



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

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**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:** January 15, 2015  
**Re:** Finley's Subdivision—Final Plat

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**INTRODUCTION:** A request has been filed for a combined Preliminary/Final Plat for a one lot subdivision in unincorporated Muscatine County on 41<sup>st</sup> Street North, but within two miles of the City of Muscatine.

**BACKGROUND:** On December 30, 2014 Jason & Marion Finely filed a combined Preliminary/Final Plat for the Finley's Subdivision, a 5.503 one lot subdivision that is zoned A-1 (Agriculture) within unincorporated Muscatine County. The intent is to allow for the house and buildings located within the proposed subdivision to be split from the adjoining farm ground and sold. This subdivision is located in unincorporated Muscatine County, but falls within the two mile limit requiring City of Muscatine review and approval.

**RECOMMENDATION/RATIONALE:** The attached final plat of the subdivision has been reviewed and approved by the Planning and Zoning Commission. It is therefore recommended that the Final Plat for the Finley's be approved 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**

**EXHIBIT A**

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

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING THE FINAL PLAT  
OF FINLEY'S SUBDIVISION**

**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 two (2) lot within two miles the City of Muscatine, Iowa; to wit

**LAND DESCRIPTION —**

A PARCEL OF LAND SITUATED IN A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 76 NORTH, RANGE 3 WEST, FIFTH PRINCIPAL MERIDIAN, MUSCATINE COUNTY IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23 (FL). NO.4 REBAR - NO CAP); THENCE NORTH 88°55'44" EAST, 451.89 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23 TO THE POINT OF BEGINNING (PD). NO.4 REBAR W/CAP #10316) OF THE FOLLOWING DESCRIBED PARCEL OF LAND: THENCE CONTINUING NORTH 88°55'44" EAST, 513.12 FEET ALONG SAID NORTH LINE; THENCE SOUTH 06°35'42" WEST, 442.53 FEET; THENCE SOUTH 83°22'46" WEST, 235.53 FEET; THENCE SOUTH 01°29'01" EAST, 143.01 FEET; THENCE SOUTH 88°55'44" WEST, 216.34 FEET; THENCE NORTH 01°29'01" WEST, 89.53 FEET TO THE SOUTHEAST CORNER OF PARCEL "A" AS RECORDED IN THE MUSCATINE COUNTY RECORDER'S OFFICE IN BOOK 186, PAGE 663 & PLAT BOOK 9, PAGE 347 (PD. NO.4 REBAR W/CAP #10316); THENCE CONTINUING NORTH 01°29'01" WEST, 514.84 FEET ALONG THE EAST LINE OF SAID PARCEL "A" TO THE POINT OF SAID BEGINNING. PARCEL OF LAND CONTAINING 5.738 ACRES MORE OR LESS, INCLUDING 0.235 ACRES MORE OR LESS OF COUNTY ROAD RIGHT-OF-WAY AND SUBJECT TO ALL EASEMENTS, RESTRICTIONS & COVENANTS 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 Finley's Subdivision should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA, that said final plat named Finley's Subdivision 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 15th of January 2015.

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

Attest:

\_\_\_\_\_  
DeWayne M. Hopkins, Mayor

\_\_\_\_\_  
Gregg Mandsager, City Clerk

**Finley's Subdivision**

**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 Finley's Subdivision, unincorporated Muscatine County, Iowa, but within two miles of the Corporate limit of the City of Muscatine, was on January 15, 2015, 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 16<sup>th</sup> day of February 2015.

\_\_\_\_\_  
DeWayne M. Hopkins, Mayor

Attest:

\_\_\_\_\_  
Gregg Mandsager, City Clerk

STATE OF IOWA, MUSCATINE COUNTY, ss:

Be it Remembered that on this 16<sup>th</sup> day of January 2015, 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 the 16th day of January 2015; 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.

\_\_\_\_\_

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

I, the undersigned, Andrew Fangman, 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 Finley's Subdivision, a subdivision in the Muscatine County, Iowa, was approved and recommended by said Commission on the 13<sup>th</sup> day of January 2015, according to the minutes and records of said Commission in my possession.

Dated at Muscatine, Iowa, this 16th day of January 2015.

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Andrew Fangman, Secretary  
Planning and Zoning Commission  
City of Muscatine, Iowa

**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 Finley's Subdivision, a subdivision in the 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.

