

1. Agenda

Documents:

[AGENDA.PDF](#)

2. Supporting Meeting Documents

Documents:

[11 N 3RD AVENUE - SPECIAL USE.PDF](#)

[110 N 2ND STREET - REZONING.PDF](#)

[MEMO.PDF](#)

[PARTNERS 1ST ADDITION FINAL PLAT.PDF](#)

[PUBLIC SAFETY FACILITY- REZONING.PDF](#)

Notice of Public Meeting
Plan & Zoning Commission – AGENDA
Agenda for Thursday, April 13, 2017 – 5:00 PM
City Hall, Council Chambers
10 West State Street, Marshalltown

Call to Order:

Committee Members:

Jon Boston, Chair
Sharon Greer, Vice-Chair
Aimee Deimerly-Snyder
Keith Bloomquist

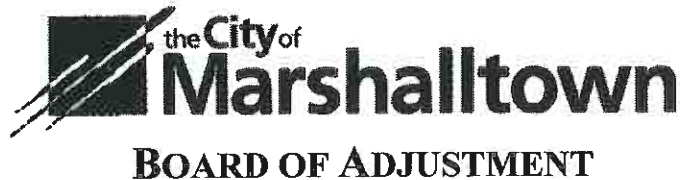
Angela Lins-Eich
Fauna Nord
Steve Valbracht

Roll Call.

Business:

1. Approval of Minutes from March 16, 2017
2. Motion to set Public Hearing for rezoning of 110 N. 2nd Street from R-4, Medium Density Residential to CBD, Central Business District to allow for mixed use.
3. Motion to set Public Hearing for rezoning parcels included in the new public safety building to CC, Community Commercial.
4. Review and recommendation to the Board of Adjustment related to Special Use Permit request for Midwest Liquor LLC for the property at 11 N. 3rd Avenue to allow Beer, Wine and Liquor Sales.
5. Review and recommendation to the City Council on the Final Plat for Partners 1st Addition

DATE SUBMITTED & FEE PAID: 3/23/17
HEARING DATE: 4/18/17



Special Use & Home Occupation Special Use Permit Application
36 N. Center Street, Marshalltown, IA 50158 Ph: 641-754-5756 Fax: 641-754-5742

All items listed must be submitted with this application:

- ☐ **A site plan, drawn in ink to scale.** This site plan shall not be larger than 11" X 17."
- ☐ **Any other applicable drawings or diagrams.** Home Occupation Special use permits must submit a floor plan diagram.
- ☐ **Application fee.** A \$300 fee is required for a special use request (\$50 for a Home Occupation Special Use request). Make check payable to "City of Marshalltown." The fee must be paid when the application is submitted to the Housing Department.
- ☐ **Legal description of the property.** The property owner should have a copy of the legal description of the property. *Please note that the tax description on the Marshall County assessor's webpage is NOT the legal description.* The legal description is listed on the property's abstract or owners may obtain a copy of the recorded deed from the Marshall County Recorder's Office for a fee.

It is the burden of the applicant to provide sufficient facts with this application and at the Board of Adjustment meeting to support a finding that all the standards for approval have been met. For all special use requests, with the exception of a Home Occupation Special Use request, the Plan & Zoning Commission shall first review the proposal and make a recommendation to the Board of Adjustment.

Attendance at all meetings is required.

Please type or print legibly in ink.

Property Address: 11 N 3RD AVE MARSHALLTOWN IOWA 50158

Owner: Midwest Liquor LLC

Mailing Address: 1625 W4th Street Waterloo iowa 50702

Phone: 319-610-6264

Email: Mamoon_Akhtar@yahoo.com

Owner's Agent (if applicable):

Agent Address:

Agent Phone:

Agent Email:

