

City Hall, 215 Sycamore St.
Muscatine, IA 52761-3840
(563) 262-4141
Fax (563) 262-4142

PLANNING, ZONING AND BUILDING SAFETY

**Public Health,
Housing Inspections &
Inspection Services**

MEMORANDUM

To: Mayor and City Council Members
Cc: Gregg Mandsager, City Administrator
From: Steven Boka, Director of Community Development
Date: August 30, 2010
Re: Request to Purchase Easement - IDOT

INTRODUCTION: The City is completing the process of acquiring temporary and permanent easements for Phase II of the Mad Creek Levee Improvement Project. To prepare the final plans & specifications for Phase II, it is necessary to have all property needed for the Project to be acquired and ready for construction.

BACKGROUND: The City has the responsibility for the acquisition of all property needed for the Mad Creek Levee Improvement Project as set out in the Cooperation Agreement with the US Army Corps of Engineers. The cost associated with this effort is credited to the City's obligation toward the Project.

RECOMMENDATION/RATIONALE: The attached Offer and Easement Plat for a Permanent easement with the IDOT is attached and is recommended for approval. The cost of this permanent easement is \$147.00. It is recommended that City council approve the offer to buy a permanent easement from the Iowa Department of Transportation for the Mad Creek Levee Improvement Project.

BACKUP INFORMATION:

1. Offer to Buy
2. Easement Plat

HIGHWAY DIVISION
IOWA DEPARTMENT OF TRANSPORTATION
OFFICE OF RIGHT OF WAY

Muscatine County
U-87; FN-000-0(000)--21-70
Parcel No. 9

OFFER TO BUY

I herewith submit an unconditional offer of \$ 147.00 to the Iowa Department of Transportation (hereinafter known as Department) for the purchase of the following land:

A PERMANENT RIGHT-OFWAY LEVEE EASEMENT OVER PART OF LOT 10 BLOCK 20, ORIGINAL PLAT, CITY OF MUSCATINE, IOWA, FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID LOT 10 BLOCK 20; THENCE N51°33'21"E, 25.00 FEET ALONG THE NORTHERLY LINE OF SAID LOT 10; THENCE S38°22'51"E, 10.00 FEET ACROSS SAID LOT 10; THENCE S51°33'21"W, 25.00 FEET ACROSS SAID LOT 10 TO THE WESTERLY LINE OF SAID LOT 10; THENCE N38°22'51"W, 10.00 FEET ALONG THE WESTERLY LINE OF SAID LINE 10 TO THE POINT OF BEGINNING, CONTAINING 0.01 ACRES (250 SQ FT.). SAID PARCEL IS SUBJECT TO EXISTING EASEMENTS AND RESTRICTIONS OF RECORD. FOR PURPOSES OF THIS DESCRIPTION THE NORTHERLY LINE OF LOT 10 BLOCK 20 IS ASSUMED TO BEAR N51°33'21"E.

I herewith enclose a CHECK or MONEY ORDER (we will NOT accept CASH) for the full amount of the offer made payable to the Iowa Department of Transportation. Should the Department not accept the bid or offer, the amount will be returned by mail.

I accept title by State Patent of Easement.

The Iowa Department of Transportation reserves the right to waive any technicalities and to reject any or all bids or offers.

I certify that I have inspected this property to my complete and total satisfaction and that I am fully aware of all conditions of the property and the terms and conditions under which it is being offered for sale. I understand that the property is being sold as is with no warranties of any nature either expressed or implied. I therefore submit a bid, as shown above, for the property.

