

Prepared by Andrew Fangman, 215 Sycamore Street, Muscatine, Iowa 52761, 563.262.4141

**RESOLUTION NO.**

**RESOLUTION APPROVING AN EXECUTED DEED**

**WHEREAS**, a Resolution was adopted by the City Council of Muscatine, Iowa, on December 3, 2015 approving the sale of certain real property to Steve Phillips; and

**WHEREAS**, the Resolution requires the City to execute and deliver a deed to the buyer; and

**WHEREAS**, the Mayor and city Clerk have duly executed such a deed pursuant to the Resolution;

**IT IS THEREFORE RESOLVED, BY THE CITY COUNCIL FOR THE CITY OF MUSCATINE**, that the executed deed, a copy of which is attached to the prior Resolution, is approved in accordance with Iowa Code Section 569.7.

**PASSED, APPROVED, AND ADOPTED** this 3<sup>rd</sup> day of December, 2015.

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

**(SEAL)**

\_\_\_\_\_  
DeWayne Hopkins, Mayor

**ATTEST:**

\_\_\_\_\_  
Gregg Mandsager, City Clerk

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Tax Statement Address: Steven F. Phillips, 2724 Birdie Dr. Muscatine, IA 52761

## **EXHIBIT A**

### **SPECIAL WARRANTY DEED**

For the consideration of Ten Dollars and Other Good and Valuable Consideration, the City of Muscatine, a municipal corporation does hereby convey to Steven Phillips, the following described real estate in Muscatine County, Iowa:

#### **LEGAL DESCRIPTION .AUDITOR'S PARCEL "JJ"**

COMMENCING AT THE CENTER OF SECTION 25-77-02W AT A FOUND PK NAIL AS RECORDED IN BOOK 2006-04330; THENCE NORTH 89°39'43" EAST 180.45 FEET ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 25 TO THE WEST LINE OF DEED PARCEL DESCRIBED IN PROBATE NO.ESPROIOO86 RECORDED IN BOOK 2012, PAGE05982, MUSCATINE COUNTY RECORDER'S OFFICE; THENCE SOUTH 00°14'13" EAST 82.54 FEET ALONG SAID WEST LINE TO THE SOUTH CORNER THEREOF BEING A POINT ON THE NORTHERLY RIGHT OF WAY OF COLORADO STREET ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 26°15'39" EAST 160.32 FEET ALONG SAID NORTHERLY RIGHT OF WAY LINE TO THE SOUTH LINE OF LOT 1, PARK PLAZA FIRST ADDITION, AS RECORDED IN BOOK 5, PAGE 117; THENCE NORTH 89°39'14" EAST 20.40 FEET ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00°20'46" EAST 127.26 FEET TO THE NEW NORTHERLY RIGHT OF WAY LINE OF COLORADO STREET, BEING 37.5 FEET NORTHERLY OF DESIGN CENTERLINE; THENCE SOUTHWESTERLY 4.81 FEET ALONG SAID NORTHERLY RIGHT OF WAY LINE ALONG A 1,437.50 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY WITH A CENTRAL ANGLE OF 0°11'30" AND CHORD OF SOUTH 65°16'22" WEST 4.81 FEET; THENCE SOUTH 65°10'37" WEST 54.48 FEET ALONG SAID NORTHERLY RIGHT OF WAY LINE; THENCE SOUTHWESTERLY 40.78 FEET ALONG A 262.50 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY WITH A CENTRAL ANGLE 8°54'05" AND CHORD OF SOUTH 69°37'40" WEST 40.74 FEET ALONG SAID NORTHERLY RIGHT OF WAY LINE; THENCE N00° 14' 13" W - 22.43 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 8,477 SF OR 0.19 ACRES.

Exempt from transfer tax per Iowa Code Section 428A.2 (6).

The City covenants with the grantees, its successors and assigns, to warrant and defend the real property against the lawful claims of all persons claiming by, through, or under the City.

IN WITNESS WHEREOF, the City of Muscatine, Iowa has caused this instrument to be executed in its corporate name by its Mayor and City Clerk and its seal to be affixed on December 3, 2015.

CITY OF MUSCATINE, IOWA

(SEAL)

\_\_\_\_\_  
DeWayne Hopkins, Mayor

ATTEST:

\_\_\_\_\_  
Gregg Mandsager, City Clerk

STATE OF IOWA, MUSCATINE COUNTY, ss:

