



COMMUNITY DEVELOPMENT

MEMORANDUM

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

To: Mayor and City Council Members
Cc: Gregg Mandsager, City Administrator
Steven Boka, Director of Community Development
From: Jim Rudisill, Planning/CD Coordinator
Date: December 5, 2012
Re: Mortgage Release – 106 Taylor

BACKGROUND: Raul & Patricia Madrigal participated in the 2006 CDBG Housing Rehabilitation Program in 2006-2007. They received the maximum \$24,999 in funding assistance through a five-year forgivable loan. Under the terms of the program, they were required to sign a mortgage, which they did on March 16, 2007. Their project was completed on December 20, 2007.

Twenty percent (20%) of the loan has been forgiven annually on the anniversary date of the completion of the project; and with the final 20% forgiven on December 20, 2012, the entire \$24,999 debt is now forgiven.

RECOMMENDATION/RATIONALE: A mortgage release is attached, as well as a resolution authorizing the mayor and city administrator to sign the release.

This is the eighth of 12 mortgages that eventually are expected to be released by the city under the 2006 Housing Rehabilitation Program. Three of the earlier mortgages released were early releases approved by the city council because of a family death, required move or a refinancing action requested shortly before the five years were completed. Another property was lost to foreclosure.

BACKUP INFORMATION: None

RELEASE OF REAL ESTATE MORTGAGE

(Prepared by & return to Jim Rudisill, City Hall, 215 Sycamore, Muscatine, Iowa 52761 563-264-1550; ext. 143)

KNOW 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 10th day of July 2007 made and executed by Raul & Patricia Madrigal to the City of Muscatine, Iowa and recorded in the Muscatine County, Iowa, Recorder's Office in File 2007-05068 on the 1st day of August 2007, commonly described as 106 Taylor Street, Muscatine, Iowa, and legally described as

S 56' OF LOT 1 OF SCHARFF'S SUBDIVISION

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

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

Dated this 20th day of December 2012
CITY OF MUSCATINE, IOWA

Attest:

By _____
DeWayne M. Hopkins, Mayor

Gregg Mandsager, City Clerk

STATE OF IOWA, Muscatine County, ss:

On this 20th day of December 2012, before me _____, a Notary Public in and for the State of Iowa, personally appeared DeWayne M. Hopkins and Gregg Mandsager, to me personally known, and, who, being by me duly sworn, did say that they 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 20th day of December 2012, and that DeWayne M. Hopkins and Gregg Mandsager acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Notary Public in and for the State of Iowa

RESOLUTION NO. _____

RESOLUTION RELEASING REAL ESTATE MORTGAGE UNDER THE 2006 COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) OWNER-OCCUPIED RESIDENTIAL REHABILITATION
PROGRAM

WHEREAS, a zero-percent-interest forgivable loan was granted under the 2006 Community Development Block Grant Program of the City of Muscatine, Iowa, and a real estate mortgage was executed by Raul & Patricia Madrigal, owner of said property commonly known as 106 Taylor Street; Muscatine, IA, legally described as:

S 56' OF LOT 1 OF SCHARFF'S SUBDIVISION

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 OF THE CITY OF MUSCATINE, IOWA, 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 20th day of December 2012.

BY THE CITY COUNCIL OF
THE CITY OF MUSCATINE, IOWA

DeWayne M. Hopkins, Mayor

ATTEST:

Gregg Mandsager, City Clerk