If my offer is accepted by the Department, please issue the Patent of Easement to:

(PLEASE PRINT OR TYPE)

* The exact name or names the bidder wishes to appear on Patent

Address

X Signed 

Gregg Mandsager, City Administrator

City Hall
215 Sycamore Street

Muscatine, Iowa 52761

Telephone Number: 563-264-1550

Date

* Examples of types of names that will be accepted by the State Land Office:

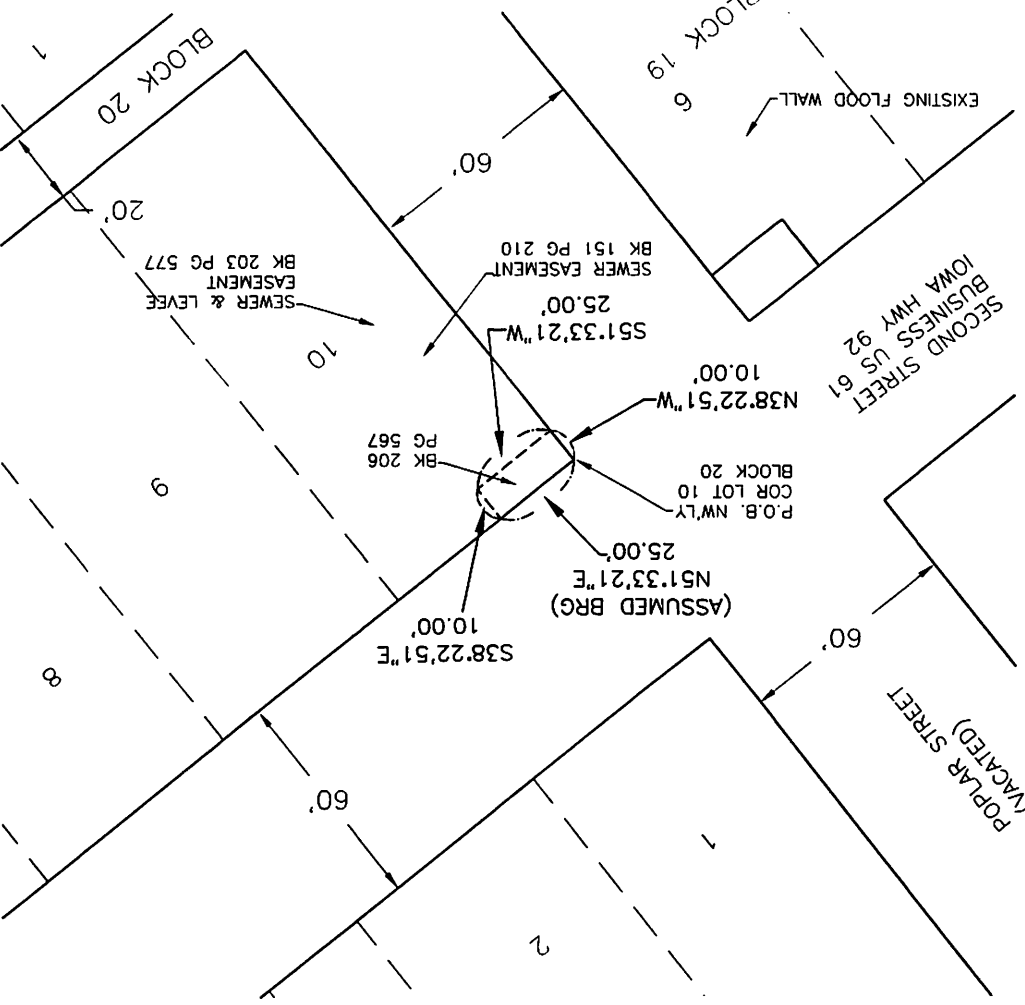
- 1) John J. Doe
- 2) John J. Doe and Mary Ann Doe
- 3) John J. Doe and Mary Ann Doe as joint tenants with full rights of survivorship and not as tenants in common
- 4) Any business name

PERMANENT RIGHT-OF-WAY LEVEE EASEMENT

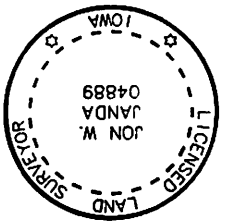
Prepared by Jon W. Janda, Anderson-Bogert Engineers & Surveyors, Inc.
4001 River Ridge Dr. N.E. Cedar Rapids, Iowa 52402

