



City of Muscatine



AGENDA ITEM SUMMARY

DATE:11-5-20

City Council

STAFF

Andrew Fangman, Assistant Community Development Director

SUBJECT:

Resolution Accepting a Dedication of Right of Way(Stewart Rd) from Gridco LLC

EXECUTIVE SUMMARY:

Gridco LLC has submitted a dedication of right-of-way along Stewart Road. Approval of this resolution would accept this dedication.

STAFF RECOMMENDATION

Staff recommends approval. City policy is for public streets to be located within dedicated right of way, rather than within an easement, which this segment of Stewart Road currently is.

BACKGROUND/DISCUSSION

Currently the portion of Stewart Road that is within the area that Gridco LLC is proposing to dedicate as right of way exists on an easement and not on dedicated public right of way. This arrangement, is typical for roads found located within unincorporated Muscatine County, and construction of Stewart Road on such an easement likely occurred prior to this area being annexed into the City of Muscatine. Annexation does not automatically convert such easements into right-of-way.

This spring Gridco LLC, the corporate entity under which Musco owns its real estate, purchased the undeveloped 17.24 acre parcel that directly adjoins to the northside of their existing facility located on Stewart Road. The title work associated with this transaction brought to light the fact that the parcel that Gridco purchased included the western half of Stewart Road between the northern most driveway into Musco and Wallace Street. This includes approximately 550' of Stewart Road, of which the parcel Gridco purchased no longer directly fronts. The five parcels fronting the west side of Stewart Road directly south of the intersection with Wallace Street were split off of the parcel purchased by Gridco many years ago; however, all of these splits left the property containing Stewart Road as part of the parent parcel.

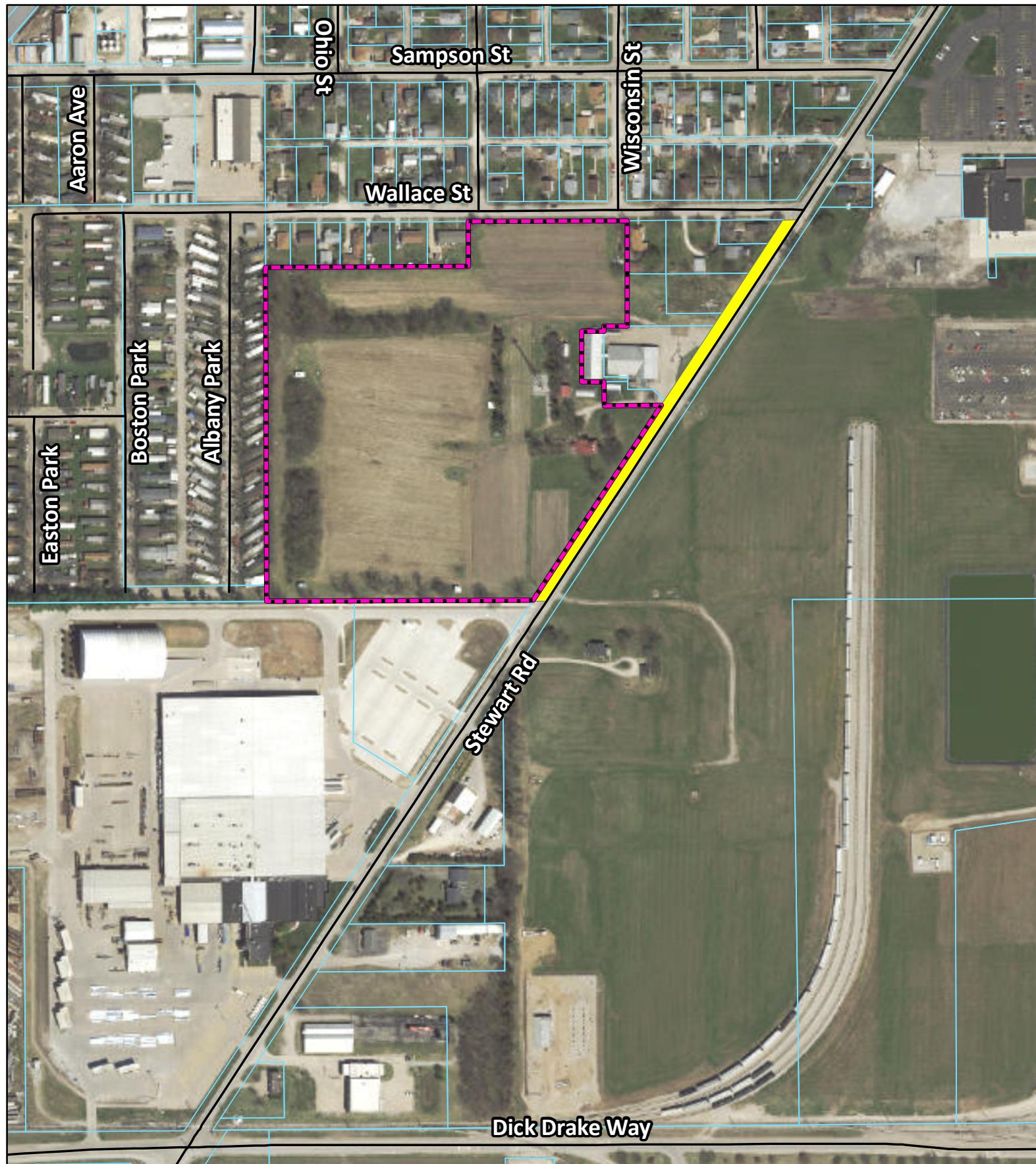
Gridco desires to clean up and rationalize the property lines of their newly purchased parcel. For this reason they are requesting that the City accept a dedication as public right-of-way the portion of this parcel upon which Stewart Road now exists via an easement. Gridco is not asking anything in return for this dedication of right of way.

