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COMMUNITY DEVELOPMENT

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

MEMORANDUM

To: Mayor and City Council Members

Cc: Gregg Mandsager, City Administrator

From: Steven Boka, Director of Community Development

Date: August 11, 2011

Re: T. L. W. Corporation Request – Vacation the Alley R-O-W Remnant

INTRODUCTION: A vacation request has been submitted by T.L.W. Corporation, owners of the property surrounding an alley right-of-way remnant in the block bounded by Liberty, Mill, Pearl and Main Streets.

BACKGROUND: T.L.W. Corporation owns all of the real estate that borders the remainder of the alley right-of-way located within the property shown on the attached Vacation Plat. The Owners are now requesting that the remaining alley right-of-way be vacated, sold and transferred to the Corporation for their future use. Following final action on the Ordinance on August 18th, the City Council must take action by resolution to authorize the sale of the alley right-of-way and act on the resolution approving the executed deed. The fair market value of this property is \$1,263.15 (1,203 sq. ft. @ \$1.05/sq.ft.).

RECOMMENDATION/RATIONALE: It is recommended that City Council take action to approve the final reading of the ordinance. The City Council will then have the opportunity to act on the resolution authorizing the sale and transfer of the alley remnant and a resolution to approve the executed deed for the alley right-of-way as shown on the attached Vacation Plat attached hereto.

BACKUP INFORMATION:

1. Resolution authorizing the sale of city property
2. Resolution approving the executed deed
3. Deed
4. Vacation Plat

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

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE SALE OF CITY PROPERTY

WHEREAS, a Resolution was adopted by the City Council of Muscatine, Iowa, on July 7, 2011, concerning the proposed sale of the City's rights, title, and interest in and to the real property described in the copy of the deed attached to this Resolution and incorporated by reference; and

WHEREAS, the Resolution provided that notice of intention to vacate and transfer the real property should be given by publication of a Public Notice as required by law; 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, the City Council finds the sale of the real property will serve the public interest and has approved the sale of the real property;

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 T.L.W. Corporation, an Iowa Corporation, for \$1,263.15.
2. 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 substantially the same form as the copy of the deed attached to this Resolution.
3. The deed will be delivered to the Buyer upon full payment of the purchase price.
4. Any Resolution or part thereof in conflict or inconsistent with this Resolution is repealed.

PASSED, APPROVED, AND ADOPTED this 18th day of August, 2011.

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

(SEAL)

Richard W. O'Brien, Mayor

ATTEST:

Gregg Mandsager, City Clerk