

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 Muscatine Plaza Properties, LLC; 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 3rd day of December, 2015.

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

(SEAL)

DeWayne Hopkins, Mayor

ATTEST:

Gregg Mandsager, City Clerk

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

Tax Statement Address: Muscatine Plaza Properties, LLC 1500 Plaza Pl, 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 Muscatine Plaza Properties, LLC , the following described real estate in Muscatine County, Iowa::

LEGAL DESCRIPTION – AUDITOR’S PARCEL “KK”

BEGINNING AT A FOUND 5/8” REBAR MARKING THE SOUTHWEST CORNER OF LOT 2 OF PARK PLAZA FIRST ADDITION AS RECORDED IN BOOK 5, PAGE 117, MUSCATINE COUNTY RECORDER’S OFFICE; THENCE NORTH 89°39’14” EAST - 140.00 FEET ALONG THE SOUTH LINE OF SAID LOT 2 TO THE SOUTHEAST CORNER THEREOF BEING A POINT ON THE WEST RIGHT OF WAY LINE OF PLAZA PLACE; THENCE SOUTH 00°20’46” EAST 61.91 FEET ALONG A SOUTHERLY EXTENSION OF SAID PLAZA PLACE RIGHT OF WAY LINE; THENCE SOUTHWESTERLY- 18.65 FEET ALONG A 15.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY WITH A CENTRAL ANGLE 71°13’20” AND A CHORD OF SOUTH 35°15’54” WEST 17.47 FEET; THENCE SOUTHWESTERLY 139.60 FEET ALONG THE NEW NORTHERLY RIGHT OF WAY LINE OF COLORADO STREET ALONG A 1,437.50 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY WITH A CENTRAL ANGLE OF 5°33’50” AND CHORD OF SOUTH 68°09’03” W 139.54 FEET; THENCE NORTH 00°20’46” WEST- 127.26 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 13,779 SQUARE FEET OR 0.32 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 3rd 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 3rd 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

Prepared by and return to: Thomas Anthony, L.L.S., 160 Holiday Road, Coralville, IA 52241, (319) 351-7150

 Shoemaker & Haaland Civil Engineers & Land Surveyors 160 Holiday Road Coralville, Iowa 52241 Phone: 319.351.7150 www.shoemaker-haaland.com		PLAT OF SURVEY - AUDITOR'S PARCEL "KK" DISPOSITION OF COLORADO STREET RIGHT OF WAY MUSCATINE, IOWA NE 1/4 and SE 1/4, SECTION 25-77-02W	SHEET NO. 1 OF 1 SHEET JOB # 10015 SHEP JOB # 10015 DWN: CAL CHK: TJA REV. DATE: PLAT DATE: 09-29-2015 SURVEY DATE(S): 08-2015 Proprietor Requesting Survey: City of Muscatine
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PLAT OF SURVEY - AUDITOR'S PARCEL "KK"

DISPOSITION OF COLORADO STREET RIGHT OF WAY

MUSCATINE, IOWA

NE 1/4 and SE 1/4, SECTION 25-77-02W

Proprietor Requesting Survey: City of Muscatine

DWN: CAL
CHK: TJA
REV. DATE:
PLAT DATE: 09-29-2015
SURVEY DATE(S): 08-2015

Scale: 1"=30'

