

TITLE 11
SUBDIVISION REGULATIONS

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Title 11 – Subdivision Regulations
Chapter 1 – Plats, Filing, Approval Process

SECTIONS:

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11-1-1 General Procedure. The City of Muscatine hereby adopts the following rules and regulations governing the subdivisions of land within its jurisdiction, pursuant to the Code of Iowa, Chapter 409, as amended, and to the City Code of the City of Muscatine, Iowa, as amended. No subdivision of land within the City of Muscatine or within two (2) miles of the Corporate Limits of the City shall be authorized until it has been submitted to and approved by the Planning and Zoning Commission and the City Council.

No subdivision plat or replat of land located within the City or within two (2) miles thereof shall be recorded until it shall have been approved in accordance with the provisions of this Chapter and the Code of Iowa, Section 409.14, and by resolution of the Council. Said approved plat and accompanying certificates and documents shall not be considered valid until they are filed and/or recorded in the County Recorder's, Auditor's, and Assessor's Offices. The provisions of this Chapter shall be construed to be in conformance with Chapter 409 of the Code of Iowa and restrictions set forth in Section 409.14 of said Code are hereby specifically adopted and incorporated by reference within this Chapter.

11-1-2 Filing Requirements.

A.

1. Any tract, lot, or parcel of land within the Corporate Limits of the City of Muscatine which shall hereafter be divided into three (3) or more parts shall be considered a subdivision. This includes resubdivision and the division of a parcel of land held in common and subsequently divided into parts among several owners, with or without a structure, on which a separate business without shared amenities, such as parking, is to be conducted or a separate dwelling erected or used. All such subdivisions shall conform to the applicable requirements set forth in this Chapter. This includes resubdivision or lease of a parcel on which a separate business is to be conducted.
2. Any tract, lot, or parcel of land of record at the time of the adoption of this Ordinance which is located outside the Corporate Limits and which shall hereafter be subdivided into three (3) or more parts for the purpose of making an addition, subdivision, or residential lots shall, pursuant to Section 409.14 of the Code of Iowa, be approved by the City Council.

The plats of any subdivision located outside the Corporate Limits of the City, but within two (2) miles of the Corporate Limits, shall be examined by the City Council and the City Planning and Zoning Commission, with a view to ascertaining whether the same conform to the City Ordinances relating to plats and whether streets, alleys, boulevards, parks, and public places conform to the general plat of the City and are conducive to an orderly development thereof, and do not conflict or interfere with rights-of-way or extensions of streets or alleys already established, or otherwise

interfere with the carrying out of the Comprehensive City Plan. If such plats shall conform to the Statutes of the State and Ordinances of the City and if they shall fall within the general plan for the City and the extensions thereof, regard being had for public streets, alleys, parks, sewer connections, water service, and service of other utilities, then it shall be the duty of the Council and the Planning and Zoning Commission to endorse their approval upon the plat; provided that the City Council may require, as a condition of approval of such plats, that the owner of the land bring all streets to a grade and standard acceptable to the Council and comply with such other improvements as the Council may deem requisite for the protection of the public interest.

All newly constructed roadways providing access to lots within two (2) miles of the Corporate Limits shall be in conformance with the county right-of-way width of sixty-six feet (66') and shall be improved as required by the City Council; the minimum improvements shall provide a twenty-four foot (24') wide roadway surface and shall be constructed with a surface material having an equivalent to a Structural Number (SN) of 4.0, and in accordance with the rural street standards as defined in Title 12, Chapter 2. The City Council may require street and roadway improvements in addition to the minimums as provided in this Section. Also, the City Council may require other improvements as it deems requisite for the protection of the public interest. The approval of any such plat, whether or not such approval requires complete compliance with the provisions of this Title, shall not be construed as requiring the City to maintain any of the improvements required to be installed in the subdivision.

- B. The subdivider shall prepare and file in the Office of the Planning Administrator four (4) copies of the preliminary plat conforming in detail to the requirements set forth herein of any tract, lot, or parcel of land that is subdivided into three (3) or more parts for the purpose of making an addition to the City or a subdivision thereof.
- C. Prior to the City Council approval of a final subdivision plat, the developer shall file a duly completed and executed bond, escrow agreement, or other collateral certified by the City Attorney as valid and enforceable by the City. This guarantee shall be in an amount determined by the City Engineer to be satisfactory for securing and making the installation of all public improvements required by the Planning and Zoning Commission and the City Council.
- D. An application for approval of a subdivision plat shall be filed with the Planning Administrator and accompanied with the required plats and with a filing fee, as established by resolution in Section 5-15-2 in this City Code.