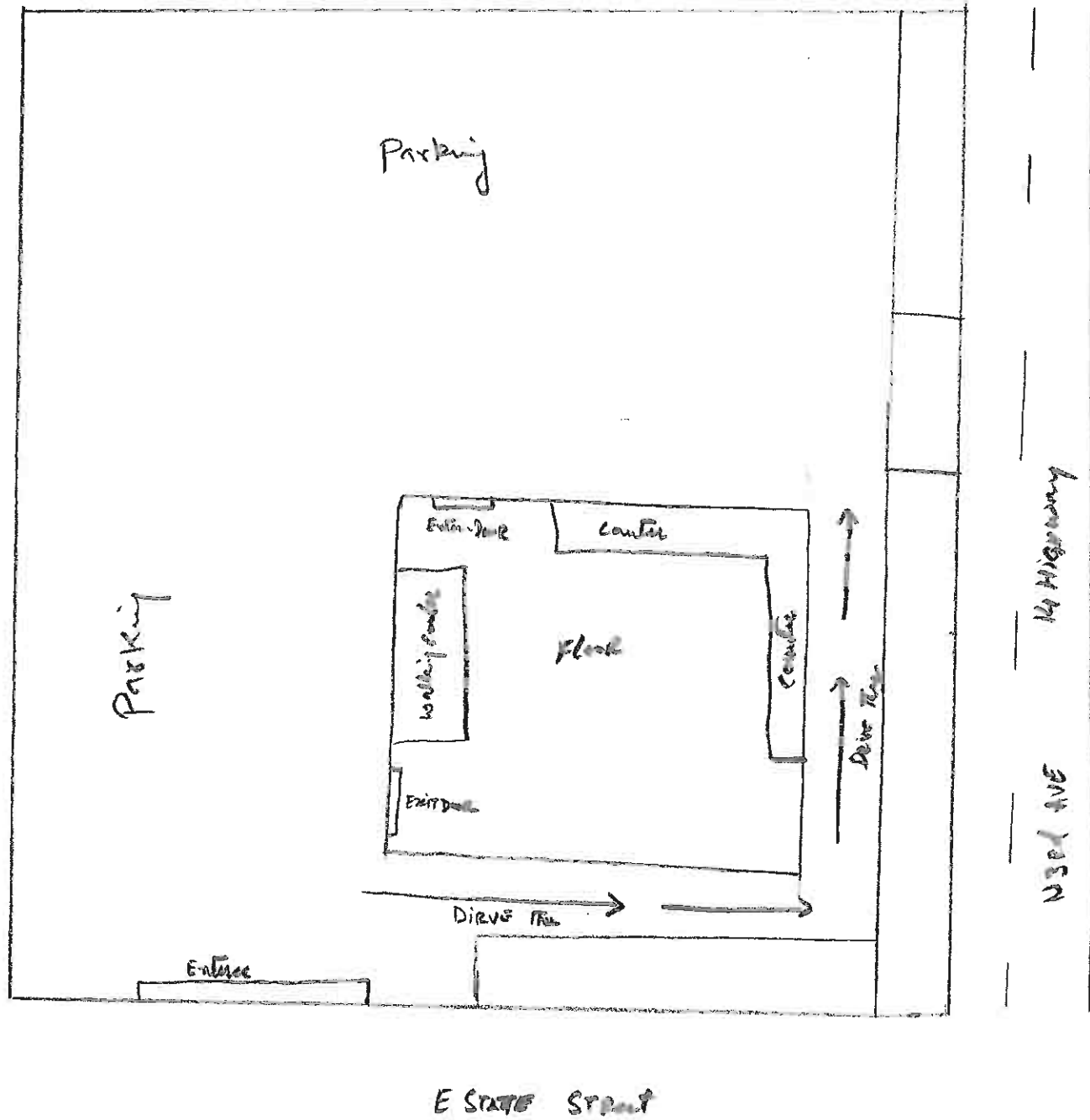
The board will use this information to review your request. Please attach any additional supporting information. If you have any questions, please contact the Zoning Department at 754-5756.

Please describe the request and what justification there is for the proposal. Attach additional pages if necessary. If applicable, please provide a description of the business or use, discuss any signage to be used, and parking issues.

