

MEMORANDUM

To: Mayor and City Council Members

Cc: Gregg Mandsager, City Administrator
Randy Hill, Director of Public Works
Steven Boka, Director of Planning, Zoning & Building Safety
Jon Lutz, Muscatine City Engineer

From: Jim Rudisill, Planning/CD Coordinator

Date: August 29, 2012

Re: **Harrison Street/Colorado School Drop Off – FBF Rental Acquisition**

INTRODUCTION: The Harrison Street Extension Project is nearly complete. Following the acquisition of easements and other property right of way, a drop-off lane was proposed at the back of the Colorado Elementary School property. Negotiations with FBF Rental led to a purchase agreement that allowed the city to move forward with the drop-off work. Final approval to acquire and pay for the right of way is now needed.

BACKGROUND: The project is nearly completed and final payment to the property owner is necessary. The initial paperwork was not completed in time for the council's August 16 meeting as originally planned. A final plat must still be developed by the engineering company.

RECOMMENDATION/RATIONALE: Approval of the acquisition agreement is recommended

BACKUP INFORMATION:

1. None
- 2.
- 3.
- 4.
- 5.

RESOLUTION NO. _____

**RESOLUTION TO PURCHASE RIGHT OF WAY FOR THE 2012 HARRISON
STREET EXTENSION PARKING LANE PROJECT**

WHEREAS, the City is undertaking a project to extend, upgrade and improve Harrison Street between Park Avenue and Bandag Drive in 2012; and

WHEREAS, it is necessary for the City to obtain additional right of way from certain property owners to complete a parking lane in and around the Colorado Elementary School area to complete this project; and

WHEREAS, each property owner has been contacted, discussed and agreed to separate conditions for each of their acquisitions;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA that the attached easements/acquisitions agreements from property owners be accepted by the City under the conditions and for the considerations described in each easement/acquisition.

PASSED, APPROVED AND ADOPTED this 6th day of September 2012.

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

Attest:

DeWayne M. Hopkins, Mayor

Gregg Mandsager, City Clerk

Form prepared by and returned to Jim Rudisill, Planning/CD Coord.; Muscatine City Hall; 215 Sycamore; Muscatine, IA 52761
563-264-1554 (ext. 143); jrudisill@muscatineiowa.gov

QUIT CLAIM DEED

THIS QUITCLAIM DEED, executed this _____ day of _____ (month)
_____ (year), by FBF Rentals, an Iowa Partnership, the first party, whose
address is Box 36; ; Muscatine, IA and the City of Muscatine, Iowa, the second party, whose
address is Muscatine City Hall; 215 Sycamore; Muscatine, IA .

WITNESSETH, that the said first party, for good consideration and for the sum of
one Dollar (\$1.00) and other consideration paid by the said second party, the
receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the
said second party forever, all the right title, interest and claim which the said first party has in
and to the following described parcel of land, and improvements and appurtenances thereto in
the County of Muscatine, State of Iowa, to wit:

SEE ATTACHED

SELLER'S SIGNATURE AND CLAIMANT'S CERTIFICATION: Upon due approval and
execution by the BUYER, we the undersigned claimants certify the Total Lump Sum payment
shown herein is just and paid \$1.00 and other consideration.

FBF Rentals, a partnership consisting of Jeffrey K. Frye, Steven G. Blaser and Michael D. Frye

By _____
Jeffrey K. Frye, one of the partners (Mailing Address) _____

By _____
Steven G. Blaser, one of the partners (Mailing Address) _____

SELLER'S ALL-PURPOSE ACKNOWLEDGMENT

STATE OF IOWA
COUNTY OF MUSCATINE

On this _____ day of _____, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeffrey K. Frye and Steven G. Blaser, to me personally known or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/ their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

(Sign in Ink)

(Print or Type Name)

Notary Public in and for the State of Iowa
My Commission expires _____

BUYER'S ACKNOWLEDGMENT
STATE OF IOWA

SEE ATTACHED MUSCATINE CITY COUNCIL RESOLUTION

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

DEDICATION OF RIGHT OF WAY

STATE OF IOWA, MUSCATINE COUNTY, ss:

The undersigned FBF Rentals, an Iowa Partnership, of the City of Muscatine and County of Muscatine, State of Iowa; do hereby certify that I am/We are the owner(s) in fee simple of all the real estate embraced within the limits of the Harrison Street Extension Parking Lane in the City of Muscatine, Muscatine County, Iowa, which Plat is hereto attached and by this reference made a part of this dedication.

The undersigned, FBF Rentals, an Iowa Partnership, does (do) further certify and declare that said Plat was made under his/her/their direction, consent and accordance with his/her/their express desire; and FBF Rentals, an Iowa Partnership, does hereby dedicate the rights-of-way on said Plat to the City of Muscatine, Iowa and to public use forever; and that this Dedication is the free act and deed of the undersigned.

