



City Hall, 215 Sycamore St.
Muscatine, IA 52761-3840
(563) 262-4141
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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
From: Andrew Fangman, City Planner
Cc: Gregg Mandsager, City Administrator
Dave Gobin, Community Development Director
Date: June 15, 2017
Re: River Valley Tank Subdivision (County)

INTRODUCTION: A request has been filed for a combined Preliminary/Final Plat for a one lot subdivision in unincorporated Muscatine County on Highway 38, approximately 1,400 feet south of the Highway 38/170th Street intersection. This proposed subdivision is located in unincorporated Muscatine County, but falls within the two mile limit requiring City of Muscatine review and approval.

BACKGROUND: Dennis Hetzler has filed a combined Preliminary/Final Plat for River Valley Tanks Subdivision a .36 acre one lot subdivision, in unincorporated Muscatine County along Highway 38. The subject area is zoned A-1 Agriculture) within unincorporated Muscatine County. The proposed subdivision would create a new .36 acre lot with the purpose providing of splitting off the LP tank from the remaining farm land.

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 J & J 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

EXHIBIT A

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

RESOLUTION NO. _____

**A RESOLUTION APPROVING THE FINAL PLAT
OF RIVER VALLEY TANK 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 **one** lot; to wit:

A PORTION OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 11, TOWNSHIP 77 NORTH, RANGE 2 WEST OF THE 5TH PRINCIPAL MERIDIAN, MUSCATINE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 11, TOWNSHIP 77 NORTH, RANGE 2 WEST OF THE 5TH PRINCIPAL MERIDIAN, MUSCATINE COUNTY, IOWA; THENCE S89°15'28"W, ALONG THE NORTH LINE OF SAID SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 11, A DISTANCE OF 80.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF IOWA STATE HIGHWAY NO. 38 AND THE POINT OF BEGINNING; THENCE S01°09'49"E, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 110.00 FEET; THENCE S89°39'01"W, 112.00 FEET; THENCE N32°57'07"W, 129.10 FEET TO A POINT ON SAID NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 11; THENCE N89°15'28"E, ALONG SAID NORTH LINE, 180.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.37 ACRE (15,990 SQUARE FEET) AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

NOTE: THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SEC. 11-T77N-R2W OF THE 5TH P.M., MUSCATINE COUNTY, IOWA, BEARS S01°09'49"E, BASED ON IOWA STATE PLANE COORDINATES (SOUTH ZONE) LIBRARY CALIBRATION ON APRIL 17, 2017, USING THE IOWA REAL TIME NETWORK (RTN). THE DISTANCES SHOWN ON THE PLAT ARE GROUND DISTANCES AND NOT GRID DISTANCES. THE COMBINATION SCALE FACTOR IS 0.9999327422.

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; and

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 **River Valley Tank Subdivision** should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA, that said final plat named River Valley Tank Subdivision is hereby approved and accepted by the City Council of the City of Muscatine, Iowa, and that the Mayor Pro Tem 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 Day of June, 2017

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

Attest:

Robert C. Bynum Jr., Mayor Pro Tem

Gregg Mandsager, City Clerk

**RIVER VALLEY TANK SUBDIVISION
CERTIFICATE OF ACCEPTANCE OF FINAL PLAT**

STATE OF IOWA, MUSCATINE COUNTY, ss:

We, the undersigned, Robert C. Bynum Jr, and Gregg Mandsager, of the City of Muscatine, Iowa, do hereby certify that the attached plat named and designated **River Valley Tank Subdivision**, in unincorporated Muscatine County, Iowa, but within two miles of the Corporate limit of the City of Muscatine, was on June 15, 2017, 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 Pro Tem 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 **15th Day of June, 2017**,

Robert C. Bynum Jr., Mayor Pro Tem

Attest:

Gregg Mandsager, City Clerk

STATE OF IOWA, MUSCATINE COUNTY, ss:

Be it Remembered that on this **15th Day of June, 2017**, before me, a Notary Public in and for the State of Iowa, personally appeared Robert C. Bynum Jr and Gregg Mandsager, to me personally known, who being by me each duly sworn, did say that they are Mayor Pro Tem 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 **15th Day of June 2017**; that Robert C. Bynum Jr and Gregg Mandsager, as Mayor Pro Tem 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

**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 **River Valley Tank Subdivision** a subdivision in Muscatine County, Iowa, Iowa, was approved and recommended by said Commission on 13th **Day of June, 2017**, according to the minutes and records of said Commission in my possession.

Dated at Muscatine, Iowa, this 15th **Day of June, 2017**

.

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 of **River Valley Tank 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.

Nancy Lueck, Director of Finance

PRELIMINARY AND FINAL PLAT RIVER VALLEY TANK SUBDIVISION MUSCATINE COUNTY, IOWA

PLAT PREPARED BY:
MMS CONSULTANTS INC.
1917 S. GILBERT STREET
IOWA CITY, IA 52240

OWNER/SUBDIVIDER:
DENNIS R. HETZLER
1671 HWY 38
MUSCATINE, IOWA 52761

OWNER'S ATTORNEY:
WILLIAM J. HARGRAFFEN
1102 PARK AVENUE
MUSCATINE, IOWA 52761

LEGAL DESCRIPTION

A PORTION OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 11, TOWNSHIP 77 NORTH, RANGE 2 WEST OF THE 5TH PRINCIPAL MERIDIAN, MUSCATINE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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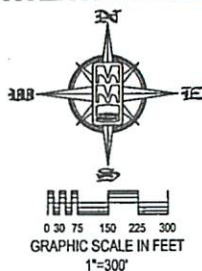
NOTE: THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SEC. 11-T77N-R2W OF THE 5TH P.M., MUSCATINE COUNTY, IOWA, BEARS S01°09'49"E, BASED ON IOWA STATE PLANE COORDINATES (SOUTH ZONE) LIBRARY CALIBRATION ON APRIL 17, 2017, USING THE IOWA REAL TIME NETWORK (RTN). THE DISTANCES SHOWN ON THE PLAT ARE GROUND DISTANCES AND NOT GRID DISTANCES. THE COMBINATION SCALE FACTOR IS 0.9999327422.

