

**CITY ACCEPTANCE OF PUBLIC STREET IMPROVEMENT
INSTALLED FOR OAKVIEW PLAZA SUBDIVISION
IN THE CITY OF MUSCATINE, IOWA**

WHEREAS, the City Council approved the Oakview Plaza Subdivision for commercial development on January 17, 2002; and

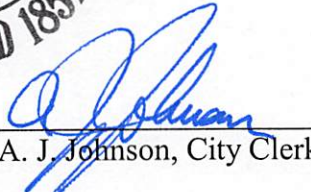
WHEREAS, the developer caused the installation of a street, known as Oakview Drive to serve this commercial development; and

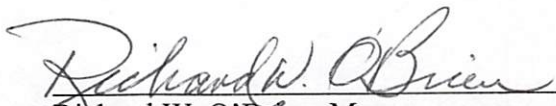
WHEREAS, the City Engineering Department has reviewed and approved the plans and specifications and the completed construction test results for compliance with said plans and specifications and conformance with the construction standards of the City and found adherence to these standards;

NOW, THEREFORE, BE IT RESOLVED, that the City accept the street improvement as constructed and indicated on the plans for Oakview Plaza Subdivision in the City of Muscatine, Iowa subject to the recording of a dedication to the City of a remnant triangular shaped portion of real estate for the right turn lane, and said street will be maintained as part of the public street system.

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




A. J. Johnson, City Clerk


Richard W. O'Brien, Mayor

12260-3

Prepared by Kevin Whittaker, 215 Sycamore St., Muscatine, IA 52761 - (563)264-1554

**CERTIFICATE OF ACCEPTANCE OF AMENDED DEDICATION
OF PUBLIC RIGHT-OF-WAY INDICATED ON THE
PLAT OF SURVEY - PARCEL P OF THE OAKVIEW PLAZA SUBDIVISION**

STATE OF IOWA, MUSCATINE COUNTY, ss:

We, the undersigned, Richard W. O'Brien, and A.J. Johnson, of the City of Muscatine, Iowa, do hereby certify that the attached Amended Dedication of Public Right-of-Way Indicated on the Plat of Survey - Parcel P of the Oakview Plaza Subdivision in the City of Muscatine, in Muscatine County, Iowa, was on December 4, 2003, presented and accepted by 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.

Done at Muscatine, Iowa, this 9th day of December, 2003.



A. J. Johnson
A. J. Johnson, City Clerk

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

STATE OF IOWA, MUSCATINE COUNTY, ss:

Be it Remembered that on this 9th day of December, 2003, before me, a Notary Public in and for the State of Iowa, personally appeared Richard W. O'Brien and A. J. Johnson, 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 4th day of December, 2003; that Richard W. O'Brien and A. J. Johnson, 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 it and them voluntarily executed.

Witness my hand and Notarial Seal the day and year last above written.



Lorrie Fry
Notary Public in and for the State of Iowa

12260-4

Prepared by: Terence L. Mealy, 301 East Second Street, Muscatine, Iowa 52761 (563)263-0804

AMENDED DEDICATION

The undersigned, BCF&M a Partnership of Muscatine, Iowa owner of the real estate shown and described herein, does hereby certify that it has platted and subdivided, and hereby lays off, plats and subdivides, said real estate in accordance with the plat, and also, in accordance with the attached plat describing an additional street or right-of-way as described in said plat with respect to Oakview Plaza Subdivision. It does further certify that this plat is made and submitted with its free consent and desire.

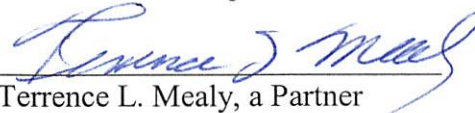
This Amendment to the Dedication shall be incorporated in the Dedication which was recorded at the Muscatine County Recorder's Office in File No. 2002-00907.

This Amendment to the Dedication is for the purpose of adding Parcel "P" as a part of the land and dedicated to the public as stated in the original Dedication.

Except for the Amendment to the Dedication as stated herein, the aforesaid Dedication shall remain in full force and effect.

Dated at Muscatine, Iowa this 9th day of December, 2003.