Owner/Agent Signature: 

Date: 03-20-2017

11 N 3rd AVE
Marshall Town Iowa 50158
319-830-2886



**Midwest Liquor LLC
(DBA) NEW STAR**

**1625 w 4th Street
Waterloo ,Iowa 50702
PH. (319)287-5807
FAX(319)287-5816
DATED: -----**



Date Submitted & Fee Paid: 

Rezoning Application Form

36 N. Center Street, Marshalltown, IA 50158 Ph: 641-754-5756 Fax: 641-754-5742
www.ci.marshalltown.ia.us

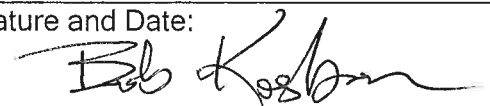
All items listed must be submitted with this application:

Failure to complete and submit all the required materials as a part of this application will result in a delay in accepting your application until it is complete.

 **Legal description of the property.** The property owner should have a copy of the legal description. If not, owners may obtain a copy of the recorded deed, which contains the legal description, from the Marshall County Recorder's Office for a fee.

 **Application fee.** A \$500 fee is required payable to "City of Marshalltown." The fee must be paid when the application is submitted to the Zoning Office.

Please type or print legibly in ink.

Property Address: 110 N. 2 nd Street	
Owner: Evangelical Free Church	
Mailing Address: 3111 S. 6 th Street	
Phone: 641-752-7171	Fax:
Current Zoning Classification: R-4 Medium Density Residential	
Current Use: Rental Housing	
Proposed Zoning Classification: CBD	
Proposed Use: Ministry to Families 3-5 days/week in addition to Rental Housing	
Please list the uses of surrounding properties: Racoon (CBD) Neighboring Houses (Residential)	
Signature and Date: 	

Evangelical Free Church
3111 South 6th St.
Marshalltown, Iowa 50158
641-752-7171
bob@marshalltownefc.org

Evangelical Free Church

March 27, 2017

Dear Marshalltown City Leaders –

We would like to submit to you our plans for use of the property at 110 N. 2nd St. that we have recently purchased. In order to comply with the various city codes, please know that we will be using the house for Dual Purpose – as a rental house for a few of our members and as a neighborhood outreach facility to serve the needs of area families. We are aware that this would require us to apply for a variance so that the property could be re-zoned as commercial rather than residential.

We hope to minister to families of all ages up to 5 days per week and up to the occupancy load for the house. This ministry may include helping children or teens with their homework, reading to them and/or tutoring them that would be done under the supervision of two certified teachers who reside in the rental unit of the house. We have for many years conducted afterschool programs at Rogers, Franklin, Anson and Lenihan schools, so this house would give us opportunity to care for and help these families throughout the year on a more consistent basis. We may also conduct ESL (English as a Second Language) classes for the parents of these children. We may offer a Community Garden for neighboring families who have moved to Marshalltown from various countries around the world. Our whole purpose and goal is to help improve the northside neighborhood through practical ways of serving the people. We plan to take a house that sat empty for some 4 years, redeem it and make it a place of hope for the people of Marshalltown! Our desire is to partner with you in making Marshalltown a healthier community. Thank you for considering our request.

Sincerely,



Pastor Bob Kosbau
641-751-5894







James L. Lowrance, Mayor
36 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5756
Fax - (641) 754-5742

Housing & Community Development

TO: Plan Zoning Commission

FROM: Michelle Spohnheimer, Housing & Community Development Director 

DATE: April 13, 2017 – Meeting Date

Motion to set Public Hearing for rezoning of 110 N. 2nd Street from R-4, Medium Density Residential to CBD, Central Business District to allow for mixed use.

Evangelical Free Church purchased the property at 110 N. 2nd Street. It is their intention to operate a mixed use facility. They would like to utilize the upper story as residential and the main level would be used for various ministry opportunities. Directly south of the parcel is CBD zone so this would be an extension of the district. A public hearing would be set for May 11, 2017 with the Commission.

Motion to set Public Hearing for rezoning parcels included in the new public safety building to CC, Community Commercial.

