

COMMUNITY DEVELOPMENT

Planning,
Zoning,
Building Safety,
Construction Inspection
Services,
Public Health

MEMORANDUM

To: Mayor and City Council Members
Cc: Gregg Mandsager, City Administrator
From: Andrew Fangman, City Planner
Date: March 17, 2016
Re: Replat of McCleary's First Addition-Phase I

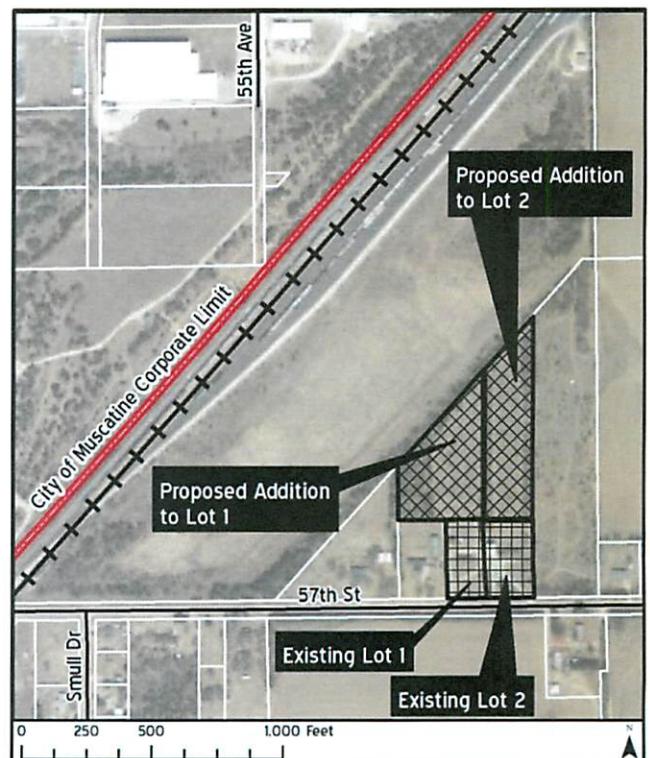
INTRODUCTION: A request has been filed for a combined Preliminary/Final Plat for a two lot subdivision in unincorporated Muscatine County on 57th Street South, but within two miles of the City of Muscatine.

BACKGROUND: Tod S. and Janice K. McCleary have filed a combined Preliminary/Final Plat for Replat of McCleary's First Addition-Phase a 8.17 acre two lot replat of an existing subdivision. The subject area is zoned R-2 (Residential) within unincorporated Muscatine County. The proposed replat would enlarge Lot 1 and Lot 2 of the existing McCleary's First Addition subdivision by adding land from an adjoining parcel to both Lot 1 and Lot 2. Lot 1 would grow from 1.10 acres to 3.66 acres, and Lot 2 would grow from 1.32 acres to 4.39 acres. The Muscatine County Board of Supervisors voted to approve this subdivision at the January 18th, 2016 meeting.

RECOMMENDATION/RATIONALE: The attached final plat of the subdivision has been reviewed and recommended for approval by the Planning and Zoning Commission. It is therefore recommended that the Final Plat for the Replat of McCleary's First Addition-Phase I 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



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

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

Replat of McCleary's First Addition – Phase I, Lots & 2
CERTIFICATE OF ACCEPTANCE OF FINAL PLAT

STATE OF IOWA, MUSCATINE COUNTY, ss:

We, the undersigned, Diana L. Broderson, and Gregg Mandsager, of the City of Muscatine, Iowa, do hereby certify that the attached plat named and designated Replat of McCleary's First Addition – Phase I, Lots 1 & 2, unincorporated Muscatine County, Iowa, but within two miles of the Corporate limit of the City of Muscatine, was on March 17, 2016, 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 17th day of March 2016.

Diana L. Broderson, Mayor

Attest:

Gregg Mandsager, City Clerk

STATE OF IOWA, MUSCATINE COUNTY, ss:

Be it remembered that on this 17th day of March 2016, before me, a Notary Public in and for the State of Iowa, personally appeared Diana L. Broderson 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 17th day of March 2016; that Diana L. Broderson 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.

Notary Public in and for the State of Iowa

EXHIBIT A

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

RESOLUTION NO.