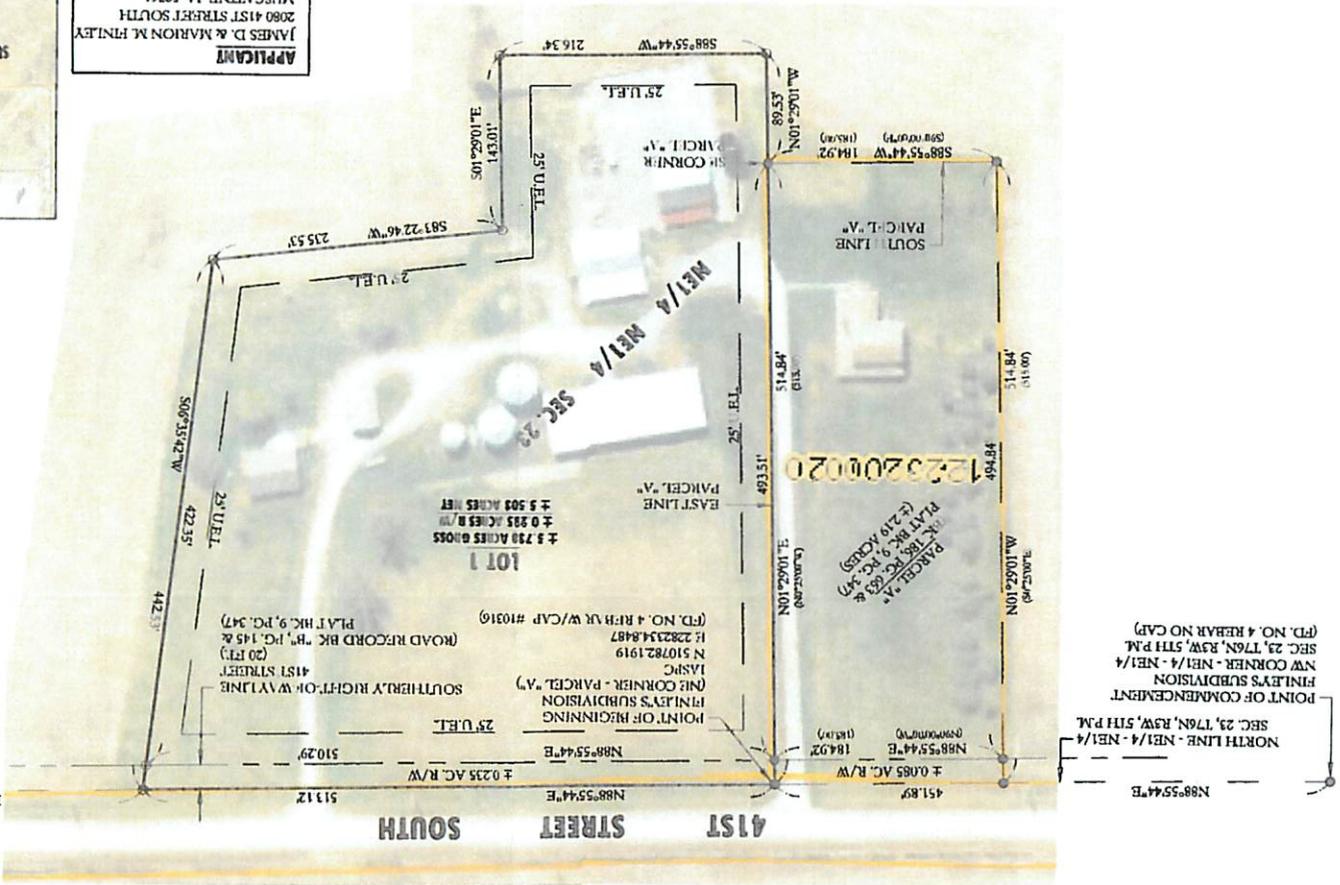
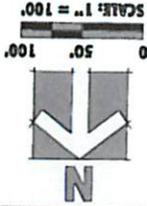
\_\_\_\_\_  
Nancy Lueck, Director of Finance

Surveyed By: Don B. Holliday - VSP Engineering, 303½ Cleveland Street, Muscatine, IA, 52761 (563) 288-6427

**PRELIMINARY / FINAL PLAT - FINLEY'S SUBDIVISION**

**PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER SECTION 28, TOWNSHIP 76 NORTH, RANGE 3 WEST, FIFTH PRINCIPAL MERIDIAN, MUSCATINE COUNTY, IOWA**

**+/- 5.738 ACRES**



POINT OF COMMENCEMENT  
NW CORNER - NE1/4 - NE1/4  
SEC. 28, T76N, R3W, 5TH P.M.