11-1-3 Requirements of Preliminary Plat. Such preliminary plat shall contain the following information:

- A. The scale used on the drawings.
- B. The title under which the proposed addition or subdivision is to be known and recorded.
- C. The dimensions of all platted lots and unplatted areas and contours of a two foot (2') interval.
- D. An application for approval of a subdivision plat shall be filed with the Planning Administrator and accompanied with the required plats and with a filing fee, as specified in the City Code.
- E. The location of all property lines, watercourses, streets, alleys, public grounds, and similar features adjoining the platted area.

- F. The location and dimensions of all areas to be reserved for future use as school sites, parks, playgrounds, or similar features and which are to be dedicated to the public for such use.
- G. The location and size of existing storm or sanitary sewers, water mains, or field drains within or readily accessible to the platted area.
- H. The location and character of all existing easements and those proposed to be provided by the owner for utility purposes.
- I. The location, dimensions, and present use of existing buildings within the platted area.
- J. The bearing and distance from some monumented block or lot corner within the platted area to some corner of a congressional division within the City.
- K. A legal description of the area being platted, together with the name or names of the owners and the name and seal of the registered land surveyor making the plat.
- L. All elevations shown on the plat, profiles, and cross sections shall be referred to City datum.
- M. A general location map showing the proposed subdivision site in relation to the City of Muscatine.
- N. No strip of land shall be reserved by the subdivider, unless the tract is of sufficient size and shape to be of some practical use or service, as determined by the Commission and the Council.
- O. Suitable public right-of-way for bicycle/pedestrian paths shall be carefully considered and required on the preliminary plat when they are compared with the Comprehensive Plan or designated as a part of the Running River Trail system as it may be amended from time to time. All such paths indicated on the final plat shall be installed by the City at such time as funds are available to the City for construction of the paths. All right-of-ways for bicycle/pedestrian paths shall be not less than twenty (20) feet wide.

11-1-4 Preliminary Approval of Plat. Upon the filing of a preliminary plat with the Planning Administrator, the Planning Administrator shall refer one (1) copy of such plat and accompanying papers to the City Engineer, one (1) copy to the Building and Zoning Administrator, and one (1) copy to the Planning Commission at its first regular meeting.

The Planning and Zoning Commission shall review the application and preliminary plat of the subdivision to determine if it conforms to the minimum standards and requirements outlined in Chapter 2 and shall approve or reject the plat within thirty-five (35) days of the initial Commission review. In the event of a large subdivision which is to be developed in a phased sequence over a period of time, the Commission shall refer the overall preliminary plat to the City Council for review and appropriate action.

The approval of the preliminary plat by the Planning and Zoning Commission, and if appropriate by the City Council, shall not constitute final acceptance of the subdivision by the City. The owner shall, within one (1) year following the preliminary approval of the subdivision plat, prepare and file a final plat and other required construction plans and documents.

One (1) copy of the approved preliminary plat shall be retained in the Office of the Planning Administrator and one (1) copy in the Office of the City Engineer. One (1) copy shall be given to the subdivider and its receipt shall be authorization for the subdivider to proceed with the preparation of plans and specifications for the minimum improvements required in these regulations and with the preparation of the final plat.

11-1-5 Final Plat Requirements.

- A. The final plat shall contain all information required to be shown on the preliminary plat and, in addition, the following information:
1. The proposed names of all streets, public ways, and places dedicated for public use, lot numbers, dimensions, and areas.
 2. The type and location of all permanent monuments at block and lot corners and elsewhere within the platted area.
 3. All radii, arcs, chords, points of tangency, and central angles for curved streets and the radii of all rounded curves shall be shown on the plat.
 4. The certification of the engineer and/or land surveyor preparing the plat with his license number, and seal, signature, and the date of survey.
 5. Certificate of approval for construction of water, electric, and gas service from the respective utility companies, accompanied by a plat showing the easements required.
 6. The subdivider shall file with the City two (2) sets of improvement plans and profile, one (1) set reproducible. All plans and drawings are to be submitted on eighteen inch by twenty-four inch (18" x 24") plan and profile paper.