The City is proposing a rezoning of properties associated with the new public safety facility. The area currently includes a mix of zoning classifications. We would like to rezone the necessary parcels to create a unified zone of CC, Community Commercial. A portion of the property is already zoned CC and a portion is NC, Neighborhood Commercial. A public hearing would be set for May 11, 2017 with the Commission.

Review and recommendation to the Board of Adjustment related to Special Use Permit request for Midwest Liquor LLC for the property at 11 N. 3rd Avenue to allow Beer, Wine and Liquor Sales.

Previously the City Council amended the zoning ordinance OP, Office Park District to allow additional uses as special uses within the district. This included Beer, Wine & Liquor Stores. The applicant is purchasing the property at 11 N. 3rd Avenue (formally Medicap) to conduct this purpose. They have applied for a Special Use Permit. The Commission should review the request and may make recommendations to the Board of Adjustment as part of the Public Hearing scheduled for Tuesday, April 18, 2017.

Applicable code section related to Special Use Permit review. Chapter 31.

Section 3. Standards for Review.

In addition to the standards for review applicable to all requests under consideration by the Board of Adjustment, approval of a Special Use shall be granted only if the Board first determines:

City Council
Leon Lamer, Mike Gowdy, Al Hoop, Joel Greer
Bill Martin, Bethany Wirin



That the Special Use applied for is provided in the zoning district within which the property is located.

That the proposed use and development will be in accordance with the intent and purpose of this Ordinance and the Comprehensive Plan.

That the proposed use and development will not have a substantial adverse effect upon adjacent property; the character of the neighborhood; traffic conditions; parking; utility and service facilities; and other factors affecting the public health, safety, and welfare.

That the proposed development or use will be located, designed, constructed, and operated in such a manner that it will not interfere with the orderly use, development and improvement of surrounding property.

That adequate measures have been or will be taken to assure adequate access designed to minimize traffic congestion and to assure adequate service by essential public services and facilities including utilities, storm water drainage, and similar facilities.

Section 4. Protective Restrictions.

The Board of Adjustment may place protective restrictions on any approval in order to assure that the purpose and intent of this ordinance is fulfilled. Such protective restrictions include but are not limited to: landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operational controls, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or parking requirements.

Review and recommendation to the City Council on the Final Plat for Partners 1st Addition

In 2015 the City reviewed the Preliminary Plat for Partners 1st Addition. This is the area where TIG was built on the newly named Rex Ryden Road. Following completion of the road construction a final plat was required in order to dedicate the right of way and formally plat the area. Documents have been prepared and submitted to the City for review. The Commission should make a recommendation to the City Council regarding the Final Plat. The plat has been reviewed by the County for accuracy and is under review by City staff as part of the process.

2017 Tentative Meeting Schedule (Thursday flowing the 2nd Monday of the Month)

**Dates are tentative and may be changed or canceled in order to accommodate staff schedules or development need.*

May 11, 2017	June 15, 2017	
July 13, 2017	August 10, 2017	September 14, 2017
October 12, 2017	November 16, 2017	December 14, 2017

City Council
Leon Lamer, Mike Gowdy, Al Hoop, Joel Greer
Bill Martin, Bethany Wirin



Complete the following contact information. (Please type or print clearly)

Owner Corporation Name TIG Distributing	
Contact/Owner Name Joe Tharp	
Owner Address PO Box 535 Marshalltown, IA 50158	Owner Fax
Owner Phone 641-752-7876	
Owner E-mail joet@tigdistributing.com	

Name of Law Firm Rutherford & Bidwell	
Attorney Name Eric Bidwell	
Attorney Address 106 S 1st Avenue Suite A Marshalltown, IA 50158	Attorney Fax
Attorney Phone 641-753-3648	
Attorney E-mail marlene@rutherfordbidwell.com	

Engineer Firm Name Clapsaddle-Garber Associates	
Engineer Contact Person Steve Troskey	
Engineer Address 16 E Main St Marshalltown, IA 50158	
Engineer Phone 641-752-6701	Engineer Fax
Engineer E-mail stroskey@cgaconsultants.com	