Dated at _____, Iowa this ____ day of _____ 2012

FBF Rentals, a partnership consisting of Jeffrey K. Frye, Steven G. Blaser and Michael D. Frye

By _____
Jeffrey K. Frye, one of the partners

By _____
Steven G. Blaser, one of the partners

SELLER'S ACKNOWLEDGEMENT

STATE OF IOWA
COUNTY OF MUSCATINE

On this _____ day of February, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeffrey K. Frye and Steven G. Blaser, to me personally known or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

(Sign in Ink)

(Print or Type Name)

Notary Public in and for the State of Iowa
My Commission expires _____

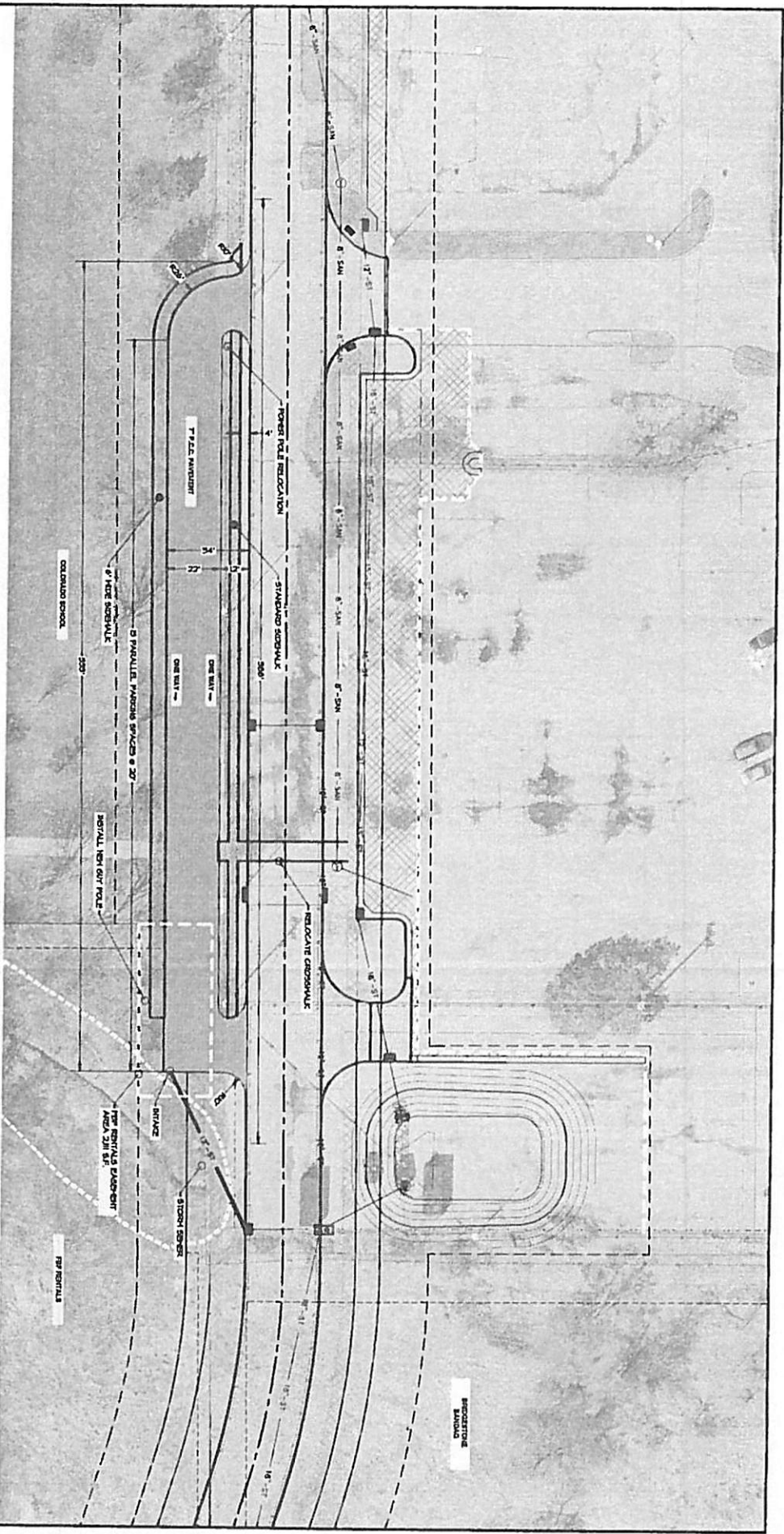
DRAFT FOR COMMENTS

NO.	REVISIONS	NOTES	DATE
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2			
3			
4			
5			
6			
7			
8			
9			
10			

Martin & Whitacre
Surveyors & Engineers, Inc.
 P.O. BOX 413
 YORK, PA 17403
 TEL 717/333-3333
 FAX 717/333-3333
 EMAIL info@martinwhitacre.com

CITY OF MUSCATINE
 MUSCATINE, IOWA
 HARRISON STREET EXTENSION
PARKING LANE
 PROJECT NO. 7491.11

DWG 7491-1584.DWG
 DATE 07/07/12
 SHEET
 A1



[illegible]