



# City of Muscatine

ITEM NUMBER 2022-0380

## AGENDA ITEM SUMMARY

DATE: 9/15/2022

### STAFF

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Andrew Fangman, Assistant Community Development Director

### SUBJECT

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Resolution Approving the Combined Preliminary/Final Plat of Curry Acres Subdivision

### EXECUTIVE SUMMARY

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Presented for Council consideration is a resolution approving a combined preliminary/final plat for a nine-lot subdivision in unincorporated Muscatine at 2147 Highway 61. The proposed subdivision is located in unincorporated Muscatine County but falls within the two-mile limit requiring City of Muscatine review and approval.

### STAFF RECOMMENDATION

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Staff recommends adopt the resolution to approve the proposed Curry Acres Subdivision. The proposed subdivision would not interfere with the orderly development of the City of Muscatine and is consistent with the adopted Comprehensive Plan, which designates this location as Single Family Residential – Low Density in the Future Land Use Plan.

### BACKGROUND/DISCUSSION

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Jason Curry has filed a combined preliminary/final plat for Curry Acres Subdivision, a 11.34 acre nine-lot subdivision located at 2147 Highway 61. The subject area is zoned R-2 Residential. The purpose of the subdivision is to create nine residential lots. The existing residences will remain on one lot and the other eight lots are being created to accommodate the construction of new homes. The entire proposed subdivision is 11.34 acres, and the proposed lots range in size from 0.54 acres to 1.7 acres.

All nine lots will be served by individual wells and individual septic systems. Access to all nine lots shall only be permitted from Curry Court, a new seal coated street that will be constructed as part of this subdivision.

### CITY FINANCIAL IMPACT

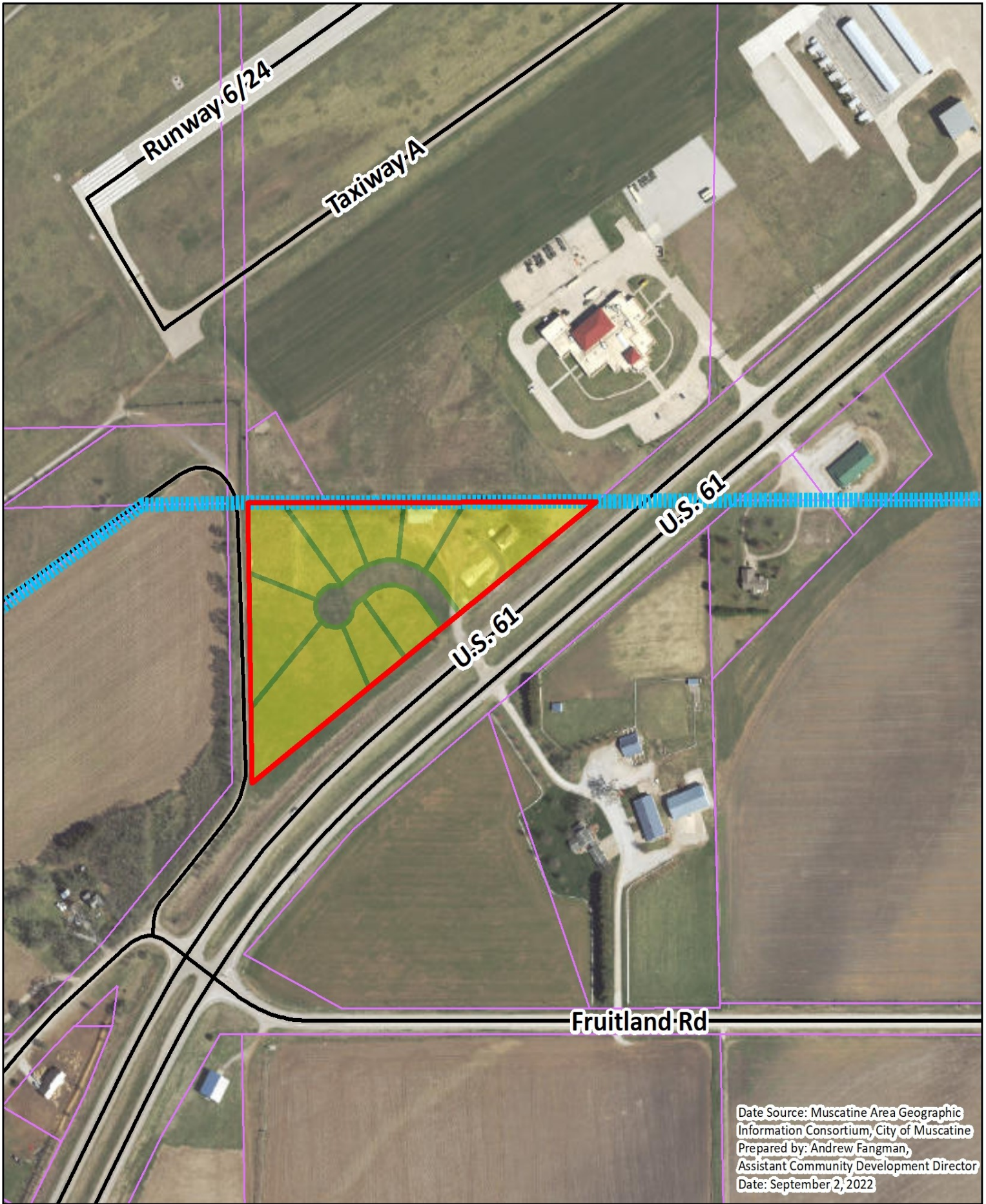
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None

