAS, where Central State Bank has prepared a quit claim deed to the City of Muscatine, Iowa the following described real estate in Muscatine Iowa:

A PARCEL OF LAND LOCATED IN SECTIONS 21, 27 AND 28, TOWNSHIP 77 NORTH, RANGE 2 WEST OF THE 5TH P.M., MUSCATINE COUNTY, IOWA. COMMENCING AT THE NORTHWEST CORNER OF SECTION 27; THENCE NORTH 89°43'12" EAST 303.59 FEET ALONG THE NORTH LINE OF SECTION 27; THENCE SOUTH 01°33'12" WEST 384.80 FEET; THENCE SOUTH 64°31'40" WEST 133.64 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 64°31'40" WEST 10.00 FEET; THENCE SOUTH 66°11'49" WEST 60.03 FEET TO THE BEGINNING OF A 370.00 FOOT Radius CURVE CONCAVE SOUTHWESTERLY WHOSE 313.38 FOOT CHORD BEARS NORTH 50°47'50" WEST; THENCE NORTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 323.59 FEET TO THE BEGJNNING OF A 330.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY THOSE 302.71 FOOT CHORD BEARS NORTH 48°33'06 WEST; THENCE NORTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 314.47 FEET; THENCE NORTH 21°15'05 WEST 4.58 FEET TO THE BEGINNING OF A 15.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY WHOSE 21.21 FOOT CHORD BEARS NORTH 66°15'05" WEST; THENCE NORTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 23.56 FEET; THENCE SOUTH 68°44'55" WEST 17.34 FEET; THENCE NORTH 2115'05" WEST 60.00 FEET; THENCE NORTH 6844'54" EAST 112.34 FEET; THENCE SOUTH 2115'05 EAST 150.99 FEET TO THE BEGINNING OF A 260.00 FOOT RADIUS NONTANGENT CURVE CONCAVE NORTHEASTERLY WHOSE 172.12 FOOT CHORD BEARS SOUTH 56°31'22" EAST; THENCE SOUTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 175.42 FEET TO THE BEGINNING OF A 440.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY WHOSE 374.55 FOOT CHORD BEARS SOUTH 5039'43 EAST; THENCE SOUTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 386.89 FEET TO THE POINT OF BEGINNING. PARCEL "DD" CONTAINS 1.23 ACRES AND IS SUBJECT TO EASEMENTS OF RECORD.

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Muscatine, Iowa that the quit claim deed attached hereto and identified as “Exhibit A” is hereby by accepted by the City of Muscatine and the Mayor and City Clerk are hereby authorized and directed to sign this Resolution and thereafter deliver a copy thereof to the Muscatine County Recorder to be recorded in the permanent real estate records of Muscatine County, Iowa.

PASSED, APPROVED AND ADOPTED this 2nd day of July 2015.

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

DeWayne M. Hopkins, Mayor

Attest:

Gregg Mandsager, City Clerk

Form prepared by and returned to Andrew Fangman; Muscatine City Hall; 215 Sycamore; Muscatine, IA 52761

QUIT CLAIM DEED

THIS QUITCLAIM DEED, executed this 22 day of June (month) 2015 (year), by Central State Bank, the first party, whose address is 301 Iowa Avenue , Muscatine, Iowa, and the City of Muscatine, the second party, whose address is 215 Sycamore St, Muscatine, Iowa

WITNESSETH, that the said first party, for good consideration and for the sum of one Dollar (\$1) paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of Muscatine, State of Iowa, to wit:

