

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 18, 2011 approving the sale of certain real property to T.L.W. Corporation, an Iowa Corporation; 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 18<sup>th</sup> day of August, 2011.

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

**(SEAL)**

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Richard W. O'Brien, Mayor

**ATTEST:**

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Gregg Mandsager, City Clerk

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Tax Statement Address: T.L.W. Corporation – 501 W. Bypass 61- Muscatine, Iowa 52761

## EXHIBIT B

### DEED

The City of Muscatine, Iowa, a municipal corporation situated in Muscatine County, Iowa, for valuable consideration, transfers and conveys to T.L.W. Corporation, an Iowa Corporation, all rights, title, and interest in the following real property in the City of Muscatine, Iowa:

THAT PORTION OF THE 20 FOOT WIDE ALLEY RIGHT OF WAY BETWEEN AND ADJACENT TO LOT 22 OF MILL STREET ADDITION AND LOT 1 IN BLOCK 29 OF SOUTH MUSCTINE, IN THE CITY OF MUSCATINE, IOWA.

BEGINNING AT THE SOUTHWEST CORNER OF LOT 22 OF MILL STREET ADDITION; THENCE NORTH 41°13'26" EAST 60.15 FEET ALONG THE SOUTHEASTERLY LINE OF LOT 22; THENCE SOUTH 48°46'34" EAST 20 FEET TO THE NORTHWESTERLY LINE OF LOT 1 IN BLOCK 29 OF SOUTH MUSCATINE; THENCE SOUTH 41°13'26" WEST 60.15 FEET ALONG THE NORTHWESTERLY LINE OF LOT 1 TO THE NORTHEASTERLY RIGHT OF WAY OF PEARL STREET; THENCE NORTH 48°46'34" WEST 20.00 FEET ALONG THE NORTHEASTERLY RIGHT OF WAY OF PEARL STREET TO THE POINT OF BEGINNING, CONTAINING 1203 SQUARE FEET OR 0.028 ACRES.

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 April 21, 2011.

CITY OF MUSCATINE, IOWA

(SEAL)

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Richard W. O'Brien, Mayor

ATTEST:

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Gregg Mandsager, City Clerk

STATE OF IOWA, MUSCATINE COUNTY, ss:

On this 18<sup>th</sup> day of August, 2011, before me \_\_\_\_\_, a Notary Public in and for the State of Iowa, personally appeared Richard W. O'Brien 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 18<sup>th</sup> day of August, 2011, and that Richard W. O'Brien 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.

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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 alley right-of-way.
2. Resolution No. \_\_\_\_\_ setting a time and place of a public hearing upon the vacation and sale of a portion of alley right-of-way.
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 T.L.W. Corporation, an Iowa Corporation.
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.

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Nancy Lueck, Director of Finance

Subscribed and sworn to before me, the undersigned, Notary Public by Nancy Lueck, on this the \_\_\_\_\_ day of August, 2011.

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Notary Public in and for the  
State of Iowa