Legal Description
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BEGINNING AT THE NORTHWESTERLY CORNER OF SAID LOT 10;
THENCE NS1°33'21"E, 25.00 FEET ALONG THE NORTHERLY LINE OF SAID LOT 10;
THENCE S38°22'51"E, 10.00 FEET ACROSS SAID LOT 10;
THENCE S51°33'21"W, 25.00 FEET ACROSS SAID LOT 10 TO THE WESTERLY LINE OF SAID LOT 10;
THENCE NS38°22'51"W, 10.00 FEET ALONG THE WESTERLY LINE OF SAID LINE 10 TO THE POINT OF BEGINNING, CONTAINING 0.01 ACRES (250 SQ.FT.), SAID PARCEL IS SUBJECT TO EXISTING EASEMENTS AND RESTRICTIONS OF RECORD, FOR PURPOSES OF THIS DESCRIPTION THE NORTHERLY LINE OF LOT 10 BLOCK 20 IS ASSUMED TO BEAR NS1°33'21"E.

OWNER:
STATE OF IOWA



Legend
Boundary Line
Adjoining Lot Line
Section Line
Building Setback Line
Found 1/2" Iron Rod
Set 1/2"x30" Rebar w/Yellow Cap #4889
Set Section/Quarter Corner
Found Section/Quarter Corner
Measured
Recorded



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A LAND SURVEYOR LICENSED UNDER THE LAWS OF THE STATE OF IOWA.
DATE: 8-10-10
SIGNATURE: Jon W. Janda
IOWA LICENSE NUMBER: 04889
IOWA LICENSE EXPIRES: 12/31/2010
ALL SHEETS COVERED BY THIS SEAL: 1921

Anderson-Bogert
Engineers & Surveyors, Inc.
215 Sycamore Street
Muscatine, IA 52761
Phone: (563)-262-4141

Client: CITY OF MUSCATINE
215 SYCAMORE STREET
MUSCATINE, IA 52761
PHONE: (563)-262-4141

Drawn By: u.s.
Date: 8/10/10
Scale: 1"=40'

