



City Hall, 215 Sycamore
Muscatine, IA 52761-
(563) 262-4141
Fax (563) 262-4142

COMMUNITY DEVELOPMENT

MEMORANDUM

Planning,
Zoning,
Building Safety,
Construction Inspection
Services,
Public Health

To: Mayor and City Council Members
Cc: Gregg Mandsager, City Administrator
From: Andrew Fangman, City Planner
Date: February 7, 2016
Re: Exchange of Vacated Right-of-Way in Block 70 (Spring Street, E. 4th Street, and Poplar Street) for Four Parcel along Mad Creek

INTRODUCTION: An ordinance vacating 1.53 acres of right-of-way, primarily in Block 70 of Original Town, made up of portions of Spring Street, E. 4th Street, and Poplar Street, at the request by HNI Corp, is being presented for a third a final reading at this meeting of City Council. It is being proposed that the City of Muscatine exchange this newly vacated right-of-way for 1.63 currently owned by HNI along Mad Creek, between 5th Street and Washington Street.

BACKGROUND: HNI Corporation filed a vacation plat for 1.53 acres of right-of-way, primarily in Block 70 of Original Town, has been filed, this right of way include portions of Spring Street, E. 4th Street, and Poplar Street.

HNI owns all the adjoining property, and desires to acquire this property to allow for the further expansion of their facilities in this area. Only property owned by HNI can be accessed from the right-of-way being proposed for vacation. HNI has made significant recent investments in storm sewer, water main, and paving improvements in the right-of-way being proposed for vacation.

HNI is proposing to exchange the newly vacated right-of-way for four parcels currently owned by HNI. These parcel, totaling 1.63 acres, are located along Mad Creek between 5th and Washington streets (see attached map).

RECOMMENDATION/RATIONALE:

The City of Muscatine Traffic Committee, the Planning and Zoning Commission, and Staff all recommend approval of the proposed right-of-way vacation as there is no current or anticipated public use for this right-of-way. Additionally, allowing for the continued expansion of the existing HNI facilities in this area will help strength Muscatine's economy.

Each of these four parcels that the City would receive in return for the recently vacated right-of-way already has a city-owned infrastructure on it, either the Mad Creek Levee or a portion the Public Works Lower Yard. Additionally, the proposed route for the Mad Creek Trail passes through one of the parcels. Given the amount of existing and planned infrastructure located on these parcels, there is a public benefit to the City acquiring title to them

"I remember Muscatine for its sunsets. I have never seen any
on either side of the ocean that equaled them" — Mark Twain

BACKUP INFORMATION:

1. Map of Right of Way Proposed for Vacation
2. Map of Parcels Proposed for Acquisition by the City of Muscatine
3. Resolution authorizing the sale city property
4. Resolution approving an executed deed
5. Deed
6. Certificate of true copy
7. Plat of Survey

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

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE SALE OF CITY PROPERTY

WHEREAS, a Resolution was adopted by the City Council of Muscatine, Iowa, on December 17, 2015, concerning the proposed sale of the City's rights, title, and interest in and to the real property described in the copy of the deed attached to this Resolution and incorporated by reference; and

WHEREAS, the Resolution provided that notice of intention to vacate and transfer the real property should be given by publication of a Public Notice as required by law; and

WHEREAS, the Resolution provided for a public hearing on the proposed sale of real property, and such public hearing has been held; and

WHEREAS, the City Council finds the sale of the real property will serve the public interest and has approved the sale of the real property;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA, as follows:

1. The City of Muscatine, Iowa, will sell and convey its rights, title, and interest in and to the real property described in the copy of the deed attached to this Resolution marked Exhibit A to HNI Corporation in exchange for the deeds to real property composed of four parcels with the following Parcel Identification Numbers: 0836107010, 0836152005, 0836154001, and 0836156010.
2. The Deed will be delivered to the Buyers upon receipt of recordable deeds for the parcels identified above.
3. Any Resolution or part thereof in conflict or inconsistent with this Resolution is repealed.

PASSED, APPROVED, AND ADOPTED this 7th day of February, 2016.