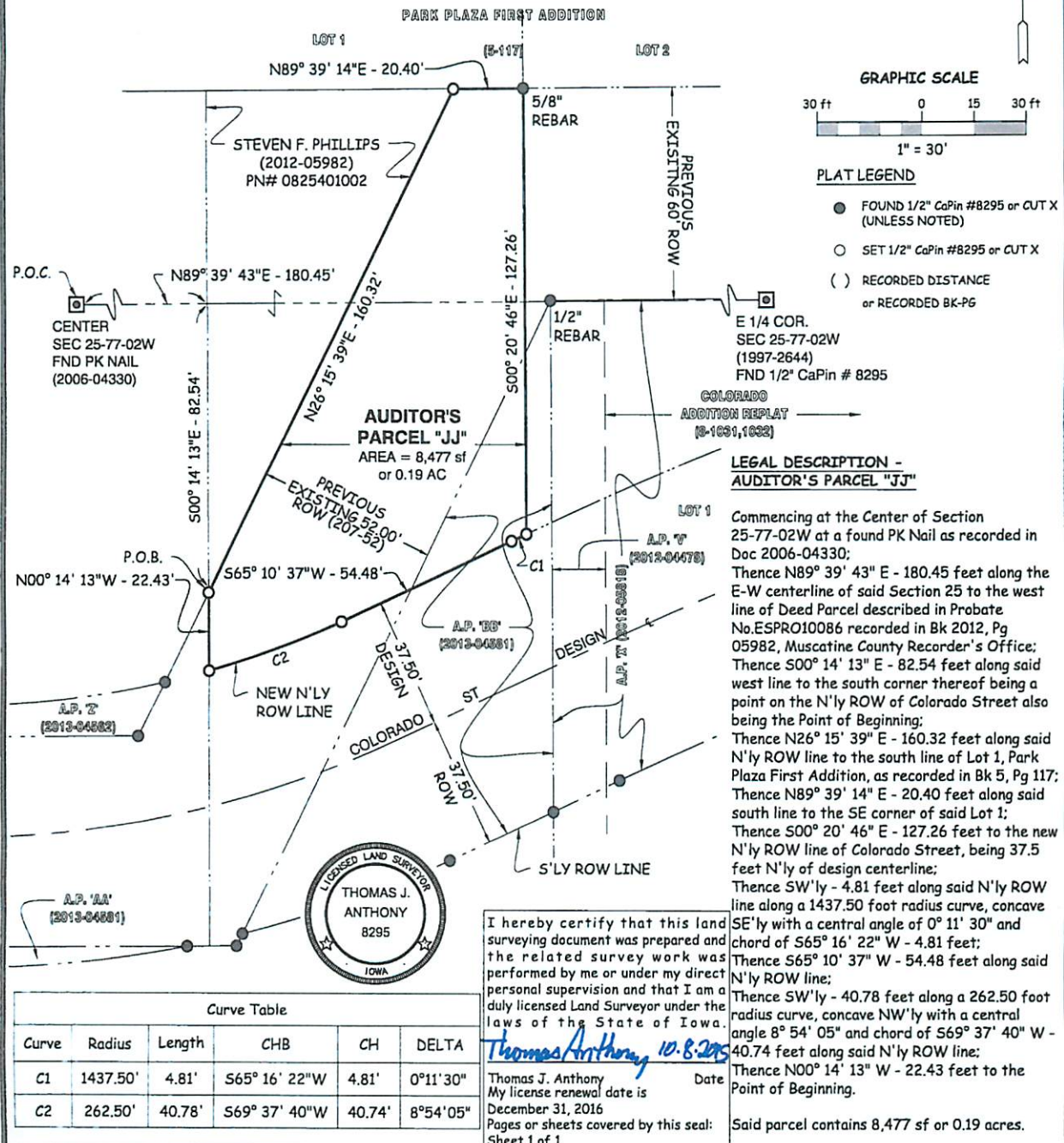
On this 3<sup>rd</sup> day of December, before me \_\_\_\_\_, a Notary Public in and for the State of Iowa, personally appeared DeWayne Hopkins and Gregg Mandsager, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Muscatine, Iowa; and that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council under Roll Call No. \_\_\_\_\_ of the City Council on the 3<sup>rd</sup> day of December, 2015, and that DeWayne Hopkins and Gregg Mandsager acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

# PLAT OF SURVEY - AUDITOR'S PARCEL "JJ"

DISPOSITION OF COLORADO STREET RIGHT OF WAY  
MUSCATINE, IOWA

IDOT No. STP -U- 5330(616) - - 70 - 70



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## **CERTIFICATE**

I, Nancy Lueck, Director of Finance for the City of Muscatine, Iowa, certify that the attached hereto are true copies of the following:

1. Resolution No.           authorizing the disposal of said certain real estate
2. Resolution No.           setting a public hearing on and concerning a proposed sale of city real property;
3. Affidavit of Published notice concerning the public hearing upon the vacation on the sale and transfer of public property within the city of Muscatine, Iowa (
4. Resolution No.           authorizing the sale of City property to Steve Phillips
5. Resolution No.           approving the executed deed.
6. Special Warranty Deed (original).

All related to the sale of the real estate described in those documents, and that all were duly adopted and approved by the City Council for the City of Muscatine, Iowa, and the originals are on file in the City Hall, for the City of Muscatine, Iowa.

\_\_\_\_\_  
Nancy Lueck, Director of Finance

Subscribed and sworn to before me, the undersigned, Notary Public by Nancy Lueck, on this the \_\_\_\_ day of December 2015.

\_\_\_\_\_  
Notary Public in and for the  
State of Iowa