

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 April 19, 2012 approving the sale of certain real property to Kum & Go, L.C.; 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 19th day of April, 2012.

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

(SEAL)

DeWayne Hopkins, Mayor

ATTEST:

Gregg Mandsager, City Clerk

EXHIBIT A

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Tax Statement Address: Kum & Go, L.C. – 6400 West Parkway, West Des Moines, Iowa 50266

DEED

The City of Muscatine, Iowa, a municipal corporation situated in Muscatine County, Iowa, for valuable consideration, transfers and conveys to Kum & Go, L.C., all rights, title, and interest in the following real property in the City of Muscatine, Iowa:

A CERTAIN TRACT OR PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP SEVENTY-SEVEN (77) NORTH, RANGE TWO (2) WEST OF THE FIFTH (5TH) PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION TWENTY-FIVE (25), 533.8 FEET SOUTH OF THE CENTER OF SAID SECTION TWENTY-FIVE (25), THE PLACE OF BEGINNING; RUNNING THENCE EAST TO THE EAST LINE OF PARK AVENUE IN THE CITY OF MUSCATINE, IOWA, TO A POINT 800 FEET NORTHERLY MEASURED ALONG THE EAST LINE OF SAID PARK AVENUE FROM A POINT WHERE THE NORTH LINE OF FAIR OAKS ADDITION TO THE CITY OF MUSCATINE, IOWA, INTERSECTS THE EAST LINE OF SAID PARK AVENUE, THENCE CONTINUING EAST A DISTANCE OF 400 FEET, THENCE NORTH 200 FEET, THENCE WEST TO A POINT ON THE NORTH AND SOUTH CENTER LINE OF SAID SECTION TWENTY-FIVE (25), 333.8 FEET SOUTH OF THE CENTER OF SAID SECTION TWENTY-FIVE (25), 200 FEET TO THE PLACE OF BEGINNING. SUBJECT TO THE RIGHTS OF THE PUBLIC AND OF THE CITY OF MUSCATINE, IOWA, IN PARK AVENUE ON AND ALONG SAID HALF SECTION LINE RUNNING NORTH AND SOUTH THROUGH THE CENTER OF SECTION TWENTY-FIVE (25), TOWNSHIP SEVENTY-SEVEN (77) NORTH, RANGE TWO (2) WEST OF THE FIFTH (5TH) PRINCIPAL MERIDIAN, AND ALSO SUBJECT TO ANY AND ALL EASEMENTS NOW OF RECORD.

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)

DeWayne Hopkins, Mayor

ATTEST:

Gregg Mandsager, City Clerk

STATE OF IOWA, MUSCATINE COUNTY, ss:

On this 19th day of April, 2012, 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 19th day of April, 2012, 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