## **ATTACHMENTS**

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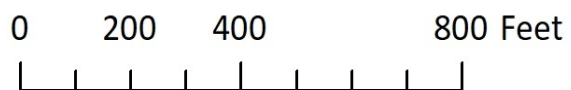
1. Location Map
2. Plat
3. Resolution & Supporting Docs



-  Subject Parcel
-  Proposed Lots
-  Parcel Lines
-  Muscatine City Limits

# Curry Acres Subdivision

## PZS-1-2022



NW 1/4 - NW 1/4  
SECTION 25-T76N-R3W

CITY OF MUSCATINE  
215 SYCAMORE STREET  
MUSCATINE, IA 52741-2800  
ZONE: MU-AG

**POINT OF BEGINNING**  
NORTHWEST CORNER  
OF THE  
SOUTHEAST QUARTER  
OF THE  
NORTHWEST QUARTER  
OF  
SECTION 25-T76N-R3W  
OF THE FIFTH P.M.  
FOUND 1/2" REBAR W/O LS CAP  
DOC# 2006-00819

**PARCEL "A"**

AG RECORDED IN BOOK 9 AT PAGE  
723 OF THE RECORDS OF THE  
MUSCATINE COUNTY RECORDER'S  
OFFICE

NE 1/4 - NW 1/4  
SECTION 25-T76N-R3W

CITY OF MUSCATINE  
215 SYCAMORE STREET  
MUSCATINE, IA 52741-2800  
ZONE: MU-AP

STANDARD LEGEND AND NOTES	
	PROPERTY &/OR BOUNDARY LINES
	CONGRESSIONAL SECTION LINES
	RIGHT-OF-WAY LINES
	EXISTING RIGHT-OF-WAY LINES
	CENTER LINES
	EXISTING CENTER LINES
	LOT LINES, PLATTED OR BY DEED
	PROPOSED EASEMENT LINES
	EXISTING EASEMENT LINES
	BENCHMARK
	RECORDED DIMENSIONS
	CURVE SEGMENT NUMBER
	EXIST- POWER POLE
	PROP- POWER POLE
	EXIST- POWER POLE W/DROP
	PROP- POWER POLE W/TRANS
	EXIST- POWER POLE W/LIGHT
	PROP- GUY POLE
	EXIST- LIGHT POLE
	PROP- SANITARY MANHOLE
	EXIST- FIRE HYDRANT
	PROP- WATER VALVE
	EXIST- DRAINAGE MANHOLE
	PROP- CURB INLET
	EXIST- FENCE LINE
	PROP- SANITARY SEWER
	EXIST- SANITARY SEWER
	PROP- STORM SEWER
	EXIST- STORM SEWER
	PROP- WATER LINES
	EXIST- ELECTRICAL LINES
	PROP- TELEPHONE LINES
	EXIST- GAS LINES
	PROP- CONTOUR LINES (1' INTERVAL)
	EXIST- TREE LINE
	EXISTING DECIDUOUS TREE & SHRUB
	EXISTING EVERGREEN TREES & SHRUBS

THE ACTUAL SIZE AND LOCATION OF ALL PROPOSED FACILITIES SHALL BE VERIFIED WITH CONSTRUCTION DOCUMENTS, WHICH ARE TO BE PREPARED AND SUBMITTED SUBSEQUENT TO THE APPROVAL OF THIS DOCUMENT.