NOTE: The maximum size sheet for the final plat for recording purposes under the Code of Iowa, Section 409.31., is eighteen inches by twenty-four inches (18" x 24").

7. Building setback lines and dimensions.
 8. In addition to showing the sanitary sewer line, all stub-in laterals to individual lots shall be indicated and a notation on depth shall also be made on the plat.
- B. The subdivider shall file with the Planning Administrator, not less than seven (7) days prior to consideration by the Planning Commission of the final plat, the following:
1. Four (4) copies of the final plat.
 2. One (1) reproducible copy of the final plat shall be submitted.
 3. All utility easements must be indicated, with signature block with approval signatures from the respective utility interests.
 4. Two (2) copies of any agreement to be entered into between the subdivider and the City of Muscatine providing for the grading of streets and the installation of sewer systems and other utilities or improvements as may be required.
 5. Two (2) copies of a proposed resolution to be adopted by the City Council accepting lands to be dedicated for public use.
 6. Two (2) copies of a proposed resolution to be adopted by the City Council accepting the final plat.
 7. The appropriate bond or other collateral approved by the City Attorney and City Engineer to cover the estimated public improvements.
- C. Before submitting the final plat for approval, the owner or subdivider of the land being platted shall cause monuments to be placed within the platted area as follows:
1. One inch (1") galvanized iron pipe monuments, not less than thirty inches (30") in length and driven six inches (6") below the ground surface, shall be placed at each block corner, each end of curves, and each angle or change in direction along lot lines.
 2. One-half inch (1/2") iron rods, not less than twenty-four inches (24") in length, shall be placed at each lot corner and left flush with the ground surface. Equivalent material may be used upon approval of the City Engineer.

3. Each monument shall have the registration number of the land surveyor in charge.
- D. Upon the filing of the final plat, the Planning Administrator shall immediately refer one (1) copy of the final plat and accompanying papers to the City Engineer and one (1) copy to the Building and Zoning Administrator, and report to the Planning Commission.

Title 11 – Subdivision Regulations
Chapter 2 – Minimum Standards: Improvements

SECTIONS:

11-2-1 Minimum Standards; Requirements

11-2-2 Improvements

11-2-1 Minimum Standards: Requirements. In this Section, the phrase "the subdivider shall provide" means the subdivider shall install the facility referred to at his expense and at no cost to the City. All facilities must be installed in accordance with these regulations prior to occupancy of the buildings. No subdivision plat shall be approved by the Planning and Zoning Commission, unless it conforms to minimum standards and requirements established by this Chapter.

- A. Acreage Addition. Whenever an area is divided into lots containing one (1) or more acres and there are indications that such lots will eventually be resubdivided, consideration shall be given to the street and lot arrangement so that additional streets can be opened which will permit of a logical arrangement of smaller lots.
- B. Erosion Control. The submitted plan shall be reviewed by the Muscatine County Soil Conservation District. The appropriate recommendations of the Soil Conservation District shall be incorporated into the plan along with a time schedule indicating when ground cover or plantings will be installed.
- C. Blocks. No block shall be longer than one thousand feet (1,000') between street lines, nor less than two hundred twenty feet (220') nor wider than three hundred feet (300'), except for special reasons where deemed necessary. In its discretion and for good cause, the Planning and Zoning Commission may recommend and the City Council may require that a public walkway not less than ten feet (10') wide be installed near the center of the block and that such walkway be dedicated to and properly maintained by the City of Muscatine.
- D. Lots. All subdivided lots shall conform to the dimensions specified in the appropriate Zoning District. The Commission shall not approve a subdivision plat which attempts to create lots which do not meet minimum standards as specified in the Zoning Ordinance.

Corner lots shall have extra width to permit the maintenance of building lines on both front and side streets. The dimensions shall conform to the front yard requirements of the Zoning Ordinance for the specific district.

Lots at street intersections shall have a radius of at least fifteen feet (15') at the street corner.

All lots shall abut an improved public street prior to the issuing of a building permit or if a proper performance bond is submitted for street and other public improvements, a building permit may be issued; however, a Certificate of Occupancy will not be issued until the public improvements are completed.

- E. Building setback lines shall be established as required by the Zoning Ordinance and indicated on the final-plat.

