

RESOLUTION NO. 91920-0312

A RESOLUTION SETTING THE TIME AND PLACE OF A PUBLIC HEARING ON A PROPOSED ANNEXATION TO AND WITHIN THE CITY OF MUSCATINE, IOWA

WHEREAS, a request has been filed to voluntarily annex approximately 47 acres of municipally owned real estate that is located in two distinct locations (described as Area A and Area B) at the Muscatine Municipal Airport, under the provision of Chapter 368.7 of the Code of Iowa, to the City of Muscatine, Iowa, described as:

Area A

Beginning at the southwest corner of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 24, Township 76 North, Range 3 West of the 5th Principal Meridian; in Muscatine County, Iowa; thence east 171.15 feet along the south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 24 to the intersection of the south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 24 and the southeast line Lot 14 of the Keokuk Lake Survey in Muscatine County; thence north $56^{\circ}00'59''$ west along said lot line 43.39 feet; thence north $56^{\circ}00'59''$ west 165.51 feet along the northeast line of Parcel H recorded in Plat Book 10, page 297 to the intersection with the west line of Section 24; thence north $56^{\circ}00'59''$ west 330.58 feet along the northeast line of said parcel; thence south $33^{\circ}59'01''$ west, 845.36 feet along the northwest line of said parcel; thence south $33^{\circ}59'01''$ west, 154.64 feet; thence south $56^{\circ}00'59''$ east, 81.01 feet; thence south $56^{\circ}00'59''$ east along southwest line of Parcel G recorded in Plat Book 10, page 297 to the intersection of said parcel line and the west line of Section 24; thence north along the west line of Section 24 to the point of beginning. All referenced documents have been recorded in the Office of the Muscatine County Recorder.

Area B

Beginning at northeast corner of Section 26, Township 76 North, Range 3 West of the fifth Principal Meridian; in Muscatine County, Iowa; thence south $89^{\circ}34'35''$ west 1000 feet to the northwest corner of Parcel "R", recorded as Document No. 2006-02093; thence south $0^{\circ}25'25''$ east 666 feet along the west line of said parcel; thence north $88^{\circ}47'55''$ east 316.24 feet along said parcel line; thence south $33^{\circ}03'04''$ east 784.77 feet along said parcel line; thence south $33^{\circ}03'04''$ east 715.23 feet along the west line of Parcel "S", recorded as Document No. 2006-02092; thence north $56^{\circ}56'56''$ east 1,114.87 feet along said parcel line to south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 25; thence west along the south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 25 to the intersection with the east line of Section 26; thence north along east line of Section 26 to point of beginning. All referenced documents have been recorded in the Office of the Muscatine County Recorder.

WHEREAS, pursuant to said request, the City Council for the City of Muscatine, Iowa, must conduct a public hearing prior to approval of a voluntary annexation as required by Chapter 368 of the Code of Iowa,

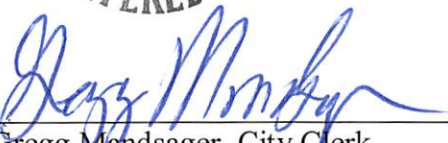
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, that a public hearing be held on the 5th day of April, 2012, at 7:00 p.m., in the City Hall Council Chambers at City Hall, and that the attached public notice of the time and place of said public hearing shall be given by publication the Muscatine Journal at least seven (7) but not more than twenty (20) days prior to the established date of the public hearing.

PASSED, APPROVED AND ADOPTED this 1st day of March, 2012.

CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA



ATTEST


Gregg Mandsager, City Clerk


DeWayne M. Hopkins, Mayor

100

THE UNIVERSITY OF IOWA

John H. ...



John H. ...



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

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: Andrew Fangman, City Planner

Date: March 1, 2012

Re: Voluntary Annexation- City of Muscatine -Municipal Airport Property - 2 Areas - 47 Acres- Resolution to Set Public Hearing

INTRODUCTION: Section 368.7 of the Code of Iowa sets out the procedures that a city must follow when processing a request for voluntary annexation.

BACKGROUND: Over the past several years additional acreage was acquired by the City of Muscatine and added to the Muscatine Municipal Airport as part of the Federal Aviation Administration's Building Restriction Line program.. Approximately 47 acres of this area added to the Muscatine Municipal Airport is located outside, but is adjacent to the Corporate Limit Line.