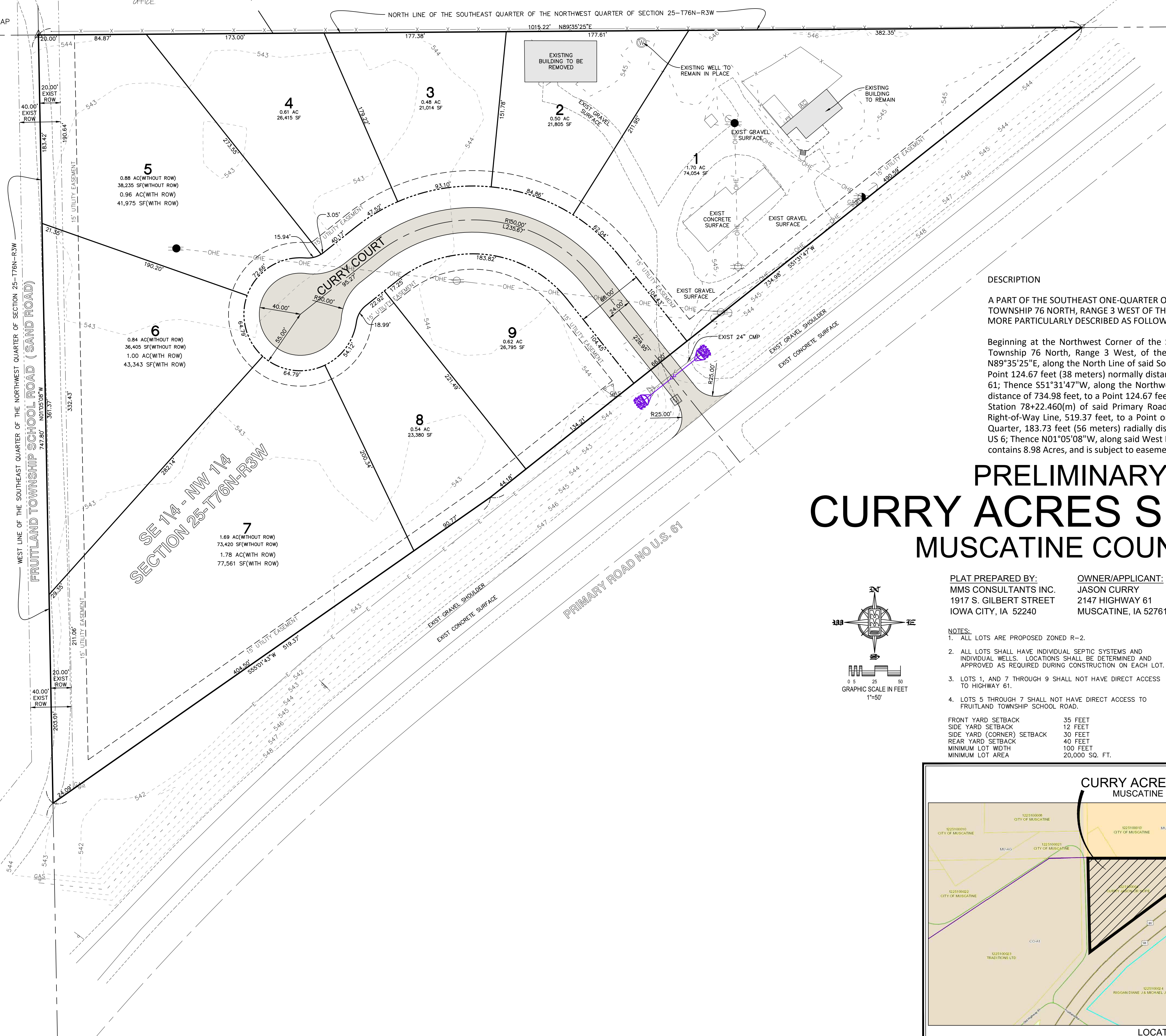
8.98 ACRES



CIVIL ENGINEERS  
LAND PLANNERS  
LAND SURVEYORS  
LANDSCAPE ARCHITECTS  
ENVIRONMENTAL SPECIALISTS

1917 S. GILBERT ST.  
IOWA CITY, IOWA 52240  
(319) 351-8282  
www.mmsconsultants.net

Date	Revision



**DESCRIPTION**

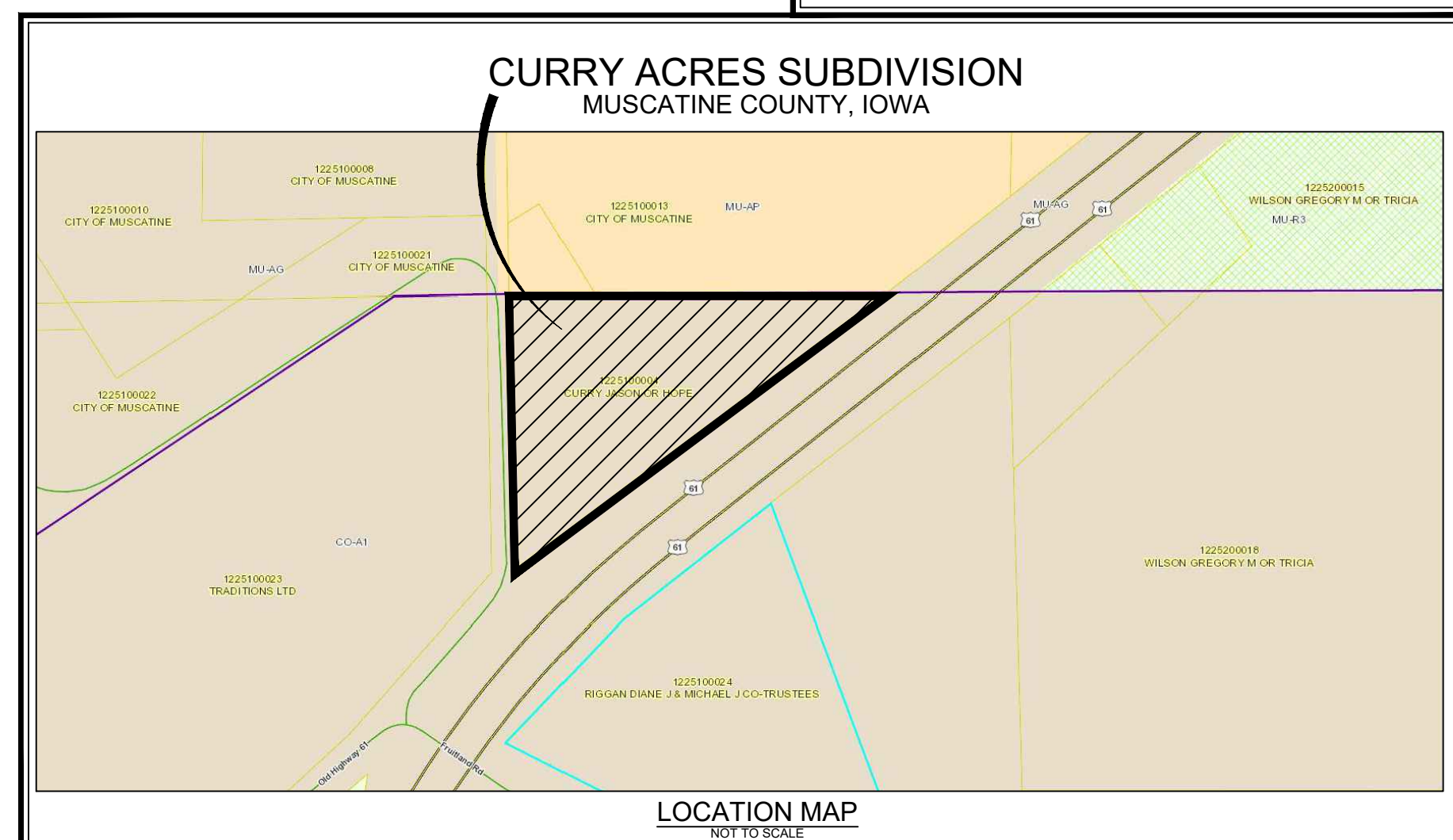
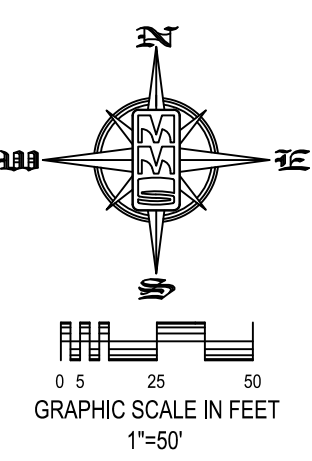
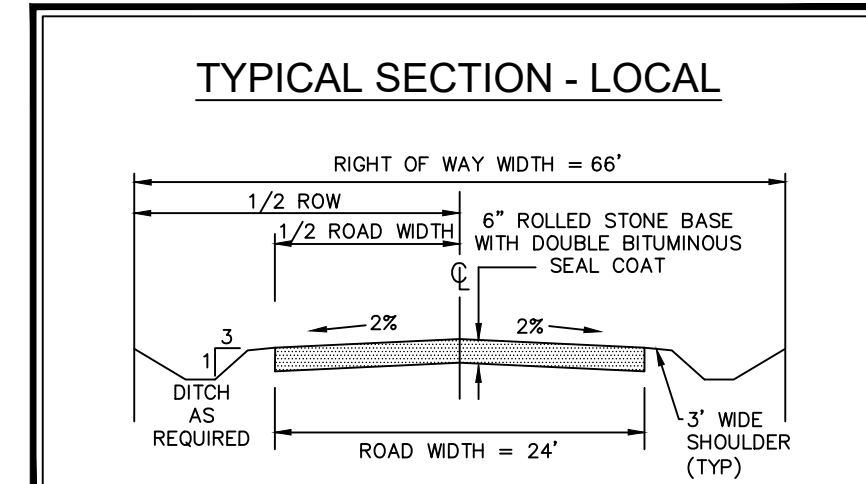
A PART OF THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 25, TOWNSHIP 76 NORTH, RANGE 3 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MUSCATINE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northwest Corner of the Southeast Quarter of the Northwest Quarter of Section 25, Township 76 North, Range 3 West, of the Fifth Principal Meridian, Muscatine County, Iowa; Thence N89°35'25"E, along the North Line of said Southeast Quarter of the Northwest Quarter, 1015.22 feet, to a Point 124.67 feet (38 meters) normally distant Northwestly from the Centerline of Primary Road No. US 61; Thence S51°31'47"W, along the Northwestly Right-of-Way Line of said Primary Road No. US 61, a distance of 734.98 feet, to a Point 124.67 feet (38 meters) normally distant Northwestly from Centerline Station 78+22.460(m) of said Primary Road No. US 6; Thence S55°01'43"W, along said Northwestly Right-of-Way Line, 519.37 feet, to a Point on the West Line of said Southeast Quarter of the Northwest Quarter, 183.73 feet (56 meters) radially distant Northwestly from the Centerline of Primary Road No. US 6; Thence N01°05'08"W, along said West Line, 747.80 feet, to the Point of Beginning. Said Tract of Land contains 8.98 Acres, and is subject to easements and restrictions of record.

