



# City of Muscatine



## AGENDA ITEM SUMMARY

DATE: 2-18-2021

### STAFF

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April Limburg, Planner

### SUBJECT

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Resolution Releasing the Lien on a Privately Owned Property at 212 Grover Street

### EXECUTIVE SUMMARY

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This resolution authorizes the release of a lien placed on the property at 212 Grover Street as the result of a Community Development Block Grant funded rehabilitation project. Participation in the program required a lien on assisted properties for the 5-year compliance period. The property owner has met the all program requirements and has requested the lien be released at this time.

### STAFF RECOMMENDATION

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Staff recommends approval of the attached resolution authorizing the Mayor and City Administrator to sign the *Release of Real Estate Mortgage* (lien instrument) for the property at 212 Grover Street.

### BACKGROUND/DISCUSSION

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In 2010 Matthew and Jacklyn Donath participated in the CDBG Housing Rehabilitation Program to make improvements to their property at 212 Grover Street. Assistance was provided as a forgivable loan as long as the home was owned and occupied by the family for not less than five years following the project. Participants were required to sign a mortgage placing a lien on their property to insure compliance with this stipulation.

The Donaths have exceeded the occupancy requirement and have requested the City of Muscatine release the lien on this property.

### CITY FINANCIAL IMPACT

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There is no financial impact to the City.

### ATTACHMENTS

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1. Resolution
2. Release of Real Estate Mortgage

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

**A RESOLUTION RELEASING REAL ESTATE MORTGAGE UNDER THE 2009  
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) OWNER-  
OCCUPIED REHABILITATION PROGRAM**

**WHEREAS**, a zero-percent interest forgivable loan was granted under the 2009 Community Development Block Grant of the City of Muscatine, Iowa, and a real estate mortgage was executed by Matthew and Jacklyn Donath, owners of said property commonly known as 212 Grover; Muscatine, Iowa, legally described as:

LOTS 9 & 10 BLOCK 13 of SMALLEY'S THIRD ADDTION TO SOUTH  
MUSCATINE CITY OF MUSCATINE, IOWA

granting a lien against the real estate to the City of Muscatine, Iowa: and,

**WHEREAS**, said loan has been repaid and the real estate mortgage should be released.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council for the City of Muscatine, that the real estate mortgage referred to in the Release of Real Mortgage, which is attached to this resolution, is hereby released, and the Mayor and City Clerk are hereby authorized to execute said Release of Real Estate Mortgage in order that the same can be recorded in the office of the Recorder of Muscatine County, Iowa,

**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**

Prepared by & Return to: April Limburg, 215 Sycamore Street, Muscatine, IA 52761; 563.262.4141

## **RELEASE OF REAL ESTATE MORTGAGE**

KNOWN ALL MEN BY THESE PRESENTS: That the undersigned, the present owner of the mortgage hereinafter described, does hereby acknowledge that a certain mortgage bearing the date of the 2<sup>nd</sup> day of July, 2010 made and executed by Matthew and Jacklyn Donath to the City of Muscatine, Iowa and recorded in the Muscatine County, Iowa, Recorder's Office in File 2010-04565 on the 17th day of September, 2010, commonly described as 212 Grover, Muscatine, Iowa, and legally described as

**LOTS 9 & 10 OF BLOCK 13 OF SMALLEY'S ADDITION TO SOUTH MUSCATINE  
CITY OF MUSCATINE, IOWA**

is redeemed, paid off, satisfied and discharged in full. Said mortgage was in the original amount of \$24,999.00

Words and phrases here including acknowledgment hereof, shall be construed as in singular or plural numbers, and as masculine, feminine or neuter gender, according to the context.

CITY OF MUSCATINE, IOWA

(CITY SEAL)

By: \_\_\_\_\_  
Diana L. Broderson  
Mayor

ATTEST:

\_\_\_\_\_  
Carol Webb  
City Clerk

STATE OF IOWA, MUSCATINE COUNTY, ss.

On this 18<sup>th</sup> day of February 2021, before me \_\_\_\_\_ a Notary Public in and for the State of Iowa, personally appeared Diana Broderson and Carol Webb, to me personally known, and, who, being by me duty sworn, did say that She are the Mayor and City Clerk, respectively, of the City of Muscatine, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Resolution No \_\_\_\_\_ passed by the City Council, under Roll Call No \_\_\_\_\_ of the City Council on the 18<sup>th</sup> day of February 2021, and that Diana Broderson and Carol Webb acknowledge the execution of this instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

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