RUTHERFORD & BIDWELL LAW OFFICE

106A SOUTH 1ST AVENUE
MARSHALLTOWN, IA 50158

Bradley J. Rutherford
Eric R. Bidwell
Attorneys at Law

Phone: (641) 753-3648
Fax: (641) 753-0731

Writer's email – ebidwell@iabar.org
www.rutherfordbidwell.com

March 28, 2017

To Whom It May Concern:

I hereby certify that I have examined the abstract of title as prepared and as last certified to March 27, 2017 at 8:00 A.M. by Evans Abstract Company covering the following described real estate, to wit:

PARCEL "C", LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 84 NORTH, RANGE 18 WEST OF THE 5TH P.M., MARSHALL COUNTY, IOWA AND ALSO LOCATED IN A PART OF LOT 1 M.I.P. 6TH ADDITION TO MARSHALL, MARSHALL COUNTY, IOWA, AS SHOWN IN RETRACEMENT PLAT OF SURVEY FILED JUNE 16, 2015 AS INSTRUMENT NO. 2015-00002790, RECORDS OF THE RECORDER, MARSHALL COUNTY, IOWA AND PARCEL "D" LOCATED IN A PORTION OF PARCEL "C" AND IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 84 NORTH, RANGE 18 WEST OF THE 5TH P.M., MARSHALL COUNTY, IOWA, AS SHOWN BY PLAT OF SURVEY FILED JUNE 17, 2016 AS INSTRUMENT NO. 2016-3106;

"Including therein" the proposed:

PARTNERS 1ST ADDITION LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 84 NORTH, RANGE 18 WEST OF THE 5TH P.M., MARSHALL COUNTY, IOWA

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

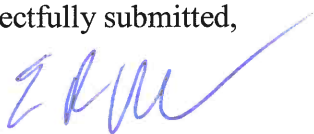
BEGINNING AT THE SOUTHEAST CORNER OF A CERTAIN PARCEL OF LAND DESCRIBED AS LOT 6, BLOCK 2 OF THE M.I.P. 4TH ADDITION TO MARSHALL, AS RECORDED IN DOCUMENT NO. 6917-1977-8 IN THE OFFICE OF THE RECORDER, MARSHALL COUNTY, IOWA; THENCE, N0°08'35"W 43.36'; THENCE, NORTHWESTERLY 96.91' ALONG THE ARC OF A 100.82' RADIUS CURVE, CONCAVE SOUTHWESTERLY, HAVING A CHORD BEARING OF N27°39'31"W AND A CHORD DISTANCE OF 93.22'; THENCE, N54°56'45"W 125.82'; THENCE, NORTHWESTERLY 154.16' ALONG THE ARC OF A 540.21' RADIUS CURVE, CONCAVE NORTHEASTERLY, HAVING A CHORD BEARING OF N46°46'14"W AND A CHORD DISTANCE OF 153.64'; THE AFORESAID ALL ALONG THE EAST LINE OF SAID LOT 6; THENCE, N49°47'19"E 80.16' ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF SOUTH 14TH AVENUE, AS PRESENTLY ESTABLISHED, TO THE SOUTHWESTERLY LINE OF A CERTAIN PARCEL OF LAND DESCRIBED AS LOT 1, M.I.P. 6TH ADDITION TO

