



## 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  
Date: June 21, 2012  
Re: Resolution Approving Replat of Lot 1 of Lake View Estates Subdivision

**INTRODUCTION:** A request has been filed for a combined Preliminary/Final Plat for the Replat of Lot 1 of Lake View Estates Subdivision, a proposed 1 lot 3.012 acre subdivision located on Tipton Road in unincorporated Muscatine County.

**BACKGROUND:** Brian Wegner has submitted a replat of Lot 1 of the Lake View Estates subdivision. This replat would combine the original Lot 1 with the southern 75' of the parcel to the north and vacate the utility easement along the north line of the original Lot 1. The intent is to construct a single family home. This subdivision is located in unincorporated Muscatine County, but falls within the two limit requiring City Approval.

**RECOMMENDATION/RATIONALE:** The Planning and Zoning Commission recommends that City Council approve the Final plat for the Replat of Lot 1 of Lake View Estates Subdivision as attached hereto

**BACKUP INFORMATION:**

1. Resolution Approving the Final Plat
2. Certificated of Acceptance of the Final Plat
3. Certificated of the Planning Commission
4. Certificated of True Copy
5. Plat

**REPLAT OF LOT 1 OF LAKE VIEW ESTATES  
PRELIMINARY/FINAL PLAT  
NARRATIVE**

Brian Wegner intends to purchase Lot 1 of Lake View Estates and the south 75' of the property adjoining on the north to construct a single family residence. The property is located on Tipton Road and in Muscatine County, but falls within the two mile limit requiring City approval.

The purpose of this subdivision is to replat Lot 1 of Lake View Estates to include the additional 75 feet and vacate the existing easement along the north line of the original Lot 1.

**EXHIBIT A**

Prepared by Andrew Fangman, 215 Sycamore Street, Muscatine, IA 52761 (563) 262-4141  
**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING THE FINAL PLAT  
OF REPLAT OF LOT 1 OF LAKE VIEW ESTATES**

**WHEREAS**, there has been filed with the Planning and Zoning Commission of the City of Muscatine, Iowa, and there is now submitted to the City Council of said City, a final plat of the real estate situated within two miles the Corporate Limits of the City of Muscatine, County of Muscatine, State of Iowa, which plat lays out and subdivides a tract of real estate into one (1) lot within two miles the City of Muscatine, Iowa; to wit:

**LAND DESCRIPTION**

A parcel of land located in the northeast quarter of the southwest quarter and in the southeast quarter of the northwest quarter all in Section 22, Township 77 north, range 2 west of the 5th P.M., Muscatine County, Iowa. Beginning at the northwest corner of the northeast quarter of the southwest quarter of Section 22; thence north 00°45'15" west 75.00 feet along the west line of the southeast quarter of the northwest quarter of Section 22; thence south 89°25'52" east 655.07 feet; thence south 00°07'25" east 75.00 feet to the south line of the southeast quarter of the northwest quarter of Section 22; thence south 89°25'52" east 6.36 feet along said section line; thence south 03°22'30" east 116.00 feet; thence south 89°31'08" west 665.76 feet to the west line of the northeast quarter of the southwest quarter of Section 22; thence north 00°47'24" west 129.96 feet along said section line to the point of beginning, said parcel contains 3.013 acres and is subject to easements of record.

**WHEREAS**, said plat has been approved by the Planning and Zoning Commission of the City of Muscatine, Iowa, and has been examined by the City Council of the City of Muscatine, Iowa;

**WHEREAS**, the City Council of the City of Muscatine, Iowa, finds that the plat fully complies with the Statutes of the State of Iowa and the Ordinances of the City of Muscatine, Iowa, relative to plats, additions, and subdivisions within two miles of the Corporate Limits of the City of Muscatine, Iowa, and said plat is conducive to an orderly development of the City of Muscatine, Iowa, and not in conflict with the rights-of-way of any extension of any streets or alleys now established; and

**WHEREAS**, the City Council of the City of Muscatine, Iowa, finds the final plat of Replat of Lot 1 of Lake View Estates should be approved.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA**, that said final plat named and of Replat of Lot 1 of Lake View Estates is hereby approved and accepted by the City Council of the City of Muscatine, Iowa, and that the Mayor and City Clerk of the City of Muscatine are hereby authorized and directed to certify upon said plat the examination, consent, approval, and acceptance of the same by the City Council of the City of Muscatine, Iowa, in order that said plat may be recorded in the office of the County Recorder among the real estate records of Muscatine County, Iowa.