N88°55'44"E  
451.87'  
± 0.085 AC. R/W  
N88°55'44"E 184.92'  
(20 FT.)

(PT. NO. 4 REBAR NO. CAP)  
SEC. 28, T76N, R3W, 5TH P.M.  
NW CORNER - NE1/4 - NE1/4  
FINLEY'S SUBDIVISION

N88°55'44"E  
513.12'  
± 0.235 AC. R/W  
N88°55'44"E 510.29'  
(20 FT.)

POINT OF BEGINNING  
FINLEY'S SUBDIVISION  
(NE CORNER - PARCEL "A")  
IASPC  
N 510782.1919  
E 2282334.8487  
(PT. NO. 4 REBAR W/CAP #10316)  
± 0.293 ACRES B/W  
± 5.508 ACRES NET

SOUTHERLY RIGHT-OF-WAY LINE  
41ST STREET  
PLAT BK. 9, PG. 347)  
(ROAD RECORD BK. "B", PG. 145 &  
± 5.738 ACRES B/W  
± 0.293 ACRES B/W

**41ST STREET SOUTH**

PARCEL "A"  
PLAT BK. 9, PG. 347 &  
(2219 ACRES)

± 0.106210N  
E. 1062.10N  
487.15'  
± 0.085 AC. R/W  
N88°55'44"W 184.92'  
(20 FT.)

PARCEL "A"  
SOUTH LINE  
S88°55'44"W 184.92'  
(20 FT.)

± 0.106210N  
E. 1062.10N  
487.15'  
± 0.085 AC. R/W  
N88°55'44"W 184.92'  
(20 FT.)

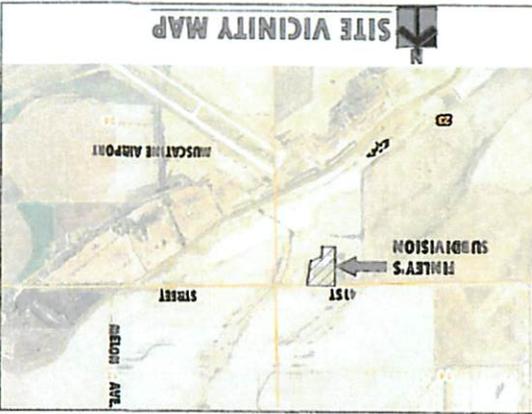
NE1/4 NE1/4 SEC. 28  
± 0.293 ACRES B/W  
± 5.508 ACRES NET

± 0.293 ACRES B/W  
± 5.508 ACRES NET

**APPLICANT**  
JAMES D. & MARION M. FINLEY  
2080 41ST STREET SOUTH  
MUSCATINE, IA, 52761  
(563) 263-1335

**APPLICANT'S ATTORNEY**  
WILLIAM J. HARGRAHVEN  
1102 PARK AVENUE  
MUSCATINE, IA, 52761  
(563) 264-5523

**ZONING CLASSIFICATION**  
A-1 AGRICULTURAL DISTRICT



**LEGEND**

SET NO. 4 REBAR W/CAP (PT. NO. 4 REBAR NO. CAP)

± 0.085 AC. R/W

MEASURED BOUND.

RECORDED BOUND.

BOUNDARY OF SUBDIVISION

EXISTING PARCEL LINES

SECTION LINE

RIGHT-OF-WAY LINE

25' U.E.L.