**A RESOLUTION APPROVING REPLAT OF MCCLEARY'S FIRST ADDITION –
PHASE I, LOTS 1 & 2**

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

A portion of the SE 1/4 SW 1/4 of Section 20, T. 76 N., R. 2 W., of the 5th P.M., Muscatine County, Iowa, described as follows:

***Commencing at a 1/2" rebar found marking the S 1/4 Corner of said Section 20;
thence S 89°19'39" W - 250.12 feet along the southerly line of said SE 1/4 SW 1/4 to a
found PK nail, also being the Point of Beginning of McCleary First Addition - Phase I
herein described:***

thence S 89°19'39" W - 334.08 feet to a found PK nail;

thence N 00°40'21" W - 337.64 feet to a found 1/2" rebar;

thence S 89°19'39" W - 193.52 feet to a set 1/2" rebar;

thence N 00°40'21" W - 187.28 feet to a set 1/2" rebar;

thence N 43°26'43" E - 759.64 feet to a set 1/2" rebar;

thence S 00°36'28" E - 1070.28 feet to the Point of Beginning.

Said Parcel contains 8.17 acres which includes 0.26 acre of Road Easement.

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 the Replat of McCleary's First Addition – Phase I, Lots 1 & 2 of Kent Estates should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA, that said final plat named Replat of McCleary's First Addition – Phase I, Lots 1 & 2 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 17th of March 2016.

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

Attest:

Diana L. Broderson, Mayor

Gregg Mandsager, City Clerk

**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 Replat of McCleary's First Addition – Phase I, Lots 1 & 2, a subdivision in the Muscatine County, Iowa, was approved and recommended by said Commission on the 8th day of March 2016, according to the minutes and records of said Commission in my possession.

Dated at Muscatine, Iowa, this 17th day of March 2016.

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:

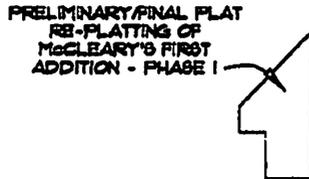
1. Certificate of Acceptance of Final Plat (original).
2. Resolution No. _____ - _____ approving the Replat of McCleary's First Addition – Phase I, Lots 1 & 2, a subdivision in the Muscatine County, Iowa.
3. Certificate of the Planning & Zoning Commission.

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

Prepared by: Richard M. Kordick, P.E.L.S., 609 185th Street, Tipton, IA 52772 Phone: (363) 492-6424

PRELIMINARY/FINAL PLAT
RE-PLATTING OF McCLEARY'S FIRST ADDITION - PHASE I
PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST
QUARTER OF SECTION 20, TOWNSHIP 76 NORTH, RANGE 2
WEST, 9TH P.M.
MUSCATINE COUNTY, IOWA



SITE VICINITY MAP

$N43^{\circ}26'43"E$ 890.45'
 $N45^{\circ}28'49"E$ 799.64'

1320376006
TOD S
McCLEARY
JANICE K
McCLEARY

1-2 ZONING
1320400016
RONALD
HESTON

500'36.97'E (1329.46') (1329.46')

R-1 ZONING
1320400016
MATTHEW S
GILCHRIST
SHELLY A
GILCHRIST

R-1 ZONING
1320400015
CODY
McCLEARY

1-2 ZONING
1320303004
IOWA CHICAGO &
EASTERN RAILROAD
CORPORATION

SE 1/4 SW 1/4

$N43^{\circ}26'43"E$ 791.18'

$N00^{\circ}40'21"W$
187.28'

$S89^{\circ}19'39"W$

193.52
R-1 ZONING
1320376005
SUZANNE B
McCLEARY
THOMAS M
McCLEARY
JR

$N00^{\circ}40'21"W$ 187.28'

R-1 ZONING
1320376003
BRIAN J MILLER

57th Street

500'36.28'E (1070.28')

50.12(250.12')

R-1 ZONING
1320126002

R-1 ZONING
1320376002

$S89^{\circ}19'39"W$ 1286.72'
 $S84^{\circ}08'00"W$ (834.08')
 $S89^{\circ}19'39"W$ 2573.44'

Point of Beginning