CITY FINANCIAL IMPACT

There is no financial impact to the City.

ATTACHMENTS

1. Map
2. Resolution accepting dedication of right of way
3. Dedication of Right of Way Document



Legend

Parcel Recently Purchased by Gridco

Area Proposed for Dedication as Right of Way

Parcel Lines

400 200 0

400 Feet

N



Prepared by Andrew Fangman, 215 Sycamore St, Muscatine, IA, 52761 (563) 262-4141

RESOLUTION NO. 2020-0363

ACCEPTANCE OF DEDICATION OF RIGHT OF WAY (STEWART RD)

WHEREAS, Gridco, LLC, an Iowa limited liability company has presented to the City Council of Muscatine, Iowa a right of way dedication document, concerning part of the North Half of the Southeast Quarter of Section 10, Township 76 North, Range 2 West, 5th Principal Meridian, in the City of Muscatine, Muscatine County, Iowa; and

WHEREAS, Gridco LLC, an Iowa limited liability corporation, does hereby dedicate a parcels of land for right-of-way purposes situated in the North Half of the Southeast Quarter of Section 10, Township 76 North, Range 2 West, 5th Principal Meridian, in the City of Muscatine, Muscatine County, Iowa, to public use forever; and

WHEREAS, Said dedication of right of way by Gridco, LLC made by a signed Dedication of Right of Way is attached hereto as Exhibit 1; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Muscatine, that the City of Muscatine, Iowa to accept said right-of-way dedication.

PASSED, APPROVED AND ADOPTED this 5th day of November, 2020.

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

Diana L. Broderson, Mayor

Attest:

Carol Webb, City Clerk

EXHIBIT 1

Prepared by and return to Andrew Fangman, 215 Sycamore St., Muscatine, IA 52761 – (563) 264-1554

DEDICATION OF RIGHT OF WAY

STATE OF IOWA, MAHASKA COUNTY, ss:

Gridco, LLC, an Iowa limited liability company, certifies it is the owner in fee simple of all the real estate (the “Real Estate”) legally described on the attached **Exhibit A**.

Gridco, LLC hereby dedicates the Real Estate for right-of-way purposes to the City of Muscatine, Iowa, and to public use forever. This Dedication of Right of Way is the free act and deed of Gridco, LLC.

Dated at Oskaloosa, Iowa, this 27 day of October, 2020.

Gridco, LLC

By

Name James M. Hansen

Title Secretary

STATE OF IOWA, MAHASKA COUNTY, ss.

This instrument was acknowledged before me on October 27, 2020, by James M. Hansen, as the Secretary of Gridco, LLC.

Elizabeth Johannes
Notary Public in and for the State of Iowa

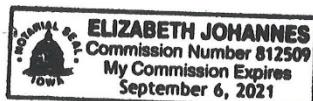


EXHIBIT A of EXHIBIT 1

EXHIBIT A

STEWART ROAD RIGHT-OF-WAY –

A STRIP OF LAND 30 FEET IN WIDTH LOCATED IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 76 NORTH, RANGE 2 WEST OF THE 5TH P.M., CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA.

THE WESTERLY ONE HALF OF THE PRESENTLY ESTABLISHED STEWART ROAD RIGHT-OF-WAY EXTENDING FROM THE SOUTH RIGHT-OF-WAY OF WALLACE STREET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER. CONTAINING 34,257 SQUARE FEET OR 0.79 ACRES.