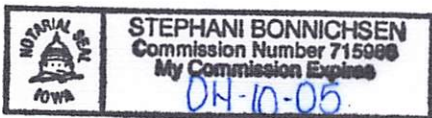
BCF&M, a Partnership

By: 
Terence L. Mealy, a Partner

STATE OF IOWA, MUSCATINE COUNTY, SS:

On this 9th day of December, 2003, before me, the undersigned, a Notary Public in and for the state of Iowa, personally appeared Terence L. Mealy, to me personally known, who being by me sworn, did say that the person is one of the partners of BCF&M, a partnership, and that the instrument was signed on behalf of the partnership by authority of the partners and the partner acknowledged the execution of the instrument to be the voluntary act and deed of the partnership by it and by the partner voluntarily executed.


Notary Public In and For the State of Iowa



STEFANI BOMHOSEN
Commission Number Y10009
My Commission Expires
01-10-08

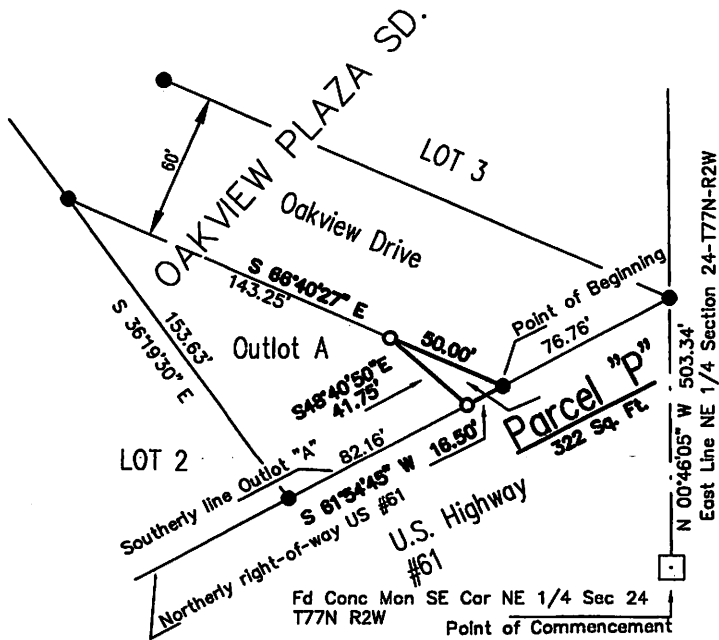


12260-5

Surveyed by: Ben D. Holliday, V-J Engineering, 1631 Isett Ave., Muscatine, Iowa, (563) 288-6427

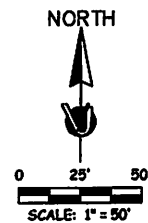
PLAT OF SURVEY PARCEL 'P'

PART OF OAKVIEW PLAZA SUBDIVISION OF THE NORTHEAST QUARTER OF SECTION 24
TOWNSHIP 77 NORTH, RANGE 2 WEST, 5TH P.M., MUSCATINE, COUNTY, IOWA



LAND DESCRIPTION - PARCEL "P"

A parcel of land located in the Northeast Quarter of Section 24, Township 77 North, Range 2 West of the 5th P.M., Muscatine County, Iowa, more particularly described as follows: Commencing at the Southeast corner of said Northeast Quarter (a concrete monument in place); thence North 00°46'05" West 503.34 feet along the East line of said Northeast Quarter to the Northerly right-of-way of U.S. Highway #61; thence South 61°54'45" West 76.76 feet along said Northerly right-of-way to the Southeast corner of Outlot "A" and the point of beginning of said Parcel "P" herein described; thence continuing South 61°54'45" West 16.50 feet along said Northerly right-of-way and the South line of said Outlot "A"; thence North 48°40'50" West 41.75 feet to the Easterly line of said Outlot "A"; thence South 66°40'27" East 50.00 feet along said Easterly line to the point of beginning. Said Parcel "P" contains 322 Square feet.