11-2-2 Improvements. A performance bond or other security which will insure to the City that the subdivision public improvements will be completed by the subdivider within two (2) years after City Council acceptance of the plat, and a maintenance bond from the subdivider

or his contractor, which will insure "to the City that said improvements will be maintained in good and suitable condition for a period of two (2) years after City Council acceptance of the construction, shall be filed with the City through the City Planning Administrator. The subdivider shall file a duly completed and executed bond or other security certified by the City Attorney as valid and enforceable by the City. The amount of the bond or other security, as determined by the City Engineer, shall be in an amount satisfactory for securing and-making the installation of all the required public improvements. This guarantee shall be retained by the City until the improvements have been satisfactorily completed and accepted by the City.

It is the responsibility of the subdivider to obtain or insure that liability insurance for both personal injury and property damage are in effect for contractors.

The design standards for rural residential subdivisions as defined in Title 12, Chapter 2, shall apply where appropriate. The following improvements are required of all other City subdividers:

- A. Sidewalks. Sidewalks shall be installed, or caused to be installed, on both sides of streets, places and cul-de-sacs. The subdivider shall install sidewalks according to specifications prescribed by the City and set at the grade established by the City Engineer.
- B. Street Improvements To be Made Upon Approval of Final Plat.
 - 1. Curbs and gutters shall be constructed by the subdivider on both sides of all streets.
 - 2. Minimum right-of-way width for residential streets shall be sixty feet (60').
 - 3. Streets shall be filled or excavated to the grade approved by the City and set by the City Engineer. All streets shall be graded the full platted width and pavement shall be constructed of seven inches (7") of Portland cement concrete pavement or equal. All streets determined by the City Engineer to be local roads or sub- collector streets shall be not less than thirty-one feet (31') or nine and one-half meters (9.5m) in width from back of curb to back of curb. All streets determined by the City Engineer to be collector streets shall be not less than forty-four feet (44') or thirteen and one-half meters (13.5m) in width from back of curb to back of curb. All street improvements shall be in accordance with City specifications.

Commercial and industrial subdivisions shall be reviewed individually by the City Engineer for a determination of the thickness of the Portland cement concrete.

- 4. Inspection and testing of street improvements shall be performed under the direction of the City Engineer or a qualified engineer and a testing laboratory selected by the City Engineer. The subdivider shall bear this expense.
- C. Storm Sewers.
 - 1. Storm Sewers. The plans for installation of a storm drainage system shall be prepared by the subdivider and approved by the City Engineer. Design shall be based on a ten (10) year frequency storm.
 - 2. Storm sewers, if practicable, shall be placed in either the parkway adjacent to the street or where necessary, provided the proper easements are granted.
 - 3. Minimum size of all storm sewers shall be twelve inches (12") reinforced concrete pipe.
- D. Sanitary Sewers.

1. The subdivider shall provide the subdivision with a complete public sanitary sewer system to each lot within the subdivision. In areas where a public sanitary sewer outlet is not available, that is not within one thousand feet (1,000'), the subdivider shall, or his assigns shall, provide a private sanitary disposal system in accordance with the State of Iowa Department of Environmental Quality and local sanitary disposal codes.
 2. The provision of a public sanitary sewer system by the subdivider shall consist of all necessary laterals, pumping stations, manholes, and other appurtenances to provide for the discharge of disposal for the platted area.
 3. All public sanitary sewer systems shall be constructed in accordance with plans and specifications of the City and at sewer grades as established by the City.
 4. The subdivider shall furnish a "Sewage Treatment Agreement" from the Iowa Department of Environmental Quality for the City to execute.
 5. The installation of such sewers shall be under the supervision and inspection of the City Engineer and the subdivider may be required to pay a reasonable charge for such engineering and inspection service.
 6. Prior to acceptance of the installed sanitary and storm sewer line by the City the developer shall be responsible for televising the line and furnishing a VHS video to the Engineering Department for review.
- E. Utilities. All gas, water, electrical, cable television, telephone, or maintenance of any associated structures shall be placed underground. The subdivider shall install, or cause to be installed, all necessary water mains, hydrants, gas mains, and electrical transmission lines and shall make said utilities available to each lot within the subdivision.
- F. Water Supply. The subdivider shall install, or cause to be installed, a common deep well or install the Municipal Water distribution system by extension for all affected subdivision proposals. Subdivisions involving eight (8) or more lots require the developer to obtain approved well permits from the Iowa Department of Water, Air and Waste Management prior to final plat approval. Subdivisions involving less than eight (8) lots require the developer to submit well plans, specifications, and layout information along with the final plat for review during the approval process. Affected subdivisions located south of Hershey Avenue and County Road G-28, between the Mississippi River and the bluffs to the west, commonly referred to as Muscatine Island, shall also have the option of extending Municipal Water service or drilling common deep wells which penetrate alluvial matter and clay strata to the point of bedrock in complying with the requirements of the approval process.

