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PLANNING, ZONING AND BUILDING SAFETY

Public Health,  
Housing Inspections &  
Inspection Services

MEMORANDUM

**To:** Mayor and City Council Members  
**Cc:** Gregg Mandsager, City Administrator  
**From:** Steven Boka, Director of Community Development  
**Date:** October 13, 2011  
**Re:** Resolution Approving the Ripley Addition Part One

**INTRODUCTION:** City staff has been working with Jason Harder to complete Ripley Addition Part One, a 3-lot subdivision consisting of 8.25 acres of real estate located in the 2800 block of Highway 61, in Muscatine County but within two-miles of the Muscatine corporate limits.

**BACKGROUND:** The intent of the proposed subdivision is to subdivide an existing parcel that is improved with a Casey's business owned by Dave Ripley, from adjacent property owned by Jason Harder. The Casey's property, identified as Lot 2 on the Final Plat, is currently located on a "leased lot" and was originally intended to be transferred to Mr. Ripley when the former Ripley's Mobile Home Court (now Clearview) was sold to Jason Harder. The subdivision will permit the transfer of real estate to be completed, as agreed. There is no extension of public improvements necessary as a part of the subdivision.

**RECOMMENDATION/RATIONALE:** The Muscatine County Board of Supervisors approved the subdivision and it was subsequently reviewed and recommended for approval by the City of Muscatine Planning Commission during their October 11<sup>th</sup> meeting. It is recommended that the City Council approve the Final plat of Ripley Addition Part One, a 3-lot subdivision located in Muscatine County.

**BACKUP INFORMATION:**

1. Resolution Approving the Final Plat
2. Certificate of Acceptance of the Final Plat
3. Certificate of the Planning Commission
4. Certificate of True Copy
5. Copy of the Final Plat for Ripley Addition Part One

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

EXHIBIT A

Prepared by Steve Boka, 215 Sycamore Street, Muscatine, IA 52761 (563) 262-4141

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

**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 of the Corporate Limits of the City of Muscatine, County of Muscatine, State of Iowa, to-wit:

DESCRIPTION: PART OF THE NE 1/4 OF SECTION 18 IN TOWNSHIP 77 NORTH, RANGE 1 WEST OF THE 5<sup>TH</sup> P.M., MUSCATINE COUNTY, IOWA DESCRIBED AS: COMMENCING AT THE EAST 1/4 CORNER OF SECTION 18, TOWNSHIP 77 NORTH, RANGE 1 WEST OF THE 5<sup>TH</sup> P.M., IN MUSCATINE COUNTY, IOWA; THENCE S 89°11'03" W 1178.10 FEET ALONG THE SOUTH LINE OF THE NE 1/4 OF SAID SECTION 18 TO THE WESTERLY RIGHT OF WAY FOR U.S. HIGHWAY #61; THENCE N 29°18'46" E 677.85 FEET ALONG THE WESTERLY RIGHT OF WAY FOR U.S. HIGHWAY #61 TO THE POINT OF BEGINNING; THENCE N 59°57'14" W 325.11 FEET; THENCE NORTHWESTERLY 92.33 FEET ALONG A 52.86 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY WITH THE CHORD BEARING N 09°54'53" W 81.03 FEET; THENCE N 49°46'21" E 192.11 FEET; THENCE NORTHWESTERLY 70.88 FEET ALONG A 1037.42 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY WITH A CHORD BEARING N 47°48'54" E 70.87 FEET; THENCE N 45°51'28" E 563.23 FEET; THENCE NORTHWESTERLY 108.79 FEET ALONG A 248.36 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY WITH CHORD BEARING N 34°14'12" E 107.92 FEET; THENCE N 21°49'27" E 126.65 FEET; THENCE NORTHWESTERLY 178.26 FEET ALONG A 841.43 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY WITH A CHORD BEARING N 15°45'18" E 177.93 FEET; THENCE N 09°41'09" E 53.56 FEET; THENCE NORTHWESTERLY 103.64 FEET ALONG A 74.71 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY WITH A CHORD BEARING N 50°32'16" E 95.52 FEET; THENCE S 89°43'23" E 214.30 FEET TO THE WESTERLY RIGHT OF WAY OF U.S. HIGHWAY #61; THENCE ALONG SAID RIGHT OF WAY S 15°50'45" W 51.76 FEET; THENCE S 29°00'56" W 771.17 FEET TO THE NORTHEASTERLY CORNER OF A LEASED PARCEL DESCRIBED IN BOOK 363, PAGE 1011 OF THE MUSCATINE COUNTY RECORDS; THENCE CONTINUING ALONG THE WESTERLY RIGHT OF WAY OF U.S. HIGHWAY #61 SOUTHWESTERLY 20.45 FEET ALONG A 8657.37 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY WITH A CHORD BEARING S 29°21'58" W 20.46 FEET; THENCE S 29°21'58" W 99.65 FEET; THENCE S 29°18'46" W 429.75 FEET; THENCE S 48°43'09" W 120.38 FEET; THENCE S 29°18'46" W 16.12 FEET TO THE POINT OF BEGINNING. DESCRIBED LAND CONTAINS 8.25 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

Which plat lays out and subdivides said real estate into 3-lots within two miles of the present corporate limits of the City of Muscatine, Iowa, and

**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 designated Ripley Addition Part One should be approved.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA**, that said plat named and designated Ripley Addition Part One 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 20<sup>th</sup> day of October 2011.

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

Attest:

\_\_\_\_\_  
Richard W. O'Brien, Mayor

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

**RIPLEY ADDITION PART ONE SUBDIVISION  
CERTIFICATE OF ACCEPTANCE OF FINAL PLAT**

STATE OF IOWA, MUSCATINE COUNTY, ss:

We, the undersigned, Richard W. O'Brien, and Gregg Mandsager, of the City of Muscatine, Iowa, do hereby certify that the attached plat named and designated "Ripley Addition Part One" in Muscatine County, Iowa, was on October 20, 2011, 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 20<sup>th</sup> day of October, 2011.

\_\_\_\_\_  
Richard W. O'Brien, Mayor

Attest:

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

STATE OF IOWA, MUSCATINE COUNTY, ss:

Be it Remembered that on this \_\_\_\_ day of \_\_\_\_\_ 2011, before me, a Notary Public in and for the State of Iowa, personally appeared Richard W. O'Brien 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 20<sup>th</sup> day of October 2011; that Richard W. O'Brien 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

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

I, the undersigned, Steven W. Boka, 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 designated Ripley Addition Part One, a subdivision within two miles of the corporate limits of the City of Muscatine, Muscatine County, Iowa, was approved and recommended by said Commission on the 11<sup>th</sup> day of October, 2011, according to the minutes and records of said Commission in my possession.

Dated at Muscatine, Iowa, this 11<sup>th</sup> day of October, 2011.

A handwritten signature in black ink, appearing to read 'S. Boka', written over a horizontal line.

Steven W. Boka, Secretary  
Planning and Zoning Commission  
City of Muscatine, Iowa

Steven Boka, 215 Sycamore Street, Muscatine, Iowa 52761 563-262-4141

### **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. Resolution No. \_\_\_\_\_ - \_\_\_\_\_ approving the Final Plat of Ripley Addition Part One, a subdivision within two miles of the corporate limits of the City of Muscatine, Iowa.
2. Certificate of Acceptance of Final Plat (original).

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, Finance Director

Subscribed in my presence and sworn to before the undersigned notary public by Nancy Lueck on this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