Staff has initiated the process to annex these 47 municipally owned acres which are located in two distinct locations at the Muscatine Municipal Airport. This annexation would bring the entire municipal airport within the City of Muscatine corporate limit.. Additionally that City would benefit from a small savings on property taxes paid on any portion these 47 acres leased for agricultural production.

The application was reviewed and recommend for approval by the Planning and Zoning Commission at their February 14, 2012 meeting. The City Council will be provided a further update on this proposed voluntary annexation at the March 8, 2012 in-depth meeting. Prior to any further action on this request, it is necessary for the City Council to set a public hearing, and for notice to be provided to all adjacent property owners, utility providers, township trustees, and the Muscatine County Board of Supervisors. The Code of Iowa all requires the Board of Supervisors be given written notice 14 business days prior to any action by City Council on the application for voluntary annexation.

**"I remember Muscatine for its sunsets. I have never seen any
on either side of the ocean that equaled them" — Mark Twain**

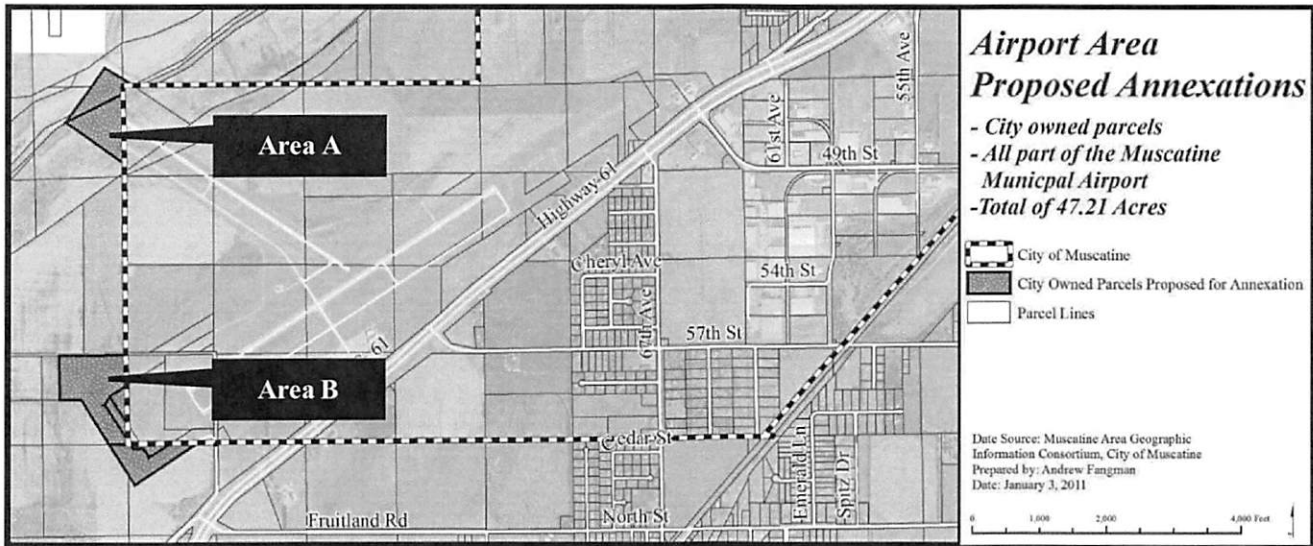


Figure 1: Map of Territory Proposed for Annexation

RECOMMENDATION/RATIONALE: It is therefore recommended that the City Council approve the attached resolution setting a public hearing to consider the voluntary annexation approximately 47 acres of real estate owned by the City of Muscatine at the Muscatine Municipal Airport, for Thursday, April 5, 2012.

BACKUP INFORMATION:

1. Resolution
2. Public Notice
3. Letter to the Township Trustees
4. Letter to adjacent property owners
5. Letter to utility providers



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COMMUNITY DEVELOPMENT

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

March 15, 2012

Members of the Muscatine County Board of Supervisors
County Administration
414 E. 3rd Street
C/O Nancy Schreiber
Muscatine, Iowa 52761

Fruitland Township Board of Trustees
James Bartenhagen – 2686 Crimson Ave.
Thomas Wilson– 2700 Crimson Ave.
Ron Shepard 139 Box Car Rd.