# PRELIMINARY PLAT CURRY ACRES SUBDIVISION MUSCATINE COUNTY, IOWA

<b>PLAT PREPARED BY:</b> MMS CONSULTANTS INC. 1917 S. GILBERT STREET IOWA CITY, IA 52240	<b>OWNER/APPLICANT:</b> JASON CURRY 2147 HIGHWAY 61 MUSCATINE, IA 52761	<b>APPLICANT'S ATTORNEY:</b> CHRISTOPHER SURLS 409 CEDAR STREET TIPTON, IA 52772
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- NOTES:**
- ALL LOTS ARE PROPOSED ZONED R-2.
  - ALL LOTS SHALL HAVE INDIVIDUAL SEPTIC SYSTEMS AND INDIVIDUAL WELLS. LOCATIONS SHALL BE DETERMINED AND APPROVED AS REQUIRED DURING CONSTRUCTION ON EACH LOT.
  - LOTS 1, AND 7 THROUGH 9 SHALL NOT HAVE DIRECT ACCESS TO HIGHWAY 61.
  - LOTS 5 THROUGH 7 SHALL NOT HAVE DIRECT ACCESS TO FRUITLAND TOWNSHIP SCHOOL ROAD.
- |                            |                |
|----------------------------|----------------|
| FRONT YARD SETBACK         | 35 FEET        |
| SIDE YARD SETBACK          | 12 FEET        |
| SIDE YARD (CORNER) SETBACK | 30 FEET        |
| REAR YARD SETBACK          | 40 FEET        |
| MINIMUM LOT WIDTH          | 100 FEET       |
| MINIMUM LOT AREA           | 20,000 SQ. FT. |