Title 11 – Subdivision Regulations
Chapter 3 – Documents to be Submitted with Final Plat

SECTIONS:

11-3-1 Required Documents

11-3-2 Document Format

11-3-1 Required Documents. Documents to be submitted with final plat. Upon approval of the subdivision, it shall be the responsibility of the subdivider to record the subdivision at the County Court House. When the final plat is submitted to the Council, it shall be accompanied by the following instruments, which will be current within thirty (30) days prior to the date of the Council's approval:

- A. An attorney's legal opinion placing the fee title, free from unbonded encumbrance, in the owner, provided it may show a mortgage or encumbrance if the plat is accompanied by a consent to such platting by the holder of the mortgage or encumbrance of all streets, easements, and other areas to be conveyed or dedicated to the City of Muscatine within which such land is located.
- B. A certificate from the County Recorder placing fee title in the owner and certifying that the land is free from encumbrances or free from encumbrances other than those provided for in an encumbrance bond duly prepared, executed, and recorded by the owner, as required by the Code of Iowa, provided it may show a mortgage or encumbrance if the plat is accompanied by a consent to such platting by the holder of the mortgage or encumbrance of all streets, easements, and other areas to be conveyed or dedicated to the City of Muscatine within which such land is located.
- C. A certificate by the owner of the property and spouse, if any, that the subdivision as it appears on the plat is with free consent and is in accordance with the desire of said owner and spouse, dedicating the streets and other public property shown on the plat, establishing the setbacks, declaring the limitations on easements, and providing for any restrictive covenants needed or requested.
- D. A certificate from the County Treasurer certifying that the land is free from taxes.
- E. A certificate from the Clerk of the District Court certifying that the land is free from all judgments, mechanic's and other liens, or attachments as shown in the records of that office.
- F. One of the following:
 1. A certificate bearing the approval of the City Engineer, stating that all improvements and installations to the subdivision required by this Article have been made or installed in accordance with specifications.
 - a. A performance bond or bonds with the City, which will insure to the City that the subdivision improvements will be completed by the subdivider within two (2) years after Council acceptance of the plat and a maintenance bond or bonds from all the subdivider's contractors with the City, which will insure to the City that said improvements will be maintained in good and suitable condition for a period of two (2) years after Council acceptance of the construction.
 - b. The term "maintain" or "maintained" shall be defined as pertaining to the repairs which shall become necessary because of defective or faulty workmanship or materials in the improvement completed by the subdivider and/or his contractors.
 - c. The form and type of a performance bond or bonds shall be approved by the City Attorney and the amount of any bond shall not be less than the estimated cost of the improvements, as determined by the City

Engineer, and the amount of any performance or maintenance. If the improvements are not completed or maintained within the specified times, the Council may use the bond or bonds or any necessary portion thereof to complete or maintain the improvements.

- G. A certificate from a registered land surveyor, including an accurate metes and bounds description of the addition.
- H. Two (2) resolutions and a certificate for approval by the Council.

11-3-2 Document Format. The forms set out in this Section shall be used, as required, in conjunction with final plats.

LAND SURVEYOR'S CERTIFICATE

Each final plat submitted to the Council for approval shall carry a certificate signed by a registered land surveyor in substantially the following form:

I, _____, hereby certify that I am a registered
(Name)
land surveyor, licensed in compliance with the laws of the
State of Iowa; that this plat of _____,
(Name of Addition)
an addition to the City of Muscatine, Iowa, correctly
represents a survey completed by me on _____; that all of the
(Date)
monuments and pins shown thereon (will exist by _____ as
(Date)
required by the Code of Iowa) (do exist) and that their
location, size, type, and material are accurately shown; and
that the correct metes and bounds description of said
addition is as follows:

(SEAL)

(Signature)

(Registration Number)

DEDICATION CERTIFICATE OF OWNER

Each final plat submitted to the Commission and the Council for approval shall carry a certificate of owner in substantially the following form:

We, the undersigned, _____, owners of the real estate
(Names)
shown and described herein, do hereby certify that we have platted
and subdivided, and hereby lay off, plat, and subdivide, said real
estate in accordance with the within plat. We do further certify
that this plat is made and submitted with our free consent and
desires.