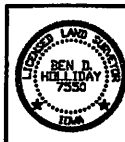


LEGEND

- SET IRON PIN W/CAP "DOC 7550"
- FOUND 1/2" IRON PIN
- FOUND 1/2" IRON PIN

PARCEL LETTER DESIGNATION
APPROVED BY MUSCATINE COUNTY AUDITOR

DATED THIS 12th DAY OF December, 2003
Shirley A. Boyle



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.
Ben D. Holliday 11/17/03
BEN D. HOLLIDAY
LICENSE NUMBER 7530
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2003.
PAGES OR SHEETS COVERED BY THIS SEAL: 1

00-277

DATE: 11/17/03

SCALE: 1" = 50'

PROJECT: PARCEL 'P' - A PART OF OAKVIEW PLAZA SD.

Survey for: BCF&M Partnership
C/O 1237 Vista Ct., Muscatine, Iowa 52761

PARCEL "P" - A PART OF OAKVIEW PLAZA SD.

van winkle-jacob engineering, inc.
1631 Isett Avenue
Muscatine, Iowa (563) 288-6427

00-277

MEMO

TO: A. J. Johnson, City Administrator

FROM: Kevin Whittaker, Director of Planning & Community Development

SUBJ: Acceptance of Oakview Drive Street Improvement in the Oakview Plaza Subdivision

DATE: December 1, 2003

The City Council approved the Oakview Plaza Subdivision on January 17, 2002 and Oakview Drive provided a new street access for the adjacent lots. This development is located east of Wal-Mart on the north side of Highway 61. The public street improvement in the Oakview Plaza Subdivision has been installed according to the approved plans and specifications. The City's Engineering Department has inspected the construction and concrete test results and found the installation to be in compliance with City standards. It should be noted that a remnant triangular shaped portion of this right-of-way still needs to be recorded. This is due to the fact that a right turn lane off Oakview Drive onto Highway 61 was required after the formal surveying was completed. It is necessary to accept this roadway as part of the public street system so that a stop sign can be erected at its intersection with Highway 61.

Attached is a resolution to have the City accept and maintain this street as part of the public street system.

Km

RESOLUTION NO. 88929-1203

**CITY ACCEPTANCE OF PUBLIC STREET IMPROVEMENT
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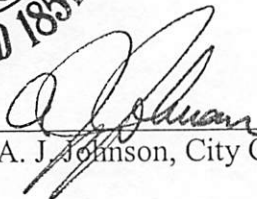
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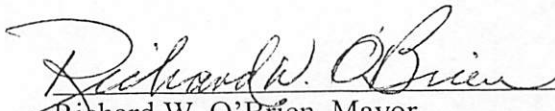
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**BY THE MAYOR AND CITY COUNCIL OF
THE CITY OF MUSCATINE, IOWA**




A. J. Johnson, City Clerk


Richard W. O'Brien, Mayor

*Copy Return
Community Development
City of Muscatine*

FILE NO. 2003-12260
PAGE _____

2003 DEC 12 AM 9:41

DOROTHY J. FITCHNER
RECORDER
MUSCATINE CO.

fee \$31.00

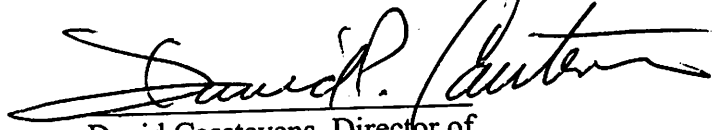
Kim Marler, 215 Sycamore Street, Muscatine, Iowa 52761 563-264-1554

CERTIFICATE OF TRUE COPY

I, David Casstevens, Director of Administrative Services of the City of Muscatine, Iowa, certify that attached hereto are true copies of the following:

1. Resolution No. 88929-1203 City acceptance of public street improvement installed for Oakview Plaza Subdivision in the City of Muscatine, Iowa (Copy).
2. Certificate of Acceptance of Amended Dedication of public right-of-way indicated on the Plat of Survey – Parcel P of the Oakview Plaza Subdivision (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.



David Casstevens, Director of
Administrative Services

Subscribed in my presence and sworn to before the undersigned notary public by David Casstevens on this 9th day of December 2003.

Lorrie Fry

Notary Public in and for the State of Iowa