PRELIMINARY PLAT

**CURRY ACRES  
SUBDIVISION**  
MUSCATINE COUNTY  
IOWA

**MMS CONSULTANTS, INC.**  
Date: 07-08-2022  
Designed By: SBP Field Book No: 1345  
Drawn By: SBP Scale: 1"=50'  
Checked By: JDM Sheet No: 1  
Project No: 11535-001 of 1


**CURRY ACRES SUBDIVISION**

**CERTIFICATE OF ACCEPTANCE OF FINAL PLAT**

STATE OF IOWA, MUSCATINE COUNTY, ss:

We, the undersigned, Brad Bark, and Carol Webb, of the City of Muscatine, Iowa, do hereby certify that the attached plat named and designated **Curry Acres Subdivision** in unincorporated Muscatine County, Iowa, but within two miles of the Corporate limit of the City of Muscatine, was on September 15, 2022, 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 **15<sup>th</sup> Day of September, 2022**

  
Dr. Brad Bark (Sep 20, 2022 15:40 CDT)  
Brad Bark, Mayor

Attest:


  
Carol Webb (Sep 20, 2022 21:24 CDT)  
Carol Webb, City Clerk



STATE OF IOWA, MUSCATINE COUNTY, ss:

Be it Remembered that on the **15<sup>th</sup> Day of September, 2022**, before me, a Notary Public in and for the State of Iowa, personally appeared Brad Bark and Carol Webb, 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 this **15<sup>th</sup> Day of September, 2022**; that Brad Bark and Carol Webb, 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.

  
Cinda Hilger (Sep 21, 2022 14:04 CDT)  
Notary Public in and for the State of Iowa



**EXHIBIT A**

Prepared by Andrew Fangman , 215 Sycamore Street, Muscatine, IA 52761 (563) 262-4141

**RESOLUTION NO. 2022-0380**

**A RESOLUTION APPROVING THE FINAL PLAT  
OF CURRY ACRES 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 two miles 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 **9** lots; to wit:

A PART OF THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 25, TOWNSHIP 76 NORTH, RANGE 3 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MUSCATINE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 76 NORTH, RANGE 3 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, MUSCATINE COUNTY, IOWA; THENCE N89°35'25"E, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, 1015.22 FEET, TO A POINT 124.67 FEET (38 METERS) NORMALLY DISTANT NORTHWESTERLY FROM THE CENTERLINE OF PRIMARY ROAD NO. US 61; THENCE S51°31'47"W, ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID PRIMARY ROAD NO. US 61, A DISTANCE OF 734.98 FEET, TO A POINT 124.67 FEET (38 METERS) NORMALLY DISTANT NORTHWESTERLY FROM CENTERLINE STATION 78+22.460(M) OF SAID PRIMARY ROAD NO. US 6; THENCE S55°01'43"W, ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, 519.37 FEET, TO A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, 183.73 FEET (56 METERS) RADially DISTANT NORTHWESTERLY FROM THE CENTERLINE OF PRIMARY ROAD NO. US 6; THENCE N01°05'08"W, ALONG SAID WEST LINE, 747.80 FEET, TO THE POINT OF BEGRIMING. SAID TRACT OF LAND CONTAINS 8.98 ACRES, AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

**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 **Curry Acres Subdivision** should be approved.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA**, that said final plat named **Curry Acres 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 15<sup>th</sup> Day of September, 2022.**

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



[Dr. Brad Bark \(Sep 20, 2022 15:40 CDT\)](#)

Brad Bark, Mayor

[Carol Webb \(Sep 20, 2022 21:24 CDT\)](#)

Carol Webb, City Clerk

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

I, the undersigned, Andrew Fangman, 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 **Curry Acres Subdivision** a subdivision in Muscatine County, Iowa, Iowa, was approved and recommended by said Commission on the **13<sup>th</sup> Day of September, 2022**, according to the minutes and records of said Commission in my possession.

Dated at Muscatine, Iowa, this **15<sup>th</sup> Day of September, 2022**.

\_\_\_\_\_  
Andrew Fangman, 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. 2022 - 0380 approving the Final Plat of **Curry Acres Subdivision**, a subdivision in Muscatine County, 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.

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Nancy Lueck, Director of Finance