Dear Members of the Muscatine Board of Supervisors and Fruitland Township Board of Trustees

The City of Muscatine is proposing to annex municipally owned parcels that are currently part of the Muscatine Municipal Airport but fall outside the corporate limit line. The approximately 47 acres of real estate being proposed for annexation are located in two separation location within the Muscatine Municipal Airport and are described as:

Area A

Beginning at the southwest corner of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 24, Township 76 North, Range 3 West of the 5th Principal Meridian; in Muscatine County, Iowa; thence east 171.15 feet along the south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 24 to the intersection of the south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 24 and the southeast line Lot 14 of the Keokuk Lake Survey in Muscatine County; thence north $56^{\circ}00'59''$ west along said lot line 43.39 feet; thence north $56^{\circ}00'59''$ west 165.51 feet along the northeast line of Parcel H recorded in Plat Book 10, page 297 to the intersection with the west line of Section 24; thence north $56^{\circ}00'59''$ west 330.58 feet along the northeast line of said parcel; thence south $33^{\circ}59'01''$ west, 845.36 feet along the northwest line of said parcel; thence south $33^{\circ}59'01''$ west, 154.64 feet; thence south $56^{\circ}00'59''$ east, 81.01 feet; thence south $56^{\circ}00'59''$ east along southwest line of Parcel G recorded in Plat Book 10, page 297 to the intersection of said parcel line and the west line of Section 24; thence north along the west line of Section 24 to the point of beginning. All referenced documents have been recorded in the Office of the Muscatine County Recorder.

Area B

Beginning at northeast corner of Section 26, Township 76 North, Range 3 West of the fifth Principal Meridian; in Muscatine County, Iowa; thence south $89^{\circ}34'35''$ west 1000 feet to the northwest corner of Parcel "R", recorded as Document No. 2006-02093; thence south $0^{\circ}25'25''$ east 666 feet along the west line of said parcel; thence north $88^{\circ}47'55''$ east 316.24 feet along said parcel line; thence south $33^{\circ}03'04''$ east 784.77 along said parcel line; thence south $33^{\circ}03'04''$ east 715.23 feet along the west line of Parcel "S", recorded as Document No. 2006-02092; thence north $56^{\circ}56'56''$ east 1,114.87 feet along said parcel line to south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 25; thence west along the south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 25 to the intersection with the

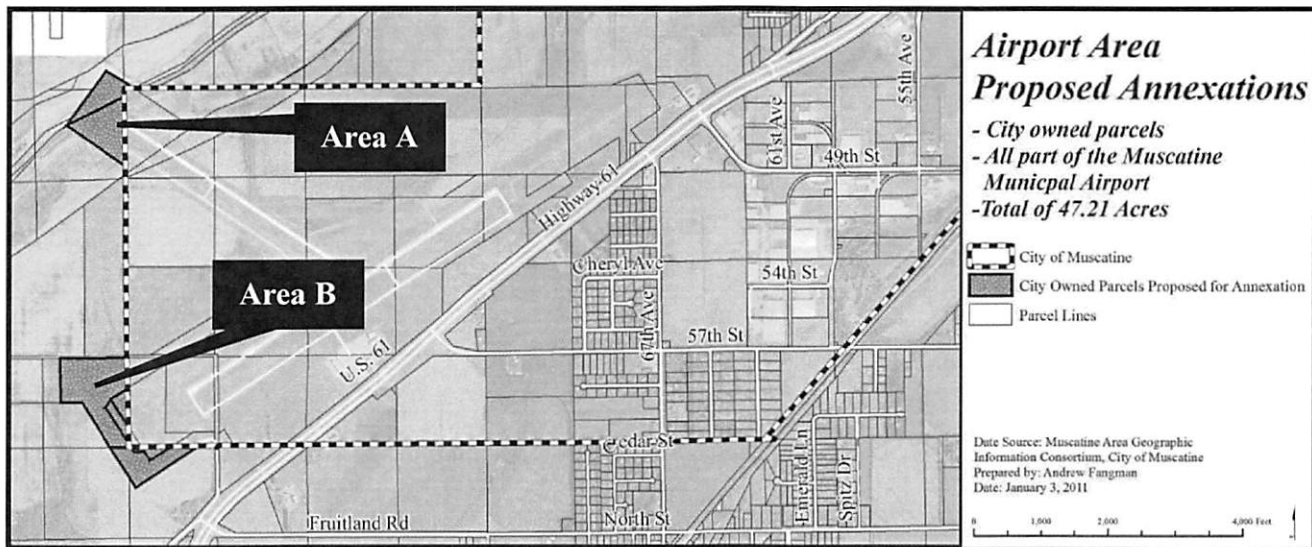
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east line of Section 26; thence north along east line of Section 26 to point of beginning. All referenced documents have been recorded in the Office of the Muscatine County Recorder.