This subdivision shall be known and designated as _____
(Name of
— _____, an addition to the City of Muscatine,
Subdivision)
Iowa. All streets and alleys shown and not heretofore dedicated,
are hereby dedicated to the public. Front yard building setback lines
are hereby established as shown on this plat, between which lines
and the property lines of the street there shall be erected or
maintained no buildings or structures.

A perpetual easement is hereby granted to any local public utility
or municipal department, their successors and assigns, within the
area shown on the plat and marked as an easement, to install,
lay, construct, renew, operate, maintain, and remove conduits,
cables, pipes, poles, and wires with all necessary braces, guys,
anchors, manholes, and other equipment for the purpose of serving
the subdivision and other property with the underground telephone,
storm sewer, cable television, electric, gas, sanitary

sewer, water, or other service as a part of the respective utility system; (Further, as an overhead easement is hereby granted for those overhead utilities in existence at the time of this platting); also is granted, subject to the prior rights of the public therein, the right to use the streets and lots with underground service lines to serve adjacent lots and street lights, the right to cut down and remove or trim and keep trimmed any trees or shrubs that interfere or threaten to interfere with any of the said public utility equipment, and the right is hereby granted to enter upon the lots at all times for all of the purposes aforesaid. No permanent buildings shall be placed on said area as shown on the plat and marked "Easement", but same may be used for gardens, shrubs, landscaping, and other purposes that do not then or later interfere with the aforesaid uses or the rights herein granted.

Dated at Muscatine, Iowa, this _____ day of _____ 19____.
(Date) (Date) (Year)

(Husband)

(Wife)
or

(Office)

(SEAL)

(Office)

STATE OF IOWA)
) ss:
County of Muscatine)

Before me, the undersigned, a Notary Public, in and for the County and State, personally appeared _____ and each
(Names)
separately and severally acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, for the purpose therein expressed.

Witness my hand and notarial seal this _____ day of _____,
(Date) (Month)

19_____.
(Year)
(SEAL)

(Notary Public)

OR

STATE OF IOWA)
) ss:
County of Muscatine)

Before me, the undersigned, a Notary Public in and for the County and State, personally appeared _____ and
(Name)
_____, to me personally known, who being
(Name)
by me duly sworn did say that they are the _____ and
(Office)
_____ respectively of said corporation executing the
(Office)
within and foregoing instrument, (no seal has been procured by the said) (the seal affixed thereto is the seal of said) corporation; that said instrument was signed (and sealed) on behalf of said corporation by authority of its Board of Directors and that the

said _____ and _____ as such officers
(Name) (Name)
acknowledged the execution of said instrument to be the voluntary
act and deed of said corporation, by it and by them voluntarily
executed.

(SEAL)

Notary Public

TAX CERTIFICATE

The certificate reflecting the paid taxes on the subdivided property shall be in the following form:

STATE OF IOWA)
) ss:
County of Muscatine)

— _____, Treasurer for the County of Muscatine, State of Iowa,
 (Name)
hereby certify that I have examined the records of said County, and
find that the following described real estate, to-wit: _____
 (Name of Addition)
is free from taxes.

(SEAL)

Date

Treasurer, Muscatine County
Iowa

LIEN CERTIFICATE

The certificate reflecting liens on the subdivided property shall be in the following form:

STATE OF IOWA)
) ss:
County of Muscatine)

I _____, Clerk of the District Court for County of
 (Name)
Muscatine, State of Iowa, hereby certify that I have examined the records of this Court, and find that the following described real estate, to-wit: _____ is free from all judgments, mechanic's
 (Name of Addition)
or other liens, or attachments as shown by the records of my office.