Approved By: JMJ

EASEMENT PLATS
Project Number: 207142

TRACT #21-PE

PERMANENT RIGHT-OF-WAY LEVEE EASEMENT

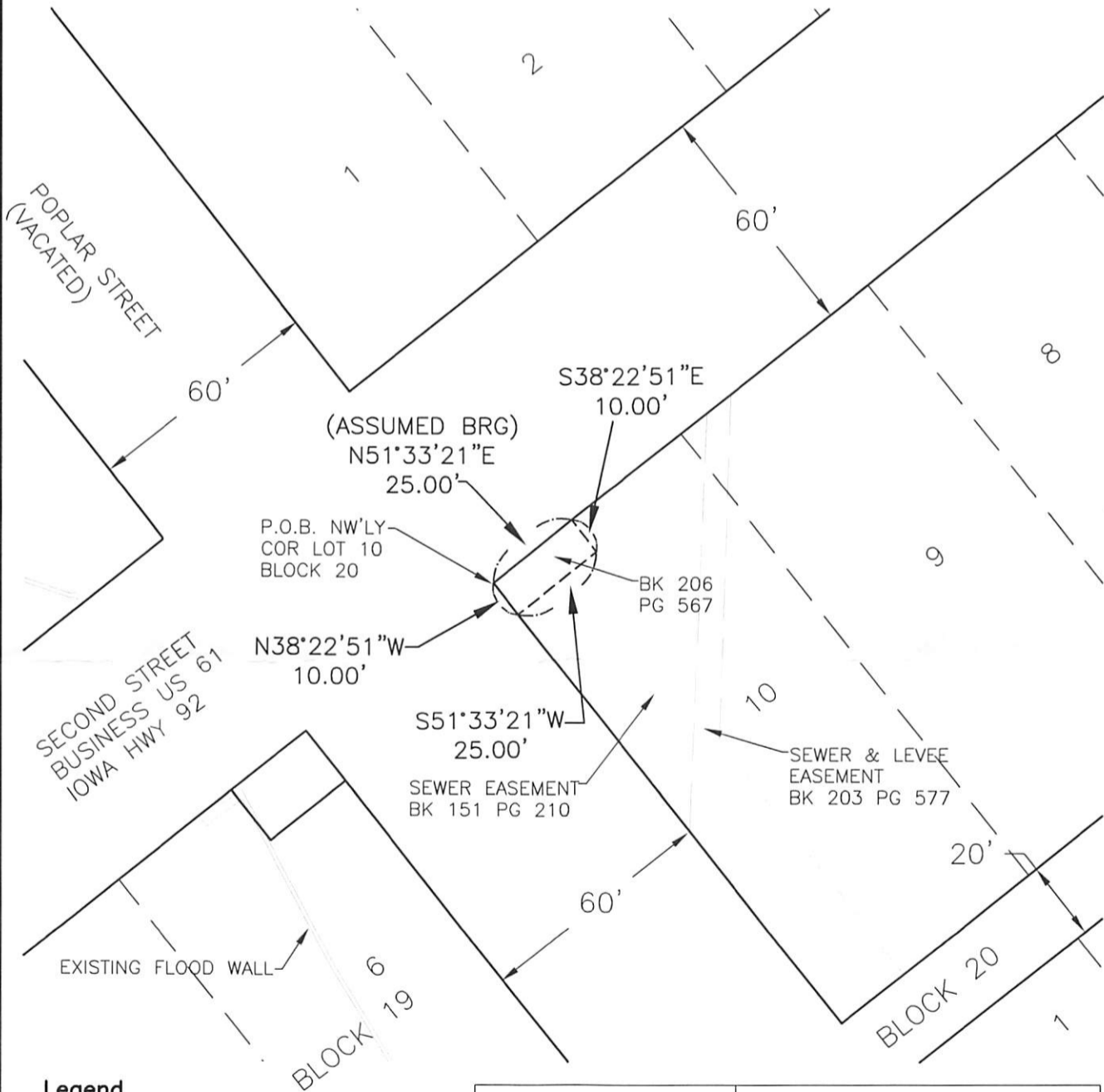
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STATE OF IOWA



TRACT #21-PE
EASEMENT PLATS
Project Number: 207142
Drawn By: MLS
Date: 8/10/10
Approved By: JWJ
Scale: 1"=40'

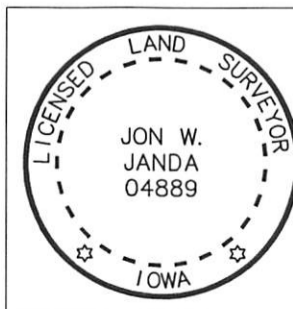
Client: CITY OF MUSCATINE
215 SYCAMORE STREET
MUSCATINE, IA 52761
PHONE: (563)-262-4141

ANDERSON-BOGERT
Engineers & Surveyors, Inc.
4001 River Ridge Drive N.E. Cedar Rapids, Iowa 52402
Phone: (319) 377-4629

Sheet No.
1
of
1

Legend

- Boundary Line
- Adjoining Lot Line
- Section Line
- Building Setback Line
- Found 1/2" Iron Rod
- Set 1/2"x30" Rebar w/Yellow Cap #4889
- Set Section/Quarter Corner
- Found Section/Quarter Corner
- Measured (M)
- Recorded (R)



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

SIGNED: *Jon W. Janda* DATE: 8-10-10
JON W. JANDA IOWA REG. NO. 4889

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2010

PAGES OR SHEETS COVERED BY THIS SEAL:

1 OF 1

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IOWA DEPARTMENT OF TRANSPORTATION
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* The exact name or names the bidder wishes to appear on Patent

Address

X

Signed _____

Telephone Number

Date

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- 3) John J. Doe and Mary Ann Doe as joint tenants with full rights of survivorship and not as tenants in common
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