

Prepared by Steven Boka, 215 Sycamore Street, Muscatine, Iowa 52761 563.262.4141

RESOLUTION NO. _____

RESOLUTION APPROVING AN EXECUTED DEED

WHEREAS, a Resolution was adopted by the City Council of Muscatine, Iowa, on August 15, 2013 approving the sale of certain real property to Daniel B. and Cynthia L. Clark, husband and wife as Joint Tenants with Full Rights of Survivorship, and not as Tenants in Common; and

WHEREAS, the Resolution requires the City to execute and deliver a deed to the buyer; and

WHEREAS, the Mayor and City Clerk have duly executed such a deed pursuant to the Resolution;

IT IS THEREFORE RESOLVED, BY THE CITY COUNCIL FOR THE CITY OF MUSCATINE, that the executed deed, a copy of which is attached to the prior Resolution, is approved in accordance with Iowa Code Section 569.7.

PASSED, APPROVED, AND ADOPTED this 15th day of August, 2013.

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

(SEAL)

DeWayne Hopkins, Mayor

ATTEST:

Gregg Mandsager, City Clerk

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Tax Statement Address: Daniel B. and Cynthia L. Clark – 305 Burnside Avenue, Muscatine, Iowa 52761

EXHIBIT C DEED

The City of Muscatine, Iowa, a municipal corporation situated in Muscatine County, Iowa, for valuable consideration, transfers and conveys to Daniel B. and Cynthia L. Clark, husband and wife, as Joint Tenants with Full Rights of Survivorship, and not Tenants in Common, in the City of Muscatine, Muscatine County, Iowa, all rights, title, and interest in the following real property in the City of Muscatine, Iowa:

LAND DESCRIPTION

A PART OF THE TWENTY FOOT ALLEY LOCATED IN BLOCK 2 OF BURNSIDE'S 2ND ADDITION TO THE CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA. BEGINNING AT THE NORTHWEST CORNER OF LOT 3 IN BLOCK 2 OF BURNSIDE'S 2ND ADDITION; THENCE NORTH 41°05'16" WEST 20.00 FEET; THENCE NORTH 48°46'39" EAST 55.82 FEET; THENCE SOUTH 41°05'16" EAST 20.00 FEET; THENCE SOUTH 48°46'39" WEST 55.82 FEET TO THE POINT OF BEGINNING; CONTAINING 1116 SQUARE FEET.

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

The City covenants with the grantees, its successors and assigns, to warrant and defend the real property against the lawful claims of all persons claiming by, through, 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 Clerk and its seal to be affixed on August 15, 2013.

CITY OF MUSCATINE, IOWA

(SEAL)

DeWayne Hopkins, Mayor

ATTEST:

Gregg Mandsager, City Clerk

STATE OF IOWA, MUSCATINE COUNTY, ss:

On this 15th day of August, 2013, before me _____, a Notary Public in and for the State of Iowa, personally appeared DeWayne 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; and 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 under Roll Call No. _____ of the City Council on the 15th of August, 2013, and that DeWayne 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

CERTIFICATE

I, Nancy Lueck, Director of Finance for the City of Muscatine, Iowa, certify that the attached hereto are true copies of the following:

1. Ordinance No. _____ vacating a portion of the unimproved alley right-of-way in and adjacent to Block 2 of Burnside's 2nd Addition.
2. Resolution No. _____ setting a time and place of a public hearing upon the vacation and sale of a portion of the unimproved alley right-of-way in Block 2 of Burnside's 2nd Addition.
3. Affidavit of Published notice concerning the public hearing upon the vacation and transfer of City real estate.
4. Affidavit of published Ordinance No. _____.
5. Resolution No. _____ authorizing the sale of City property to Daniel B. and Cynthia L. Clark..
6. Resolution No. _____ approving the executed deed.
7. Warranty Deed (original).

All related to the sale of the real estate described in those documents, and that all were duly adopted and approved by the City Council for the City of Muscatine, Iowa, and the originals are on file in the City Hall, for the City of Muscatine, Iowa.

Nancy Lueck, Director of Finance

Subscribed and sworn to before me, the undersigned, Notary Public by Nancy Lueck, on this the ____ day of August, 2013.

Notary Public in and for the
State of Iowa