



City of Muscatine



AGENDA ITEM SUMMARY

DATE: 2-18-2021

STAFF

April Limburg, Planner
Jodi Royal-Goodwin, Community Development Director

SUBJECT

Resolution Authorizing the Donation of City Property Declared Surplus to the Community Foundation of Greater Muscatine

EXECUTIVE SUMMARY

The City of Muscatine has accumulated a number of excess parcels of land no longer required for the discharge of public responsibilities. City Council has previously declared a number of these parcels as surplus and directed City Staff to actively pursue their disposal. The Community Foundation of Greater Muscatine has requested the donation of the property between Bond and Franklin streets for the purpose of developing a workforce housing unit through the Homes for Iowa Program.

STAFF RECOMMENDATION

Staff recommends approval of the attached resolution to execute the deed to convey the surplus property to the Community Foundation of Greater Muscatine via the Community Foundation Real Estate, LLC.

BACKGROUND/DISCUSSION

The City of Muscatine has accumulated a number of excess parcels of land not required for to discharge public responsibilities and for which continued public ownership no longer serves any useful purpose. Conveying this property to the Community Foundation of Greater Muscatine (CFG) will allow it to be redeveloped in support of other City goals, including increasing the supply of housing and reducing operating expenses. As is typical with housing development the CFG has established a limited liability corporation, Community Foundation Real Estate, LLC, to hold the properties.

The CFG approached the City last year about partnering to pilot a Homes for Iowa project. After looking at the City owned lots appropriate for development and conferring with Homes for Iowa on the placement requirements CFG requested the donation parcel number 1303430006 located between Bond and Taylor streets. The parcel will be used for the placement of one home to be sold to a family earning not more than 100% of the area median income (\$91,654 for a family of 4), and will return it to a useful purpose, , restore it to the tax roll, and reduce maintenance costs borne by the City.

Partnering with the Foundation on this project allows us to further the City goals of increasing supply and quality of housing, support investment in a target neighborhood, and demonstrate the use of the Homes for Iowa Program to meet the demand for homeownership units.

This property has been declared surplus, but Council must adopt a resolution authorizing the conveyance of this parcel. The CFGM will pay all recording costs.

CITY FINANCIAL IMPACT

Approval of this action would result in a reduction of maintenance costs incurred by the City and made the parcel and all future improvements subject to property tax.

ATTACHMENTS

Resolution Authorizing the Sale and Executing Deed of Surplus Property between Bond and Taylor streets

RESOLUTION NO. _____

A Resolution Declaring a Parcel Located on the Alley Between Franklin and Bond Streets (Parcel #1303430006) Real Estate as Surplus and Authoring the Execution of a Quit Claim Deed to Said Described Real Estate to Community Foundation Real Estate, LLC

WHEREAS, as Resolution was adopted by the City Council of Muscatine, Iowa, on February 18, 2021, concerning the proposed transfer of all of the City's rights, title, and interest in and to the real property described in the copy of the Deed "Exhibit A" to this Resolution and incorporated by reference; and

WHEREAS, due notice of said proposal to convey said real property to the Community Foundation of Greater Muscatine through Community Foundation Real Estate, LLC was given as provided for by law, setting forth the time and place for hearing on said proposal; 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, in accordance with said notice, those interested in said proposed conveyance, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council of the City of Muscatine, Iowa at a public hearing held February 18, 2021; and

WHEREAS, the City Council of Muscatine, does hereby declare the property to be surplus and for it to be in the best interest of the public to dispose of the described real estate located in Muscatine, Iowa,

WHEREAS, February 18, 2021, the City of Muscatine, Iowa approved the transaction between the City of Muscatine and Community Foundation Real Estate, LLC.

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

1. The City of Muscatine, Iowa, will 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 the Community Foundation Real Estate, LLC.
2. The deed will be delivered upon execution.
3. The deed will be in the name of the City of Muscatine, Iowa; will be signed by the Mayor and attested by the City Clerk; and will be in substantially the same form as the copy of the deed attached as "Exhibit A" to this Resolution.

4. Any Resolution or part thereof in conflict or inconsistent with this Resolution is repealed.

PASSED, APPROVED AND ADOPTED this 18th day of February, 2021.

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

Diana L. Broderson, Mayor

Attest:

Carol Webb, City Clerk

Exhibit A

Prepared by: April Limburg, 215 Sycamore Street, Muscatine, IA 52761; 563.262.4141
Return and Tax Statement to: Community Foundation of Greater Muscatine, 208 W 2nd St, Muscatine IA 52761-0071

WARRANTY DEED

The City of Muscatine, Iowa, a municipal corporation situated in Muscatine County, Iowa, for valuable consideration, transfers and conveys to the Community Foundation Real Estate, LLC all its rights, title, and interest in the following real property in Muscatine County, Iowa:

Fractional Lots Six (6) and Seven (7) and the Northeasterly One-half of Lot Eight (8) in Block Forty-three (43), South Muscatine Addition to the City of Muscatine, Muscatine County, Iowa, and a triangular tract commencing at the point of beginning at the Northwest corner thence Southeasterly a distance of 33 feet; thence at right angles in a Northeasterly direction 60.5 feet; thence Westerly to the true point of beginning in Lot Ten (10), Block Forty-three (43), South Muscatine Addition to the City of Muscatine, Muscatine County, Iowa.

Exempt from transfer tax per Iowa Code Section 428A.2(21).

The City covenants with the grantee, its successors and assigns, to warrant and defend the real property against the lawful claims of all persons claiming by, though, 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 Administrator and its seal to be affixed on February 18, 2021.

CITY OF MUSCATINE, IOWA

(CITY SEAL)

By: _____
Diana L. Broderson
Mayor

ATTEST:

Carol Webb
City Clerk

Exhibit A

STATE OF IOWA, MUSCATINE COUNTY, ss.

This instrument was acknowledged before me on _____, 2021, by Diana L. Broderson and Carol Webb as Mayor and City Clerk, respectively, of the City of Muscatine, Iowa.

Cinda Hilger, Notary Public in and for the State of Iowa