The City Council of the City of Muscatine will conduct a public hearing on and to consider this proposed voluntary annexation on April 5, 2012 at 7:00 p.m. in the City Hall Council Chambers, 215 Sycamore Street. Interested parties are invited to attend and comment.

Sincerely,

Andrew Fangman
City Planner





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COMMUNITY DEVELOPMENT

Planning,
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Construction Inspection Services,
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Code Enforcement

March 15, 2012

Dear Property Owner:

The City of Muscatine is proposing to annex municipally owned parcels that are currently part of the Muscatine Municipal Airport but fall outside the corporate limit line. The approximately 47 acres of real estate being proposed for annexation are located in two separation location within the Muscatine Municipal Airport and are described as:

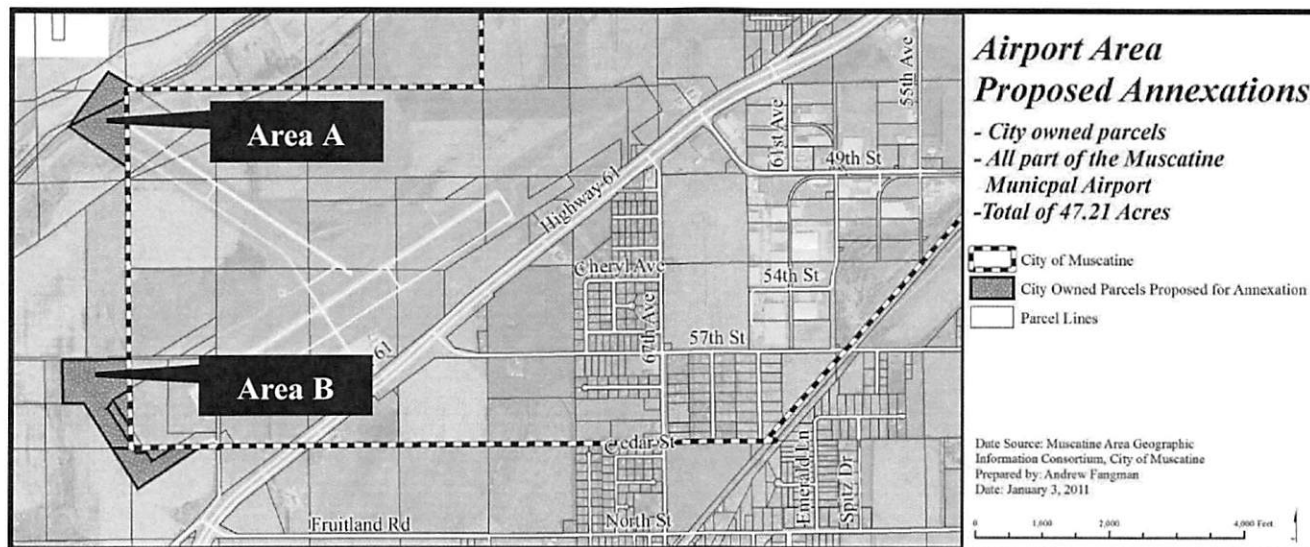
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Area B

Beginning at northeast corner of Section 26, Township 76 North, Range 3 West of the fifth Principal Meridian; in Muscatine County, Iowa; thence south $89^{\circ}34'35''$ west 1000 feet to the northwest corner of Parcel "R", recorded as Document No. 2006-02093; thence south $0^{\circ}25'25''$ east 666 feet along the west line of said parcel; thence north $88^{\circ}47'55''$ east 316.24 feet along said parcel line; thence south $33^{\circ}03'04''$ east 784.77 along said parcel line; thence south $33^{\circ}03'04''$ east 715.23 feet along the west line of Parcel "S", recorded as Document No. 2006-02092; thence north $56^{\circ}56'56''$ east 1,114.87 feet along said parcel line to south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 25; thence west along the south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 25 to the intersection with the east line of Section 26; thence north along east line of Section 26 to point of beginning. All referenced documents have been recorded in the Office of the Muscatine County Recorder.