MARSHALL, AS RECORDED IN DOCUMENT NO. 9921928 IN THE OFFICE OF THE RECORDER, MARSHALL COUNTY, IOWA; THENCE, SOUTHEASTERLY 134.35' ALONG SAID SOUTHWESTERLY LINE AND THE ARC OF A 460.00' RADIUS CURVE, CONCAVE NORTHEASTERLY, HAVING A CHORD BEARING OF S46°37'40"E AND A CHORD DISTANCE OF 133.87'; THENCE, S54°56'45"E 11.84'; THENCE, N0°50'25"W 537.20' ALONG THE EAST LINE OF THE WEST 200' OF SAID LOT 1; THENCE, N89°13'02"E 387.24' ALONG THE SOUTH LINE OF A CERTAIN PARCEL OF LAND DESCRIBED AS LOT 1, M.I.P. 2ND ADDITION TO MARSHALL, AS RECORDED IN BOOK 7, PAGE 776 IN THE OFFICE OF THE RECORDER, MARSHALL COUNTY, IOWA, TO THE WEST LINE OF A CERTAIN PARCEL OF LAND DESCRIBED AS LOT 2, M.I.P. 2ND ADDITION TO MARSHALL, AS RECORDED IN BOOK 7, PAGE 776 IN THE OFFICE OF THE RECORDER, MARSHALL COUNTY, IOWA; THENCE, S0°40'19"E 110.00' ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE, N89°18'39"E 830.50' ALONG THE SOUTH LINE OF SAID LOT 2 TO THE SOUTHEAST CORNER OF SAID LOT 2 AND THE WEST RIGHT OF WAY LINE OF 18TH AVENUE, AS PRESENTLY ESTABLISHED; THENCE, S0°46'25"E 59.52' ALONG SAID WEST RIGHT OF WAY LINE TO THE NORTH LINE OF THE SOUTH 630.00' OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 36; THENCE, S89°28'25"W 215.07' ALONG SAID NORTH LINE TO THE WEST LINE OF THE EAST 365.00' OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 36; THENCE, S0°46'49"E 549.90' ALONG THE WEST LINE OF THE EAST 365.00' OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 36 TO THE NORTH LINE OF THE SOUTH 80.00' OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 36; THENCE, S0°28'12"E 80.03' ALONG SAID WEST LINE TO THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 36; THENCE, S89°31'46"W 914.87' ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, CONTAINING 17.19 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

I further certify that fee simple title to said real estate is in P4L Enterprises, LLC by virtue of the Warranty Deed dated and recorded March 10, 2015 as Document No. 2015-00000950, office of the Auditor/Recorder of Marshall County, Iowa, and the Warranty Deed dated July 1, 2015 and recorded July 2, 2015 as Document No. 2015-00003167, office of the Auditor/Recorder of Marshall County, Iowa.

The above described real estate is subject to a Mortgage executed on behalf of P4L Enterprises, LLC an Iowa Limited Liability Company to Farmers Savings Bank, dated and recorded December 11, 2015 as Document No. 2015-00006190, office of the Auditor/Recorder of Marshall County, Iowa.

Respectfully submitted,



Eric R. Bidwell, Attorney at Law
Iowa Title Guaranty Number: 3880
Rutherford & Bidwell Law Office

Prepared By & Return to: Eric R. Bidwell, 106A South First Ave., Marshalltown, IA
50158 (641) 753-3648

CONSENT OF MORTGAGE HOLDER

STATE OF IOWA, MARSHALL COUNTY, ss:

The undersigned does hereby state that it is the holder of a mortgage from P4L Enterprises, LLC, which mortgage is recorded at Document No. 2015-00006190 of the records of the Marshall County Auditor/Recorder's Office and which encumbers the following described real estate (and other real estate), to wit:

PARTNERS 1ST ADDITION LOCATED IN THE SOUTHWEST 1/4 OF THE
SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF
SECTION 36, TOWNSHIP 84 NORTH, RANGE 18 WEST OF THE 5TH P.M.,
MARSHALL COUNTY, IOWA