**NOTES:**  
ALL DISTANCES SHOWN ON THIS PLAT ARE SURFACE MEASUREMENTS. COMBINATION FACTOR - 0.999933

**PROFESSIONAL LAND SURVEYOR**  
**BEN D. HOLLIDAY**  
IOWA LICENSE NUMBER 87590  
EXPIRES RENEWAL DATE IS: \_\_\_\_\_  
DATE: \_\_\_\_\_

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

PAGES OR SHEETS COVERED BY THIS SEAL: \_\_\_\_\_

DATE: NOVEMBER 6, 2014  
VSP JOB NO.: VM-14-29  
SHEET NO. 1 OF 2

Surveyed By: Ben D. Holliday - VSP Engineering, 3093 Cleveland Street, Muscatine, IA. 52761 (563) 288-6437

**PRELIMINARY / FINAL PLAT - FINLEY'S SUBDIVISION**

PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER

**SECTION 23, TOWNSHIP 76 NORTH, RANGE 3 WEST, FIFTH PRINCIPAL MERIDIAN, MUSCATINE COUNTY, IOWA**  
**+/- 5.738 ACRES**

**LEGAL DESCRIPTION**

A PARCEL OF LAND SITUATED IN A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 76 NORTH, RANGE 3 WEST, FIFTH PRINCIPAL MERIDIAN, MUSCATINE COUNTY, IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23 (FD. NO. 4 REBAR - NO CAP); THENCE NORTH 88°55'44" EAST, 451.89 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION OF SAID SECTION 23 TO THE POINT OF BEGINNING (FD. NO. 4 REBAR W/CAP #10316) OF THE FOLLOWING DESCRIBED PARCEL OF LAND:

THENCE CONTINUING NORTH 88°55'44" EAST, 513.12 FEET ALONG SAID NORTH LINE; THENCE SOUTH 06°35'42" WEST, 442.53 FEET; THENCE SOUTH 83°22'46" WEST, 235.53 FEET; THENCE SOUTH 01°29'01" EAST, 143.01 FEET; THENCE SOUTH 88°55'44" WEST, 216.34 FEET; THENCE NORTH 01°29'01" WEST, 89.53 FEET TO THE SOUTHEAST CORNER OF PARCEL "A" AS RECORDED IN THE MUSCATINE COUNTY RECORDER'S OFFICE IN BOOK 186, PAGE 663 & PLAT BOOK 9, PAGE 347 (FD. NO. 4 REBAR W/CAP #10316); THENCE CONTINUING NORTH 01°29'01" WEST, 514.84 FEET ALONG THE EAST LINE OF SAID PARCEL "A" TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINING 5.738 ACRES MORE OR LESS, INCLUDING 0.235 ACRES MORE OR LESS OF COUNTY ROAD RIGHT-OF-WAY AND SUBJECT TO ALL EASEMENTS, RESTRICTIONS & COVENANTS OF RECORD.

**CITY OF FRUITLAND PLANNING & ZONING**  
BY: *Ann Snapp* DATE: 12-16-14

**CENTURYLINK**  
BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**EASTERN IOWA LIGHT & POWER COOPERATIVE**  
UTILITY EASEMENT FOR ALL PLATTED STREETS OR ROADS & 7 1/2 FOOT WIDE STRIP ALONG ALL EXTERIOR LOT LINES & 25 FOOT WIDE STRIP ALONG & ADJACENT TO ALL PLATTED STREETS OR ROADS & 15 FOOT WIDE STRIP OF LAND ON ALL LOTS, 7 1/2 FOOT EASEMENT ORIGIN TO ORIGIN & 3 FEET, FROM POINT OF ORIGIN TO POINT OF SERVICE ENTRANCE.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**CITY OF MUSCATINE PLANNING & ZONING**  
BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**COUNTY BOARD OF HEALTH**  
MUSCATINE COUNTY ZONING BOARD  
BY: *Wesley* DATE: 11/19/2014

**COUNTY ZONING BOARD**  
THIS PLAT & SUBDIVISION PROVISIONS ARE ACCEPTABLE TO THE MUSCATINE COUNTY ZONING BOARD.  
BY: *Cindy A. Guel* DATE: 12-1-2014

**COUNTY ENGINEER**  
THIS PLAT & SUBDIVISION PROVISIONS ARE ACCEPTABLE TO THE MUSCATINE COUNTY ENGINEER PROVIDED ALL ROADS REMAIN PRIVATE.  
BY: *Paul A. Hill* DATE: 11/10/14

**COUNTY SUPERVISORS**  
THIS PLAT & SUBDIVISION PROVISIONS ARE ACCEPTABLE TO THE MUSCATINE COUNTY SUPERVISORS.  
BY: *Paul A. Hill* DATE: 11/22/14