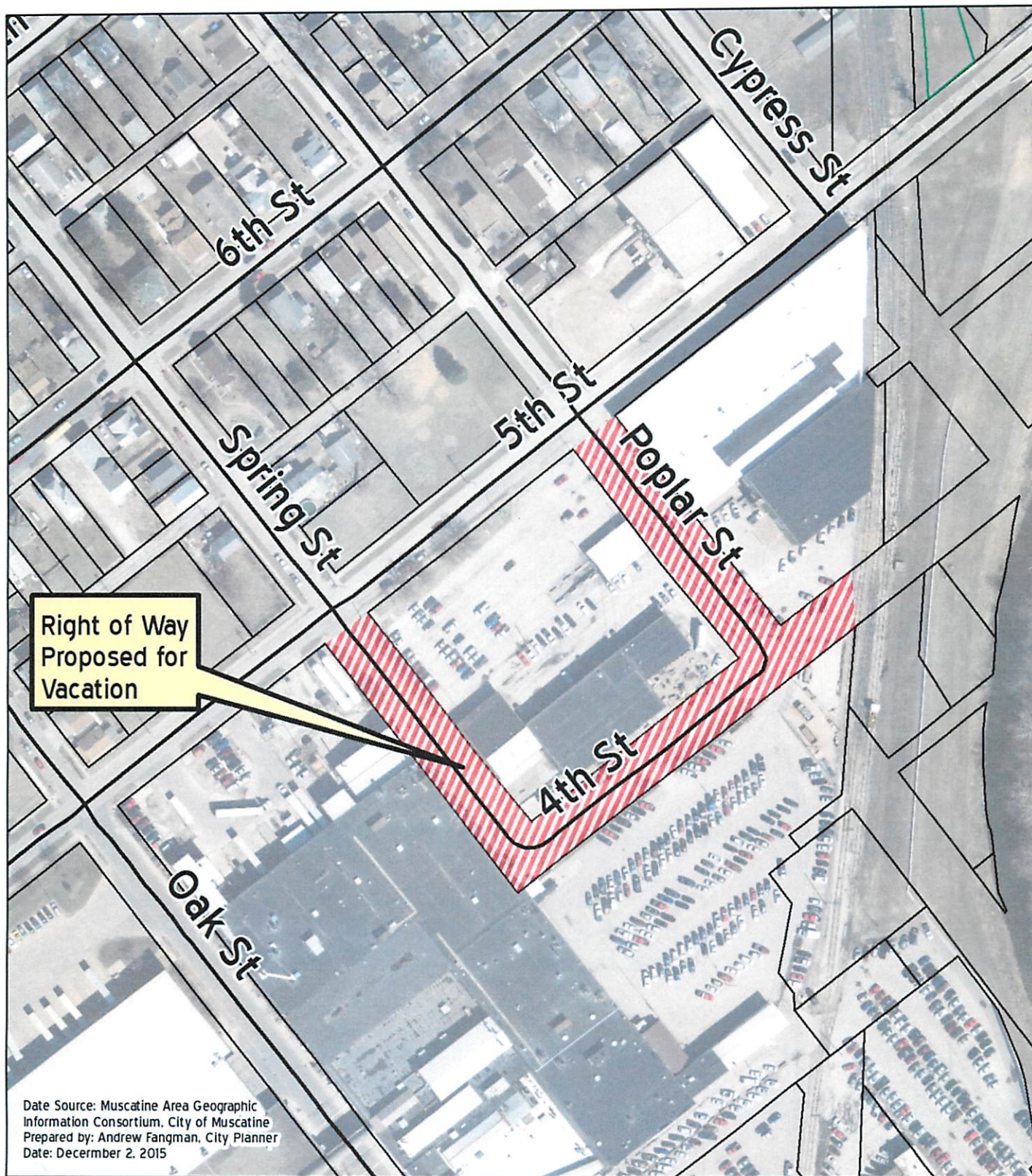
**CITY COUNCIL OF THE CITY OF
MUSCATINE, IOWA**

(SEAL)

Diana L. Broderson, Mayor

ATTEST:

