



BOARD OF TRUSTEES
Special Meeting Agenda
205 East State Street
June 5, 2024 12:00 Noon

1. Roll Call
2. Approval of Agenda
3. **Decision:** Review and approval of Resolution Authorizing Issuance of a Quit Claim Deed to the City of Marshalltown

A RESOLUTION AUTHORIZING ISSUANCE OF A QUIT CLAIM DEED TO
THE CITY OF MARSHALLTOWN

WHEREAS, on November 13, 2019, the City of Marshalltown executed and recorded a Quit Claim Deed purporting to convey to Marshalltown Waterworks its right, title, interest, estate, claim, and demand in the following described real property located in Marshall County, Iowa (File No. 2019-00005958, Marshall County Recorder's Office):

LOT 4, EXCEPT PARCEL A, OF PROGRESS SECOND ADDITION TO
MARSHALL, MARSHALL COUNTY, IOWA; and

WHEREAS, Iowa Code §388.4(2) provides in relevant part that:

“the title to all property of a city utility or combined utility system must be held in the name of the city, but the utility board has all the powers and authorities of the city with respect to the acquisition by purchase, condemnation, or otherwise, lease, sale, or other disposition of such property...;” and

WHEREAS, the Board of Trustees of the Marshalltown Water Works has determined that it is necessary and in the public interest to return record title to the above-referenced real property to the City of Marshalltown.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MARSHALLTOWN WATER WORKS, AS FOLLOWS:

That the Board's Chairperson and Secretary are hereby authorized and directed to execute and deliver to the City of Marshalltown, Iowa, a Quit Claim Deed reconveying to the City of Marshalltown, Iowa, any right, title, interest, estate, claim, and demand the Board of Trustees of the Marshalltown Water Works has or may have in the above referenced real property.

Passed this 5th day of June 2024 and signed this ____ day of June 2024.

Tom Mack, Acting Chairperson

Attest:

Shelli Lovell, Secretary

Prepared By/Return to: Steven C. Leidinger of Lynch Dallas, P.C.,
526 Second Avenue SE, P.O. Box 2457, Cedar Rapids, IA 52406 Phone: (319) 365-9101
Taxpayer Information: City of Marshalltown, Iowa, 24 N Center Street, Marshalltown, IA 50158 Phone: (641) 754-5701

QUIT CLAIM DEED

For the consideration of One Dollar and other valuable consideration, **MARSHALLTOWN WATER WORKS** does hereby Quit Claim to the **CITY OF MARSHALLTOWN, IOWA**, an Iowa municipal corporation, all of its right, title, interest, estate, claim and demand in the following described real estate in Marshall County, Iowa:

LOT 4, EXCEPT PARCEL A, OF PROGRESS SECOND ADDITION TO MARSHALL, MARSHALL COUNTY, IOWA;

Subject nevertheless to all easements, covenants, conditions, and restrictions of record.

There is no known private burial site, well, solid waste disposal site, underground storage tank, hazardous waste, or private sewage disposal system on the property as described in Iowa Code section 558.69, and therefore the transaction is exempt from the requirement to submit a groundwater hazard statement.

This transfer is exempt from revenue stamps and Declaration of Value pursuant to Iowa Code §428A.2(21), this being a deed in which the consideration is five hundred dollars or less.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated this ____ day of _____ 2024.

MARSHALLTOWN WATER WORKS

By: _____
Laura Eilers, Chairman

STATE OF IOWA,
COUNTY OF MARSHALL, ss:

This instrument was acknowledged before me on the ____ day of _____ 2024, by Laura Eilers, as Chairman for Marshalltown Water Works, known to me to be the same individual named in and who executed the foregoing document and acknowledged that she executed the same as her voluntary act and deed on behalf of the City of Marshalltown.

Notary Public in and for said State