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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: Steven Boka, Director of Community Development
Date: August 15, 2012
Re: Resolution Approving Miller-Deahr Farm Subdivision

INTRODUCTION: A request has been filed for a 4-lot subdivision located in Muscatine County but within 2-miles of the Muscatine City Limits.

BACKGROUND: A combined Preliminary/Final Plat of the Miller-Deahr Farm, a 46.444 acre, 4-lot subdivision located in Muscatine County has been submitted for approval. If approved the northern two lots will be sold to the adjoining property owner but all four lots will remain for agricultural use. The subdivision will not require the extension of any public improvements and fronts on an existing county road. The Planning Commission conducted an on-site viewing of this request on August 8th and unanimously approved the request during their August 14th meeting.

RECOMMENDATION/RATIONALE: The Planning Commission recommends that City Council approve the Final Plat for the Miller-Deahr Farm Subdivision as attached hereto.

EXHIBIT A

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

RESOLUTION NO. _____

**A RESOLUTION APPROVING THE FINAL PLAT
OF THE MILLER-DEAHR FARM SUBDIVISION
IN THE COUNTY OF MUSCATINE, IOWA**

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 Muscatine County but within 2-miles of 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 four (4) lots:

LAND DESCRIPTION

A SUBDIVISION OF PARCEL "E" LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15 AND IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 77 NORTH, RANGE 2 WEST OF THE 5TH P.M., 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 located within 2-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 Miller-Deahr Farm Subdivision should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA, that said final plat named and designated Miller-Deahr Farm 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 6th of September 2012.

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

Attest:

DeWayne Hopkins, Mayor

Gregg Mandsager, City Clerk

MILLER-DEAHR FARM SUBDIVISION

CERTIFICATE OF ACCEPTANCE OF FINAL PLAT

STATE OF IOWA, MUSCATINE COUNTY, ss:

We, the undersigned, DeWayne Hopkins, and Gregg Mandsager, of the City of Muscatine, Iowa, do hereby certify that the attached plat named and designated Miller-Deahr Farm Subdivision in Muscatine County, Iowa, was on September 6, 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 6th day of September 2012.

DeWayne Hopkins, Mayor

Attest:

Gregg Mandsager, City Clerk

STATE OF IOWA, MUSCATINE COUNTY, ss:

Be it Remembered that on this 18th day of August 2011, before me, a Notary Public in and for the State of Iowa, personally appeared DeWayne 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 the 6th day of September 2012; that DeWayne 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

**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 of the Miller-Deahr Farm Subdivision, a county subdivision located within 2-miiles of the corporate limits of the City of Muscatine, Muscatine County, Iowa, was approved and recommended by said Commission on the 8th day of August, 2012, according to the minutes and records of said Commission in my possession.

Dated at Muscatine, Iowa, this 8th day of August 2012.

Steven Boka, 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 the Miller-Deahr Farm Subdivision, a county subdivision located within 2-miles of the corporate limits of the City of Muscatine, 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