(SEAL)

Clerk of District Court

Date

ENCUMBRANCE CERTIFICATE

The certificate reflecting encumbrances on the subdivided property shall be in the following form:

STATE OF IOWA)
) ss:
County of Muscatine)

I _____, Recorder for the County of Muscatine, State of
(Name)
Iowa, hereby certify that I have examined the records of said County,
and find that title in fee to the following described real estate, to-
wit: _____ is found in _____ and _____
(Name) (Name)
and I further find that said real estate is either free from
encumbrance or free from encumbrance other than that secured by an
encumbrance bond properly executed and filed with me on _____,
(Date)
19____, and that said bond has been given instrument number or free
(Year)
from encumbrance other than that shown if the plat is accompanied by a
consent to such platting by the holder of the encumbrance and a release
from the encumbrance of all streets, easements, and other areas to be
conveyed or dedicated to the City.

(SEAL)

Recorder, Muscatine County,
Iowa

Date

ATTORNEY'S CERTIFICATE

The attorney's certificate shall be in the following form:

STATE OF IOWA)
) ss:
County of Muscatine)

— _____, certify that I have examined the records of Muscatine
(Name)
County, Iowa, and from such examination find title in fee simple to the
real estate identified as _____, an Addition to the
(Name of Subdivision)
City of Muscatine, Iowa, free from encumbrance or from encumbrance
other than that secured by bond or free from encumbrance other than
that shown if the plat is accompanied by a consent to such platting by
the holder of the encumbrance and a release from the encumbrance of all
streets, easements, and other areas to be conveyed or dedicated to the
City, as of this date, to be vested in _____
(Name of Owner)

DATED this _____ day of _____, 19_____.
(Date) (Month) (Year)

By _____
(Name)
Attorney-At-Law

MAINTENANCE BOND

The maintenance bond shall be in the following form:

KNOW ALL MEN BY THESE PRESENTS THAT WE, _____,
(Contractor's Name)
as PRINCIPAL, and _____, a company duly authorized to
(Surety)
transact business in the State of Iowa, as surety, are held and firmly
bound unto the City of Muscatine, Iowa, as obligee, in the sum of
\$ _____ for payment whereof well and truly to be made, the
principal and the surety bind themselves, their heirs, executors,
administrators, successors, and assigns jointly and severally firmly by
these presents.

SIGNED and sealed and dated this _____ day of _____, 19__ .
(Date) (Month) (Year)

WHEREAS, the principal has entered into contract for the construction
of _____ to the City of Muscatine, Iowa.
(Improvement to an Addition)

WHEREAS, the obligee has required said principal to furnish a bond
guaranteeing remedy of any defect in material or workmanship within a
period of two (2) years from the date of official acceptance of the
improvements by the City Council of the City of Muscatine, Iowa.

NOW, THEREFORE, the condition of this obligation is such that if the
said principal does and shall at his own cost and expense remedy any
and all defects that may develop in said work, then this obligation

shall be null and void; otherwise, it shall remain in full force and effect.

By _____
Principal

By _____
Surety

By _____
Agent & Attorney-In-Fact

STATE OF IOWA)
) ss:
County of Muscatine)

On this _____ day of _____, 19__, A.D., before me, the undersigned,
(Date) (Month) (Year)
a Notary Public, personally appeared the above named _____
(Name)
Principal (Agent or Attorney for Principal), and/or _____
(Name)
Surety (Agent or Attorney for Surety), to me known to be the person or
persons named in and who executed the foregoing instrument, and
acknowledged that he (they) executed the same as his (their) voluntary
act and deed.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed my
Notarial Seal the day and year last above written.

(SEAL)

Notary Public in and for
_____ County, State of _____

RESOLUTION NO. _____

WHEREAS, there has been presented before the City Council of the City of Muscatine, Iowa, a dedication and plat of a subdivision of the following described real estate situated in the County of Muscatine, and State of Iowa, to-wit:

(Insert Legal Description)

which dedication and plat lay out and subdivide said real estate into (# of lots) lots; and

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

WHEREAS, said dedication and plat fully conform with all laws of the State of Iowa and all ordinances of the City of Muscatine, Iowa, applicable thereto; and

WHEREAS, the platting of said subdivision is conducive to an orderly development within the City of Muscatine, Iowa; is not in conflict with any extensions of the established street system of the City of Muscatine, Iowa; and is in harmony with the Comprehensive Plan of zoning now in effect within the City of Muscatine, Iowa.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA, as follows:

Section 1. That the dedication and plat of (name of subdivision), be, and the same area, hereby accepted and approved, and that in filing of approved bonds or other security guaranteeing to the City that all of the improvements required by Title 11 of the City Code of the City of

Muscatine, Iowa, will be installed within two (2) years from the date hereof and in accordance with the plans and specifications for the installation thereof now on file in the Office of the Planning Administrator.