**PASSED, APPROVED, AND ADOPTED** this 21st of June 2012.

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

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DeWayne M. Hopkins, Mayor

ATTEST:

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Gregg Mandsager, City Clerk

Prepared by Andrew Fangman, 215 Sycamore St., Muscatine, IA 52761 – (563) 262-4141

**Replat of Lot 1 of Lake View Estate**

**CERTIFICATE OF ACCEPTANCE OF FINAL PLAT**

STATE OF IOWA, MUSCATINE COUNTY, ss:

We, the undersigned, DeWayne M. Hopkins, and Gregg Mandsager, of the City of Muscatine, Iowa, do hereby certify that the attached plat named and designated Replat of Lot 1 of Lake View Estate, in Muscatine County, Iowa, was on June 21, 2012, filed in the office of the City Clerk and presented to the City Council of the City of Muscatine, Iowa, by resolution, a true copy of which is hereto attached, marked Exhibit A, and by this reference made a part hereof; and we, the undersigned, as Mayor and City Clerk, respectively, of the City of Muscatine, Iowa, were by said Resolution duly directed to certify such examination, consent, and approval in order to entitle said plat to be recorded in the office of the County Recorder of Muscatine County, Iowa, among the real estate records of Muscatine County, Iowa.

Dated at Muscatine, Iowa, this 21st day of June 2012.

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DeWayne M. Hopkins, Mayor

Attest:

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Gregg Mandsager, City Clerk

STATE OF IOWA, MUSCATINE COUNTY, ss:

Be it Remembered that on this 21st day of June 2013, before me, a Notary Public in and for the State of Iowa, personally appeared DeWayne M. Hopkins and Gregg Mandsager, to me personally known, who being by me each duly sworn, did say that they are Mayor and City Clerk of the City of Muscatine, Iowa, respectively, and that the seal affixed to the foregoing instrument is the seal of the City of Muscatine, Iowa; that said instrument was signed and sealed on behalf of the City of Muscatine, Iowa, in accordance with a Resolution passed by the City Council held on 21st day of June 2012; that DeWayne M. Hopkins and Gregg Mandsager, as Mayor and City Clerk of the City of Muscatine, Iowa, respectively, severally acknowledged the execution of said instrument to be the voluntary act and deed of the City of Muscatine, Iowa, by its and them voluntarily executed.

Witness my hand and Notarial Seal the day and year last above written.

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Notary Public in and for the State of Iowa



**CERTIFICATE OF THE PLANNING AND ZONING COMMISSION  
OF THE CITY OF MUSCATINE, IOWA**

I, the undersigned, Steven W. Boka, do hereby certify that I am the Secretary of the Planning and Zoning Commission of the City of Muscatine, Muscatine County, Iowa, and that the attached Final Plat of Replat of Lot of Lake View Estates, a subdivision in Muscatine County, Iowa, was approved and recommended by said Commission on the 12<sup>th</sup> day of June, 2012, according to the minutes and records of said Commission in my possession.

Dated at Muscatine, Iowa, this 21st day of June 2012.

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Steven Boka, Secretary  
Planning and Zoning Commission  
City of Muscatine, Iowa

Prepared by Andrew Fangman, 215 Sycamore Street, Muscatine, Iowa 52761 (563) 262-4141

**CERTIFICATE OF TRUE COPY**

I, Nancy Lueck, Director of Finance of the City of Muscatine, Iowa, certify that attached hereto are true copies of the following:

1. Certificate of Acceptance of Final Plat (original).
2. Resolution No. \_\_\_\_ - \_\_\_\_ approving the Final Plat of Replat of Lot 1 of Lake View Estates Subdivision, a subdivision in Muscatine County, Iowa.
3. Certificate of the Planning & Zoning Commission.

All related to the subdivision of real estate described in those documents, and that all were duly adopted and approved by the City Council and Mayor of the City of Muscatine, Iowa, and the originals are on file in the official records at City Hall for the City of Muscatine, Iowa.

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Nancy Lueck, Director of Finance