LAND DESCRIPTION —

A PARCEL OF LAND LOCATED IN SECTIONS 21, 27 AND 28, TOWNSHIP 77 NORTH, RANGE 2 WEST OF THE 5TH P.M., MUSCATINE COUNTY, IOWA. COMMENCING AT THE NORTHWEST CORNER OF SECTION 27; THENCE NORTH 89°43'12" EAST 303.59 FEET ALONG THE NORTH LINE OF SECTION 27; THENCE SOUTH 01°33'12" WEST 384.80 FEET; THENCE SOUTH 64°31'40" WEST 133.64 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 64°31'40" WEST 10.00 FEET; THENCE SOUTH 66°11'49" WEST 60.03 FEET TO THE BEGINNING OF A 370.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY WHOSE 313.38 FOOT CHORD BEARS NORTH 50°47'50" WEST; THENCE NORTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 323.59 FEET TO THE BEGINNING OF A 330.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY THOSE 302.71 FOOT CHORD BEARS NORTH 48°33'06 WEST; THENCE NORTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 314.47 FEET; THENCE NORTH 21°15'05 WEST 4.58 FEET TO THE BEGINNING OF A 15.00 FOOT RADIUS CURVE CONCAVE

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SELLER'S SIGNATURE AND CLAIMANT'S CERTIFICATION: Upon due approval and execution by the BUYER, we the undersigned claimants certify the Total Lump Sum payment shown herein is just and unpaid \$1.00 and other consideration.

Daniel P. Stein - svp

301 Iowa Avenue, Muscatine, IA 52761
(Mailing Address)

(Mailing Address)

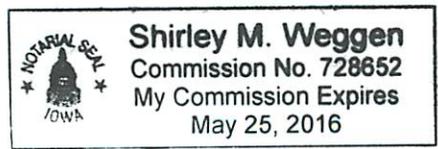
SELLER'S ALL-PURPOSE ACKNOWLEDGMENT

STATE OF IOWA
COUNTY OF MUSCATINE

On this 22 day of June, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Daniel P. Stein, svp of Central State Bank, to me personally known or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/ their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Shirley M. Weggen
(Sign in Ink)

Shirley M. Weggen
(Print or Type Name)



Shirley M. Wedgen
Commission No. 728852
My Commission Expires
MAY 25 2016



Notary Public in and for the State of Iowa
My Commission expires May 25, 2016.

BUYER'S ACKNOWLEDGMENT
STATE OF IOWA

SEE ATTACHED MUSCATINE CITY COUNCIL RESOLUTION

PREPARED BY: MATTHEW W. KRAUSE, MARTIN & WHITACRE SURVEYORS & ENGINEERS, INC., P.O. BOX 413, MUSCATINE, IOWA 52761 / PHONE: 563-263-7641

AREAS		
DESCRIPTION	SQ. FT.	ACRES
SEC. 28 - NE-NE	36,704.89	0.84
SEC. 27 - NW-NW	14,625.32	0.34
SEC. 21 - SE-SE	2,051.02	0.05
TOTAL	53,381.22	1.23