The City Council of the City of Muscatine will conduct a public hearing on and to consider this proposed voluntary annexation on April 5, 2012 at 7:00 p.m. in the City Hall Council Chambers, 215 Sycamore Street. Interested parties are invited to attend and comment.



Sincerely,

Andrew Fangman
City Planner



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Muscatine, IA 52761-3840
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COMMUNITY DEVELOPMENT

Planning,
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Public Health,
Housing Inspections,
Code Enforcement

Muscatine Power & Water
3205 Cedar Street
Muscatine, IA 52761

Ann Kreiss
Alliant Energy
Oak Street
Muscatine, IA 52761

Qwest
1801 California St, #134
Denver, CO 80202

Dave Hartman
Qwest
3565 Utica Ridge Road
Bettendorf, IA 52722

March 1, 2012

Dear Utility Provider:

The City of Muscatine is proposing to annex municipally owned parcels that are currently part of the Muscatine Municipal Airport but fall outside the corporate limit line. The approximately 47 acres of real estate being proposed for annexation are located in two separation location within the Muscatine Municipal Airport and are described as:

Area A

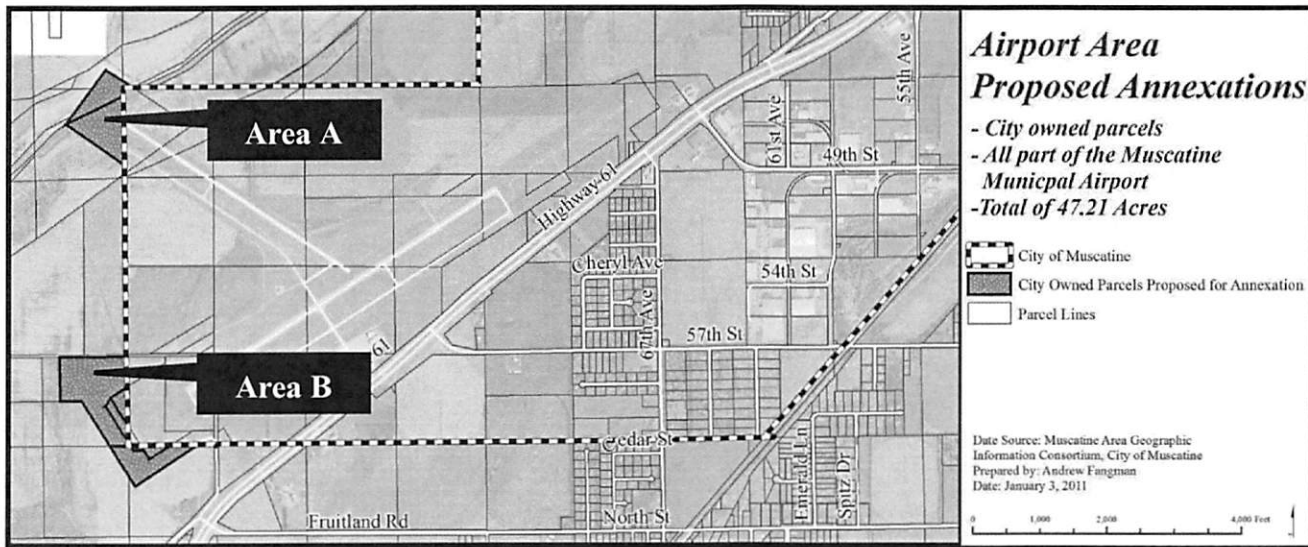
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Area B

Beginning at northeast corner of Section 26, Township 76 North, Range 3 West of the fifth Principal Meridian; in Muscatine County, Iowa; thence south 89°34'35" west 1000 feet to the northwest corner of Parcel "R", recorded as Document No. 2006-02093; thence south 0°25'25" east 666 feet along the west line of said parcel; thence north 88°47'55" east 316.24 feet along said parcel line; thence south 33°03'04" east 784.77 along said parcel line; thence south 33°03'04" east 715.23 feet along the west line of Parcel "S", recorded as Document No. 2006-02092; thence north 56°56'56" east 1,114.87 feet along said parcel line to south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 25; thence west along the south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 25 to the intersection with the east line of Section 26; thence north along east line of Section 26 to point of beginning. All referenced documents have been recorded in the Office of the Muscatine County Recorder.

