



# City of Muscatine



## AGENDA ITEM SUMMARY

DATE: 3-15-2021

### **STAFF**

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April Limburg, Planner

### **SUBJECT**

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Resolution Authorizing the Execution of a Quit Claim Deed to Said Described Real Estate located at 104 Clinton St

### **EXECUTIVE SUMMARY**

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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 declared a number of these parcels as surplus and directed City Staff to actively pursue their disposal. Freedom Malik-Roberts and Charles Justin Roberts have made an offer to purchase the property located at 104 Clinton, for \$8,000

### **STAFF RECOMMENDATION**

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Staff recommends approval of the attached resolution to authorize the sale and execute the deed to the parcel located at 104 Clinton St.

### **BACKGROUND/DISCUSSION**

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The City of Muscatine has accumulated a number of excess parcels of land which are no longer required for the discharge of public responsibilities and for which the continued public ownership of no longer serves any useful purpose. City Council directed staff to pursue opportunities to return these parcels to a useful purpose, restore them to the tax roll, and/or reduce maintenance costs associated with these parcels.

City staff has negotiated a purchase agreement with Freedom Malik-Roberts and Charles Justin Roberts, regarding the sale of a surplus city owned Parcel #1303256002 (104 Clinton St), 8,400 sf. at purchase price of \$8,000.

This property was the site of a tragic house fire in 2019, and afterward the property owner conveyed the site to the City due to the inability to perform the required demolition. Subsequently the City was notified of unpaid taxes in the amount of \$5,827, which are must be paid.

At its February 18, 2021, meeting City Council declared this parcel surplus and approved the sale. It is now necessary for Council to pass a resolution authorizing the sale of this parcel and executing the deed.

### **CITY FINANCIAL IMPACT**

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Approval of this action will cover the expense of the unpaid back taxes as well as a slight increase in revenue available to the City. The sale of this parcel will also reduce City maintenance

costs associated with ownership of this parcel and make it and any improvements made upon it subject to property tax.

#### **ATTACHMENTS**

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- 1) Resolution Authorizing the Sale and Executing Deed of Surplus for 104 Clinton St
- 2) Warranty Deed

Exhibit A

Prepared by: April Limburg, 215 Sycamore Street, Muscatine, IA 52761; 563.262.4141  
Return and Tax Statement to: Freedom Malik-Roberts or Charles Justin Roberts, 1836 Hershey Ave,  
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 Freedom Malik-Roberts or Charles Justin Roberts all its rights, title, and interest in the following real property in Muscatine County, Iowa:

**Lot 7, Block 1 of Abraham Smalley's Second Addition to South Muscatine, an Addition to the City of Muscatine, Muscatine County, Iowa;**

*Exempt from transfer tax per Iowa Code Section 428A.2(6).*

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 March 18, 2021.

CITY OF MUSCATINE, IOWA

(CITY SEAL)

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

ATTEST:

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Carol Webb  
City Clerk

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.

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

**RESOLUTION NO. 2021-0099**

**A Resolution Declaring the Parcel Located at 104 Clinton St Real Estate as Surplus and Authoring the Execution of a Quit Claim Deed to Said Described Real Estate to Freedom Malik-Roberts or Charles Justin Roberts**

**WHEREAS**, a Resolution was adopted by the City Council of Muscatine, Iowa, on February 18, 2021, concerning the proposed sale of all 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 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 public hearing held on February 18, 2021; and

**WHEREAS**, the City Council of Muscatine, declared said property to be surplus and it to be in the best interest of the public to dispose of the described real estate in Muscatine, Iowa,

**WHEREAS**, the City of Muscatine, Iowa, approves the sale of said property to Freedom Malik-Roberts or Charles Justin Roberts for \$8,000.

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

1. The City of Muscatine, Iowa, will sell and 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 Freedom Malik-Roberts or Charles Justin Roberts.
2. The deed will be delivered upon receipt of \$8,000.
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 18<sup>th</sup> day of March, 2021.**

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

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**Diana L. Broderson, Mayor**

**Attest:**

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**Carol Webb, City Clerk**