R.O.W. ACQUISITION PLAT DIANA QUEEN DRIVE



BASIS OF BEARINGS
IOWA STATE PLANE
COORDINATE SYSTEM
SOUTH ZONE

LEGEND

- SET 1/2" X 36" REBAR W/ ORANGE CAP #15981
- FOUND REBAR W/CAP
- FOUND 1" PIPE
- FOUND CONCRETE MONUMENT

PROPRIETOR: CENTRAL STATE BANK

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

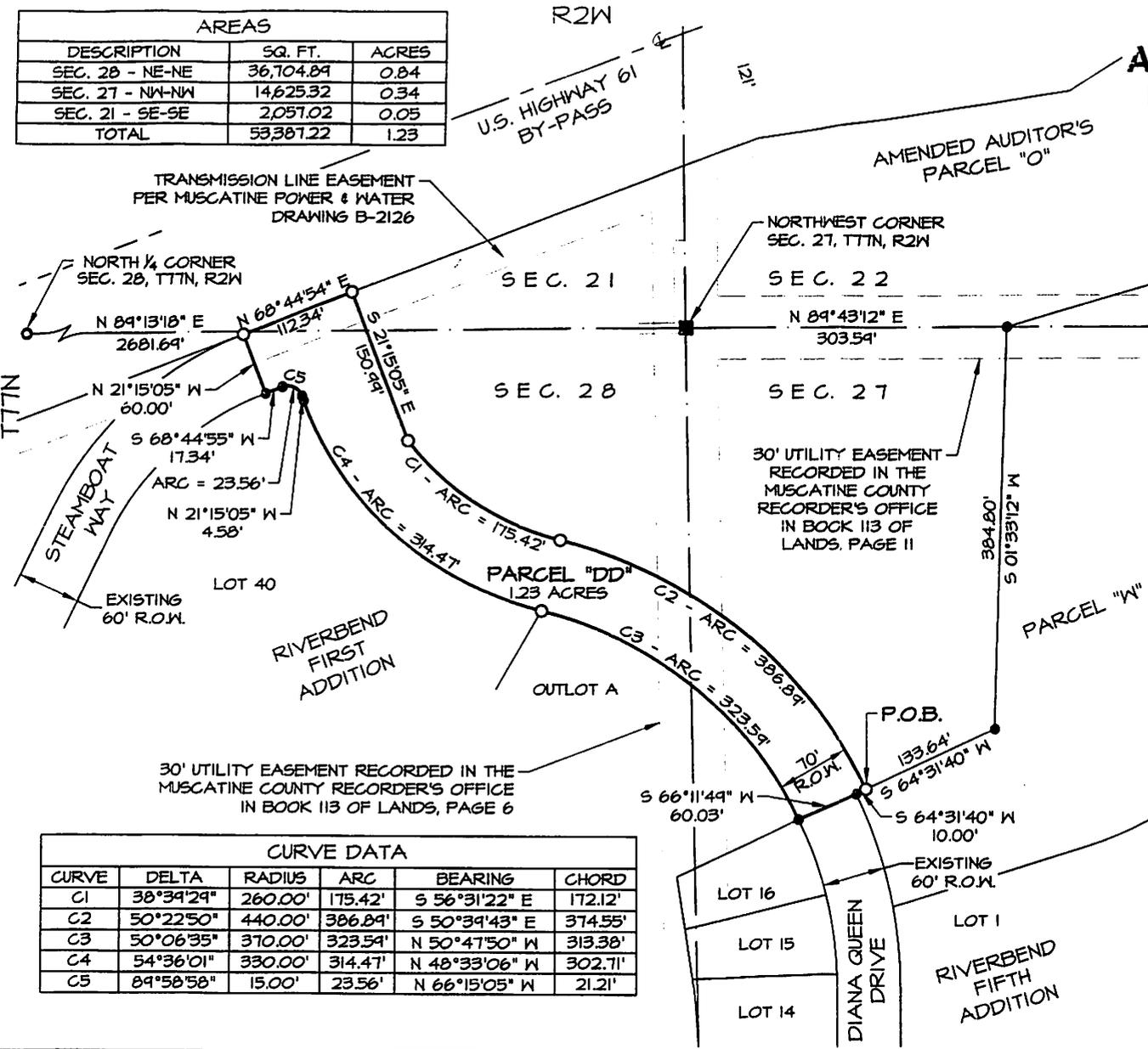
Matthew W. Krause
 Date May 19, 2015 Reg. No. 15981
 My license renewal date is December 31, 2015
 Pages or sheets covered by this seal: 2



**Martin & Whitacre
Surveyors & Engineers, Inc.**
 P.O. BOX 413 (563)263-7891 MUSCATINE, IOWA

CITY OF MUSCATINE R.O.W. ACQUISITION
 PLAT IN SECTIONS 21, 27 & 28, T71N, R21W, MUSCATINE, IOWA

FILE	BOOK	SCALE	DRN	CHK'D	DATE	JOB NO.
RIVERBEND	RIVERBEND	1"=100'	JRM	MWK	05/18/15	7884.15
REV.	0				7884 SURVEY.DWG	SHEET 1 OF 2



CURVE DATA					
CURVE	DELTA	RADIUS	ARC	BEARING	CHORD
C1	38°39'29"	260.00'	175.42'	S 56°31'22" E	172.12'
C2	50°22'50"	440.00'	386.89'	S 50°39'43" E	374.55'
C3	50°06'35"	370.00'	323.59'	N 50°47'50" W	313.38'
C4	54°36'01"	330.00'	314.47'	N 48°33'06" W	302.71'
C5	89°58'58"	15.00'	23.56'	N 66°15'05" W	21.21'