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on either side of the ocean that equaled them" — Mark Twain**

The City Council of the City of Muscatine will conduct a public hearing on and to consider this possible voluntary annexation meet on April 5, 2012 at 7:00 p.m. in the City Hall Council Chambers, 215 Sycamore Street. Interested parties are invited to attend and comment.



Sincerely,

Andrew Fangman
City Planner

PUBLIC NOTICE

NOTICE OF TIME AND PLACE OF PUBLIC HEARING ON A PROPOSED VOLUNTARY ANNEXATION TO AND WITHIN THE CITY OF MUSCATINE, IOWA

Notice is hereby given that a proposed voluntary annexation of approximately 47 acres of municipally owned real estate that is located in two distinct locations (described as Area A and Area B) at the Muscatine Municipal Airport, has been requested, and that the Planning & Zoning Commission of the City of Muscatine, Iowa has recommended that the City Council of the City of Muscatine, Iowa, annex the following described real estate, situated in the County of Muscatine, and State of Iowa

Area A

Beginning at the southwest corner of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 24, Township 76 North, Range 3 West of the 5th Principal Meridian; in Muscatine County, Iowa; thence east 171.15 feet along the south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 24 to the intersection of the south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 24 and the southeast line Lot 14 of the Keokuk Lake Survey in Muscatine County; thence north $56^{\circ}00'59''$ west along said lot line 43.39 feet; thence north $56^{\circ}00'59''$ west 165.51 feet along the northeast line of Parcel H recorded in Plat Book 10, page 297 to the intersection with the west line of Section 24; thence north $56^{\circ}00'59''$ west 330.58 feet along the northeast line of said parcel; thence south $33^{\circ}59'01''$ west, 845.36 feet along the northwest line of said parcel; thence south $33^{\circ}59'01''$ west, 154.64 feet; thence south $56^{\circ}00'59''$ east, 81.01 feet; thence south $56^{\circ}00'59''$ east along southwest line of Parcel G recorded in Plat Book 10, page 297 to the intersection of said parcel line and the west line of Section 24; thence north along the west line of Section 24 to the point of beginning. All referenced documents have been recorded in the Office of the Muscatine County Recorder.

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The request and recommendation is to voluntarily annex said real estate.

Notice is further given that the City council of the City of Muscatine, Iowa, will conduct a public hearing on said proposed voluntary annexation on Thursday, April 5, 2012, at 7:00 p.m. in the City Hall Council Chambers, at which time all interested parties are invited to comment.

Gregg Mandsager, City Clerk

PROOF OF PUBLICATION

I, Jeff Lee, being duly sworn, on my oath, say that I am an advertising clerk at the *Muscatine Journal*, a newspaper of general circulation, published in the City of Muscatine, Muscatine County, Iowa; and that the following Notice:

Muscatine City Clerk

Public Notice

Proposed Voluntary Annexation-Muscatine Municipal Airport

Of which the annexed printed slip is a true, correct and complete copy, was published in said *Muscatine Journal* one time having been made there in on:

March 26, 2012

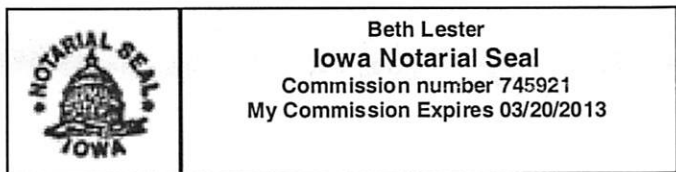
Jeff Lee

STATE OF IOWA
MUSCATINE COUNTY

Subscribed and sworn to before me this
27th day of March, 2012

Beth Lester

Beth Lester, Notary Public



PUBLIC NOTICE
NOTICE OF TIME AND PLACE
OF PUBLIC HEARING
ON A PROPOSED VOLUNTARY ANNEXATION TO AND
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The request and recommendation is to voluntarily annex said real estate.

Notice is further given that the City council of the City of Muscatine, Iowa, will conduct a public hearing on said proposed voluntary annexation on Thursday, April 5, 2012, at 7:00 p.m. in the City Hall Council Chambers, at which time all interested parties are invited to comment.

Gregg Mandsager, City Clerk

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