LEGEND AND NOTES

- △ CONGRESSIONAL CORNER, FOUND
- △ CONGRESSIONAL CORNER, REESTABLISHED
- △ CONGRESSIONAL CORNER, RECORDED LOCATION
- PROPERTY CORNER(S), FOUND (as noted)
- PROPERTY CORNER(S) SET
- 5/8" Iron Pin w/ yellow plastic LS Cap embossed with "MMS"
- CUT "X"
- PROPERTY &/or BOUNDARY LINES
- CONGRESSIONAL SECTION LINES
- RIGHT-OF-WAY LINES
- CENTER LINES
- LOT LINES, INTERNAL
- LOT LINES, PLATTED OR BY DEED
- EASEMENT LINES, WIDTH & PURPOSE NOTED
- EXISTING EASEMENT LINES, PURPOSE NOTED
- RECORDED DIMENSIONS
- MEASURED DIMENSIONS
- CURVE SEGMENT NUMBER

UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS

N 1/4 CORNER
SEC. 11-T77N-R2W
FOUND 3/4" ROD,
12" DEEP, REPORTEDLY OVER
A CONCRETE MONUMENT
BOOK 1, PAGE 333



NW 1/4 NE 1/4
SEC. 11-T77N-R2W

N89°15'01"E

170TH STREET

2685.10'(M) 2685.04'(R)

NE CORNER
SEC. 11-T77N-R2W
FOUND "MAG" NAIL IN
ASPHALT SURFACE
DOCUMENT #:
2011-01605

PLAT OF SURVEY
PARCEL "E" AS RECORDED
AS DOCUMENT # 201-01605
IN THE RECORDS OF THE
MUSCATINE COUNTY
RECORDER'S OFFICE
DENNIS R. HETZLER

POINT OF
BEGINNING
N: 552331.68'
E: 2314325.50'
NE CORNER
SE 1/4 NE 1/4
SEC. 11-T77N-R2W
SET "MAG" NAIL
IN ASPHALT.

NW CORNER
SW 1/4 NE 1/4
SEC. 11-T77N-R2W
SET 5/8" REBAR WITH
YELLOW PLASTIC CAP NO. 8165
EXPOSED 2", DUE WEST OF
A ROUND IRON POST

DENNIS R. HETZLER

DENNIS R. HETZLER

N89°15'28"E

LOT 1, RIVER VALLEY TANK SUBDIVISION
AREA = 0.37 ACRE (15,990 SQ. FT.)

TRACT OF LAND
ACQUIRED 9/10/1971
BY WARRANTY DEED
BOOK 145, PAGE 1424
IN THE RECORDS OF
THE MUSCATINE COUNTY
RECORDER'S OFFICE

Line Table		
Line #	Direction	Length
L1	S89°15'28"W	80.00'
L2	S1°09'49"E	110.00'

TRACT OF LAND
ACQUIRED 12/11/1971
BY WARRANTY DEED
BOOK 145, PAGE 716
IN THE RECORDS OF
THE MUSCATINE COUNTY
RECORDER'S OFFICE

SE 1/4 NE 1/4
SEC. 11-T77N-R2W

DENNIS R. HETZLER

FOUND 1/2" PIN WITH
ILLEGIBLE YELLOW CAP

PLAT OF SURVEY
PARCEL "C" AS RECORDED
IN FILE NO. 1997-1061 IN
THE RECORDS OF THE
MUSCATINE COUNTY
RECORDER'S OFFICE
E 1/4 CORNER
SEC. 11-T77N-R2W
FOUND "MAG" NAIL
IN ASPHALT,
DOCUMENT #:
2011-01605

CENTER OF SECTION
SEC. 11-T77N-R2W
FOUND 6"x8"x12" GRANITE
STONE LYING ON ITS SIDE, 12"± DEEP
JUST EAST OF CORNER POST
RAISED & UPRIGHTED STONE
SET CUT "X" IN TOP OF STONE

S89°11'55"W

1325.48'
2650.05'(M) 2650.02'(R)

LARRYANN M. EIS

Date Revision

PRELIMINARY AND FINAL PLAT RIVER VALLEY TANK SUBDIVISION

A PORTION OF THE
SE 1/4 NE 1/4 OF
SEC. 11-T77N-R2W
OF THE 5TH P.M.,
MUSCATINE COUNTY, IOWA

MMS CONSULTANTS, INC.

Date:	4/28/2017
Surveyed by:	RRN
Field Book No:	1173
Drawn by:	MAS
Scale:	1" = 300'
Checked by:	GDM
Sheet No:	2
Project No:	IC 10219-001
of:	2



CIVIL ENGINEERS
LAND PLANNERS
LAND SURVEYORS
LANDSCAPE ARCHITECTS
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