

RESOLUTION NO. \_\_\_\_\_

**SETTING A PUBLIC HEARING ON THE INTENT TO ACQUIRE OR  
CONDEMN IF NECESSARY ALL OR A PORTION OF PROPERTY OR AN  
INTEREST IN PROPERTY FOR STREET IMPROVEMENTS INCLUDED IN  
THE MISSISSIPPI CORRIDOR PROJECT.**

WHEREAS, I.C.A. § 6B.2A requires an acquiring agency to provide written notice of a public hearing to each owner of record of land that may be the subject of condemnation; and

WHEREAS, the City Council finds that it may be necessary to acquire or condemn all or a portion of property an interest in the following-described property for street improvements included in the Mississippi corridor project:

**LAND DESCRIPTION – 515 E 2<sup>nd</sup> St**

The Easterly 20 feet of the Westerly 40 feet of Lot 3, in Block 29, of the City of Muscatine, Muscatine County, Iowa.

(the Property); and

WHEREAS, the owner of the Property is Gregory A. Johnston.

WHEREAS, a public hearing should be set on the intent to acquire or condemn, if necessary, all or a portion of the Property or an interest in the Property; and

WHEREAS, notice of the public hearing should be published and mailed as required by law to the Owners of the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA, AS FOLLOWS:

The City Clerk is hereby authorized and directed to cause a notice in the form attached hereto to be mailed to the Owners and published as prescribed by I.C.A. § 6B.2A of a public hearing on the City's intent to acquire or condemn, if necessary, all or a portion of the Property or an interest in the Property, to be held on the 14th day of March, 2019, at 7 o'clock p.m. at City Hall Council Chambers.

Passed, approved and adopted this 7th day of February, 2019.

CITY OF MUSCATINE, IOWA

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Diana L. Broderson, Mayor

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Attest: Gregg Mandsager, City Clerk

## NOTICE FOR PUBLICATION

Location of Properties: 515 E 2<sup>nd</sup> St.  
Muscatine, Iowa

### LAND DESCRIPTION – 515 E 2<sup>nd</sup> St

The Easterly 20 feet of the Westerly 40 feet of Lot 3, in Block 29, of the City of Muscatine, Muscatine County, Iowa.

- a. The City Council is in the midst of a street improvements included in the Mississippi Corridor Project. This project will require the acquisition or condemnation of property.
- b. The City may acquire part or all of the property or an interest in the property by condemnation for the public improvement.
- c. The City will hold a Public Hearing on the proposed acquisition, and if approved, the City will continue good-faith negotiations for the purchase of the property.
- d. A Public Hearing on the City's intent to acquire or condemn, if necessary, all or a portion of the property shall be held on March 14, 2019, at 7 o'clock p.m. at Muscatine City Hall Council Chambers.
- e. Persons desiring further information regarding the proposed public improvement project or its impact on the property identified above may contact by mail, e-mail, or telephone:

Patrick T. Burk  
Brick Gentry, P.C.  
6701 Westown Parkway, Ste. 100  
West Des Moines, IA 50266  
E-mail: [Patrick.Burk@brickgentrylaw.com](mailto:Patrick.Burk@brickgentrylaw.com)  
Phone: (515) 274-1450

RESOLUTION NO. \_\_\_\_\_

**APPROVING ACQUISITION AND POTENTIAL CONDEMNATION OF LAND  
OWNED BY GREGORY A. JOHNSTON  
FOR USE IN THE STREET IMPROVEMENTS INCLUDED IN THE MISSISSIPPI  
CORRIDOR PROJECT**

**WHEREAS**, on March 14, 2019, the City Council held a public hearing on the acquisition and potential condemnation of an interest in the real property described below for the street improvements included in the Mississippi Corridor Project;

**WHEREAS**, following the public hearing, the City Council has unanimously or by a \_\_\_\_\_ to \_\_\_\_\_ vote approved the commencement of a public improvement project for the street improvements included in the Mississippi Corridor Project, including the acquisition of private property for purchase or condemnation;

**WHEREAS**, the real property to be acquired by purchase or condemnation is as follows:

LAND DESCRIPTION – 515 E 2<sup>nd</sup> St

The Easterly 20 feet of the Westerly 40 feet of Lot 3, in Block 29, of the City of Muscatine, Muscatine County, Iowa.

**NOW, THEREFORE**, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA AS FOLLOWS:

The City Administrator is hereby authorized to commence the public improvement project for street improvements included in the Mississippi Corridor Project, including the acquisition by purchase or condemnation of the real estate described above.

Passed, approved and adopted this \_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF MUSCATINE, IOWA

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Diana L. Broderson, Mayor

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Attest: Gregg Mandsager, City Clerk