Gregg Mandsager, City Clerk

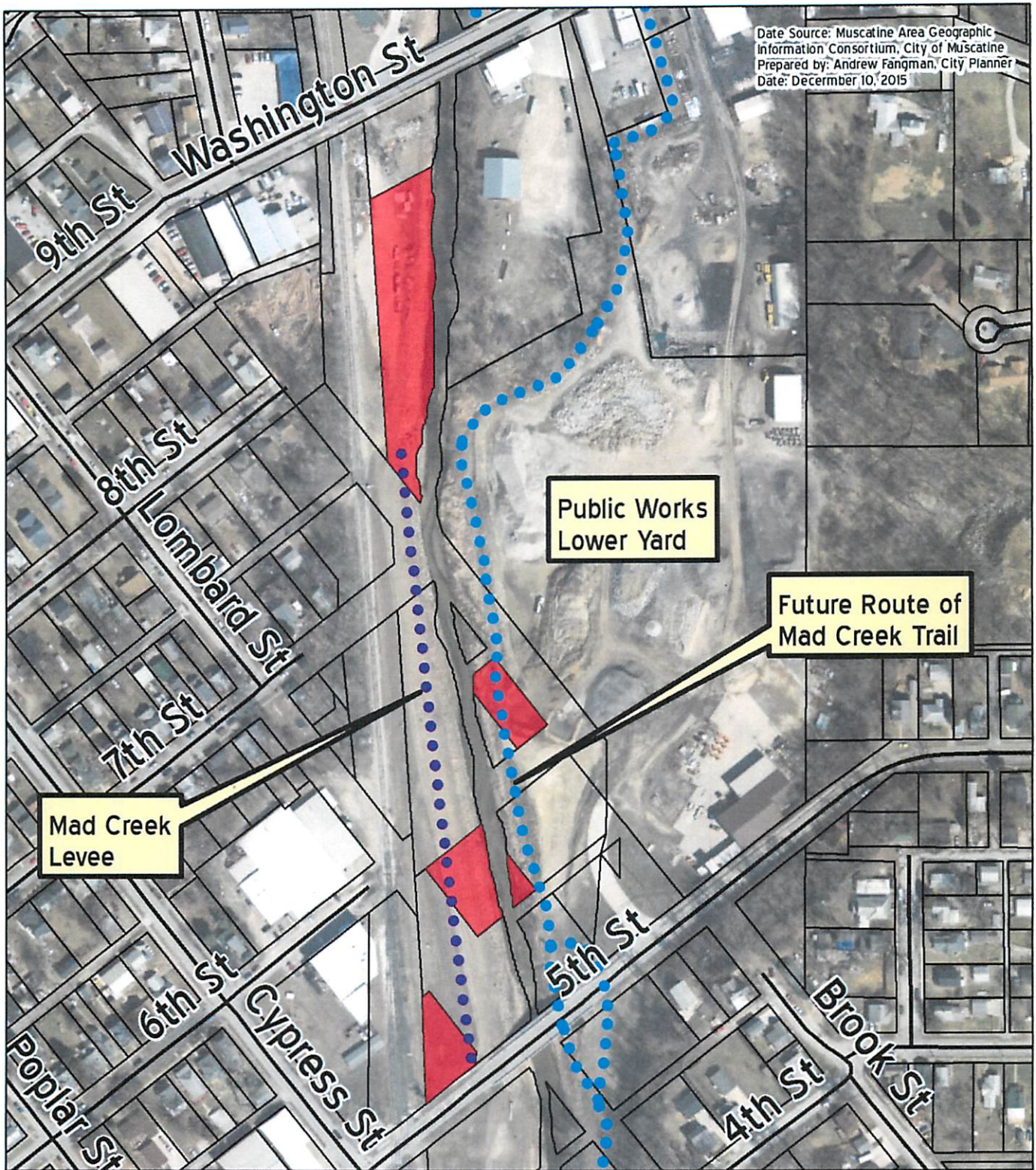


A vacation plat for 1.53 acres of right of way, as indicated on this map, has been filed by HNI Corporation.