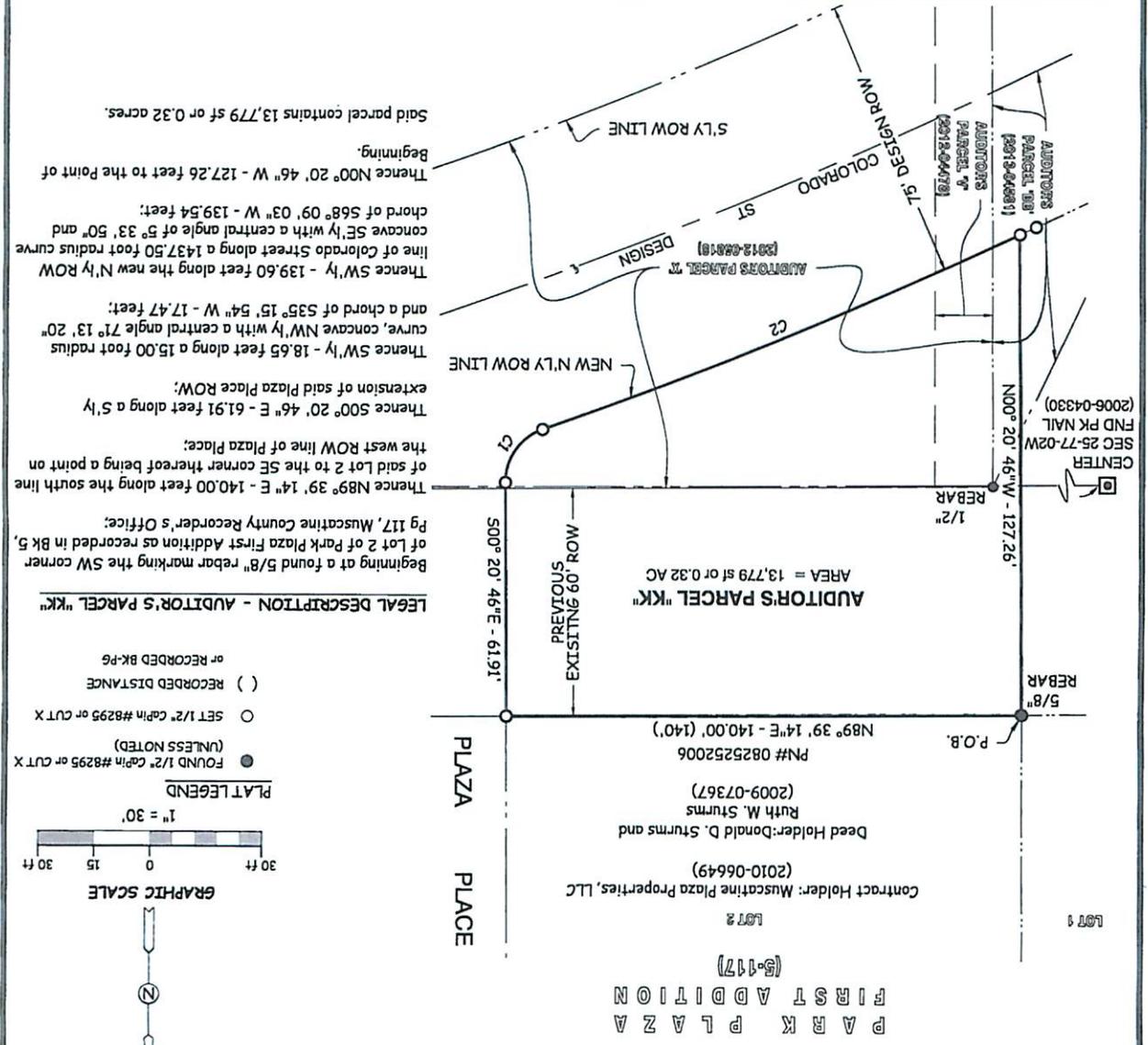
Thomas J. Anthony
Date: *Thomas Anthony Oct 8, 2015*
My license renewal date is December 31, 2016
Pages or sheets covered by this seal: Sheet 1 of 1

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 Land Surveyor under the laws of the State of Iowa.

THOMAS J. ANTHONY
LICENSED LAND SURVEYOR
IOWA
8295

Curve	Radius	Length	CH8	CH	DELTA
C1	15.00'	18.65'	S35°15'54"W	17.47'	71°13'20"
C2	1437.50'	139.60'	S68°09'03"W	139.54'	5°33'50"

Curve Table



PLAT OF SURVEY - AUDITOR'S PARCEL "KK"

DISPOSITION OF COLORADO STREET RIGHT OF WAY

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

MUSCATINE, IOWA

LEGAL DESCRIPTION - AUDITOR'S PARCEL "KK"

AREA = 13,779 sq ft or 0.32 AC

FOUND 1/2" Cap'n #8295 or CUT X (UNLESS NOTED)

SET 1/2" Cap'n #8295 or CUT X

() RECORDED DISTANCE or RECORDED BK-P6

GRAPHIC SCALE: 1" = 30'

30 ft, 15, 0, 15, 30 ft

PLAT LEGEND

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 Muscatine Plaza Properties, LLC
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