Section 2. That said subdivision be, and the same is hereby designated as (name of subdivision) to the City of Muscatine, in Muscatine County, Iowa; and that the descriptions of the lots and parcels of land located therein shall be according to the number and designation thereof as set forth on said plat.

Section 3. That, upon the filing of approved surety bonds, the Mayor and City Clerk of the City of Muscatine, Iowa, be and they are, hereby authorized and directed to certify this resolution in order that the same and all other matters material to said subdivision may be recorded in the Office of the Recorder of Muscatine County, Iowa.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 19 __.

BY THE CITY COUNCIL OF THE CITY OF
MUSCATINE, IOWA

Mayor

Attest:

City Clerk

CERTIFICATE OF THE MAYOR AND CITY CLERK

The certificate of the Mayor and City Clerk shall be in the following form:

STATE OF IOWA)
) ss:
County of Muscatine)

We, _____ and _____, do hereby certify that we are the Mayor and City Clerk, respectively of the City of Muscatine, Iowa; that the dedication and plat of Lots _____ of _____ (Name of Subdivision) to the City of Muscatine, in Muscatine County, Iowa, were presented to the City Council of the City of Muscatine, Iowa, on the _____ day of _____, 19____, that the following resolution was duly adopted by said City Council at a meeting thereof held on the _____ day of _____, 19____, at 7:30 o'clock P.M., at which meeting a quorum was present.

The dedication and plat of said subdivision were thereby accepted and approved by said City Council, approved surety bonds have been filed in accordance with the provisions of said resolution; and that the undersigned were authorized and directed to certify said resolution in order that the same and all other matters material to said subdivision may be recorded in the Office of the Recorder of Muscatine County, Iowa.

Dated at Muscatine, Iowa, this _____ day of _____, 19____ .

(SEAL)

Mayor

Attest:

City Clerk

CERTIFICATE OF THE EXECUTIVE SECRETARY
OF THE PLANNING AND ZONING COMMISSION

The certificate of the Executive Secretary of the Planning and Zoning Commission shall be in the following form:

STATE OF IOWA)
) ss:
County of Muscatine)

_____, do hereby certify that I am the Executive Secretary of the Planning and Zoning Commission of the City of Muscatine, Iowa; and that the attached plat of lots (# of lots) inclusive, of _____(Name of Subdivision) to the City of Muscatine, in Muscatine County, Iowa, was approved by said Commission on the _____ day of _____, 19_ , as shown by the records of said Commission now in my possession.

Dated at Muscatine, Iowa, this _____day of _____, 19__ .

(Name)
Executive Secretary of
the Planning and Zoning
Commission of the City
of Muscatine, Iowa

Title 11 – Subdivision Regulations
Chapter 4 – Enforcement

SECTIONS:

11-4-1 Approval Required

11-4-2 Building; Repair Permits

11-4-3 Conformance

11-4-4 Changes; Amendments

11-4-5 Validity

11-4-1 Approval Required. No plat of any subdivision shall be entitled to record in the County Recorder's Office or be of any validity until it shall be approved in the manner prescribed herein. Upon approval, the subdivider shall be responsible for the recording of all necessary documents and plats.

11-4-2 Building, Repair Permits. No building or repair permits shall be granted for any structure located on a lot in any subdivision within the limits of the City, the plat of which has been prepared after the adoption of this Title, but which has not been approved in accordance with the provisions contained herein.

11-4-3 Conformance. The Council shall not permit any public improvements over which it has any control to be made or any money expended for improvements in any area that has been subdivided or upon any street that has been platted after the date of the adoption of this Title, unless such subdivisions or street has been approved in accordance with the provisions contained herein.

11-4-4 Changes; Amendments. Any regulations or provisions of this Title may be changed, modified, or amended from time to time by the Council, provided, however, that such changes, modifications, or amendments shall not become effective until after study and report by the Planning Commission and until after a public hearing has been held, notice of which shall be given in a newspaper of general circulation in the City at least four (4) days prior to such hearing.

11-4-5 Validity. If any section, subsection, sentence, clause, or phrase of this Title is for any reason held to be unconstitutional or void, such shall not effect the validity of the remaining portions of this Title.