Right of Way Vacation E. 4th, Spring, & Poplar

0 100 200 400 Feet





 HNI Parcels Proposed for Aquisition

HNI Parcels Proposed for Aquisition

0 100 200 400 Feet



N



BASIS OF BEARINGS
IOWA STATE PLANE
COORDINATE SYSTEM
SOUTH ZONE

- LEGEND
- FOUND REBAR W/ YELLOW CAP #10316
 - FOUND 1" IRON PIPE
 - FOUND NAIL
 - ▨ PROPOSED UTILITY EASEMENT

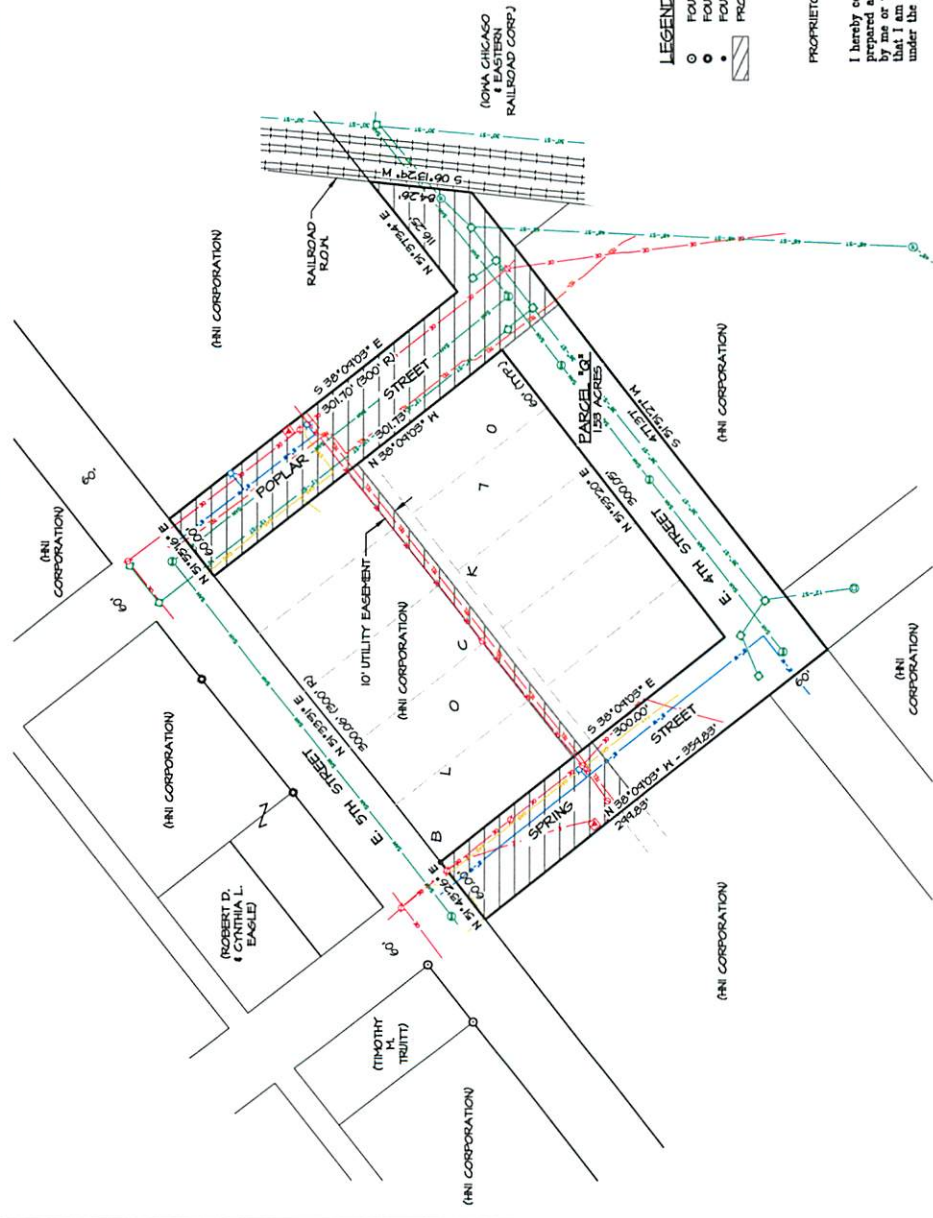
PROPRIETOR: CITY OF MUSCATINE

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.



Gary W. Whitacre
Date _____ Reg. No. 10316
My license renewal date is December 31, 2015
Pages or sheets covered by this seal: 1

Martin & Whitacre Surveyors & Engineers, Inc. P.O. BOX 413 (563)263-7891 MUSCATINE, IOWA			
HNI CORPORATION VACATION FLAT			
BLOCK 10 IN THE ORIGINAL TOWN OF THE CITY OF MUSCATINE, IOWA			
FILE	BOOK	SCALE	CHK'D
10316	10316	1"=60'	GMH
DATE	JRM	DATE	JRM
12/10/15		12/10/15	
SHEET	1	OF	1



The utility easements as shown are acceptable to the following utilities:

Utility	Title	Date
INTERSTATE POWER AND LIGHT, AN ALUMINUM ENERGY COMPANY		
MUSCATINE POWER & WATER		
Transmission & Distribution		
Water Production & Distribution		
Communications		

LAND DESCRIPTION - Right-of-Way Vacation

ALL OF SPRING STREET AND POPLAR STREET LOCATED BETWEEN THE SOUTHERLY LINE OF 5TH STREET AND THE NORTHERLY LINE OF 4TH STREET AND ALL OF 4TH STREET FROM THE WESTERLY LINE OF SPRING STREET TO THE WESTERLY LINE OF THE IOWA, CHICAGO & EASTERN RAILROAD RIGHT OF WAY, IN THE ORIGINAL TOWN, CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA. PARCEL "Q" CONTAINS 1.53 ACRES AND SUBJECT TO EASEMENTS OF RECORD.