



# City of Muscatine



## AGENDA ITEM SUMMARY

DATE:11-5-20

City Council

### STAFF

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Andrew Fangman, Assistant Community Development Director

### SUBJECT:

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Ordinance Vacating a Portion of the Undeveloped Lombard Street Right-of-Way Adjoining 1009 East 6th Street

### EXECUTIVE SUMMARY:

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Midwest Property Holdings LLC, whom recently purchased 1009 E. 6th Street, the old Weber Button is requesting that the City vacate then sell to them the portion of the undeveloped Lombard Street right-of-way that adjoins 1009 East 6th Street.

### STAFF RECOMMENDATION

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Staff recommends approval of the ordinance.

### BACKGROUND/DISCUSSION

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In April 2020, Midwest Property Holdings LLC purchased 1009 East 6<sup>th</sup> Street from Weber and Sons Button Company and has since been renovating this property. As part the project Midwest Property Holdings LLC desires to construct a canopy type structure to provide a protected storage area for snow removal equipment, on an existing concrete pad that adjoins the east side of the existing building. However, the east wall of the existing building is concurrent with the property line, and the concrete slab in question is located with the Lombard Street right-of-way. In order for Midwest Property to erect the desired structure they will need to lease this right-of-way. The City previously leased this right of way to the former owner of 1009 East 6<sup>th</sup> Street, the existing improvements were made by the previous owner under the lease that expired in 1976.

The subject right-of way has not been developed as a public street, and contains no public infrastructure. The adjoining property owner to the east is the Canadian Pacific Railroad. Improvements made by the prior property owner as part of the now expired lease remain on the right-of-way subject to this vacation request.

The proposed purchase price of \$250 is the standard amount used in recent disposal of right-of-way that only has value to the adjoining property owner. This price covers the City's costs in processing the transaction and makes the purchase of unneeded right-of-way attractive to adjoining property, which benefits the City by adding such real estate and any subsequent improvements to the tax rolls.

## CITY FINANCIAL IMPACT

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The financial impact of this action will be positive. The applicant will cover transactional costs. The vacation will make the property and any future improvements upon it subject to property tax.

## ATTACHMENTS

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1. Map
2. Ordinance



## PZROWV-7 Lombard St Right of Way Adjacent to 1009 E. 6th Street

### Legend

Lombard Street Right of Way Proposed for Vacation

Parcel Lines

0 40 80 160 Feet



**ORDINANCE NO. 2020-0361**

**AN ORDINANCE VACATING THE PORTION OF LOMBARD STREET RIGHT  
OF WAY THAT ADJOINS 1009 EAST 6TH STREET**

**WHEREAS**, the Planning and Zoning Commission of the City of Muscatine, on October 13, 2020 recommended approval of the vacation of a portion of the Lombard street right-of-way the City of Muscatine, Iowa; and

**WHEREAS**, the City Council of the City of Muscatine, on November 5, 2020 conducted a public hearing on said vacation request.

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

Section I. The following described real estate be vacated by the City of Muscatine, Iowa:

**That portion of Lombard Street in the City of Muscatine, Iowa, between the north line of Sixth Street and the north alley line of Blocks One Hundred Eleven and One Hundred Twelve (111 & 112) of the Original Town, lying north of the Chicago, Rock Island and Pacific Railroad right-of-way.**

Section II. Any Ordinance or part thereof in conflict or inconsistent with the provisions of this Ordinance is hereby repealed.

**PASSED, APPROVED AND ADOPTED this 5<sup>th</sup> day of November, 2020.**

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

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**Diana Brodersen, Mayor**

**Attest:**

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**Carol Webb, City Clerk**

1<sup>st</sup> Reading\_\_\_\_\_

2<sup>nd</sup> Reading\_\_\_\_\_

3<sup>rd</sup> Reading\_\_\_\_\_