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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

Date: September 20, 2012

Re: Resolution Approving LBM/Phelps Subdivision – Preliminary/Final Plat – A Replat of Lot 2 – A Subdivision of Parcels “C” & “D”

INTRODUCTION: A request has been filed for a combined Preliminary/Final Plat for LBM/Phelps Subdivision, a replat of Lot 2 of the subdivision of Parcels “C” & “D” in the east half of Section 4, T76N, R2W.

BACKGROUND: Gary Whitacre of Martin & Whitacre Surveyors & Engineers, Inc. has filed a combined preliminary/final plat for the replat of Lot 2 on behalf of LBM Storage, LLC. If approved, Phelps Laundry intends to purchase lot 2B and relocate its operation to an existing structure on that parcel. Both Lots 2A & 2B will have their frontage on Hershey Avenue. The owners of lots 1, 2A & 2B will enter into an agreement for access and maintenance of the private road named Newcomb Boulevard.

RECOMMENDATION/RATIONALE: The Planning and Zoning Commission recommends that City Council approve the combined preliminary/final plat of LBM/Phelps Subdivision.

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 LBM/PHELPS 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 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 2 lots lot within the City of Muscatine, Iowa; to wit:

LAND DESCRIPTION

Lot 2 of the subdivision of Parcels "C" and "D" in the east half of Section 4, Township 76 North, Range 2 West of the Fifth Principal Meridian; in Muscatine County, Iowa.

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 and said plat is conducive to an orderly development of the City of Muscatine, Iowa, not in conflict with the rights-of-way of any extension of any streets or alleys now established, and is harmony with the Comprehensive Plan now effect within in the City; and

WHEREAS, the City Council of the City of Muscatine, Iowa, finds the final plat LBM/Phelps Subdivision should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA, that said final plat named LBM/Phelps 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 20th of September 2012.

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

DeWayne M. Hopkins, Mayor

ATTEST:

Gregg Mandsager, City Clerk

LBM/Phelps 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 LBM/Phelps Subdivision, in the City of Muscatine Iowa, was on September 20, 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 20th day of September 2012.

DeWayne M. Hopkins, Mayor

Attest:

Gregg Mandsager, City Clerk

STATE OF IOWA, MUSCATINE COUNTY, ss:

Be it Remembered that on this 20th day of September 2012, 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 20th day of September 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.

Notary Public in and for the State of Iowa