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

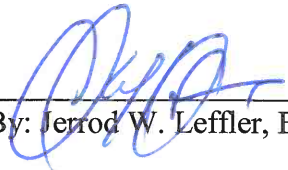
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DESCRIBED AS LOT 6, BLOCK 2 OF THE M.I.P. 4TH ADDITION TO MARSHALL,
AS RECORDED IN DOCUMENT NO. 6917-1977-8 IN THE OFFICE OF THE
RECORDER, MARSHALL COUNTY, IOWA; THENCE, N0°08'35"W 43.36';
THENCE, NORTHWESTERLY 96.91' ALONG THE ARC OF A 100.82' RADIUS
CURVE, CONCAVE SOUTHWESTERLY, HAVING A CHORD BEARING OF
N27°39'31"W AND A CHORD DISTANCE OF 93.22'; THENCE, N54°56'45"W
125.82'; THENCE, NORTHWESTERLY 154.16' ALONG THE ARC OF A 540.21'
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ALONG THE EAST LINE OF SAID LOT 6; THENCE, N49°47'19"E 80.16' ALONG
THE SOUTHEASTERLY RIGHT OF WAY LINE OF SOUTH 14TH AVENUE, AS
PRESENTLY ESTABLISHED, TO THE SOUTHWESTERLY LINE OF A CERTAIN
PARCEL OF LAND DESCRIBED AS LOT 1, M.I.P. 6TH ADDITION TO
MARSHALL, AS RECORDED IN DOCUMENT NO. 9921928 IN THE OFFICE OF
THE RECORDER, MARSHALL COUNTY, IOWA; THENCE, SOUTHEASTERLY
134.35' ALONG SAID SOUTHWESTERLY LINE AND THE ARC OF A 460.00'
RADIUS CURVE, CONCAVE NORTHEASTERLY, HAVING A CHORD BEARING

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being the real estate upon which Partners 1st Addition to the City of Marshalltown, Marshall County, Iowa, is laid out into lots and street as shown by the attached plat. That said plat has been prepared with the consent of the undersigned and in accordance with its desire; and that Farmers Savings Bank, hereby consents to the said plat and the dedication of street as shown thereon.

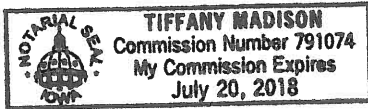
Executed by Farmers Savings Bank, this 30TH day of MARCH, 2017.

FARMERS SAVINGS BANK


By: Jerrod W. Leffler, Executive Vice President

STATE OF IOWA, MARSHALL COUNTY, ss:

On this 30TH day of MARCH, 2017, before me, a Notary Public in and for the State of Iowa, personally appeared Jerrod W. Leffler, to me personally known, who, being duly sworn, did indicate that he is the Executive Vice President of Farmers Savings Bank, that the instrument was signed on behalf of Farmers Savings Bank by authority of its board of directors and that the execution of the instrument is the voluntary act and deed of said corporation by it and by him voluntarily executed.



Tiffany Madison
NOTARY PUBLIC STATE OF IOWA

Prepared By & Return to: Eric R. Bidwell, 106A South First Ave., Marshalltown, IA
50158 (641) 753-3648

OWNER'S CONSENT TO PLAT AND DEDICATION

STATE OF IOWA, MARSHALL COUNTY, ss:

KNOW ALL PERSONS BY THESE PRESENCE that P4L Enterprises, LLC,
being the owner of record and holders in fee simple of the following described real estate,
to wit:

PARTNERS 1ST ADDITION LOCATED IN THE SOUTHWEST 1/4 OF THE
SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF
SECTION 36, TOWNSHIP 84 NORTH, RANGE 18 WEST OF THE 5TH P.M.,
MARSHALL COUNTY, IOWA

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RADIUS CURVE, CONCAVE NORTHEASTERLY, HAVING A CHORD BEARING
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11.84'; THENCE, N0°50'25"W 537.20' ALONG THE EAST LINE OF THE WEST 200' OF SAID LOT 1; THENCE, N89°13'02"E 387.24' ALONG THE SOUTH LINE OF A CERTAIN PARCEL OF LAND DESCRIBED AS LOT 1, M.I.P. 2ND ADDITION TO MARSHALL, AS RECORDED IN BOOK 7, PAGE 776 IN THE OFFICE OF THE RECORDER, MARSHALL COUNTY, IOWA, TO THE WEST LINE OF A CERTAIN PARCEL OF LAND DESCRIBED AS LOT 2, M.I.P. 2ND ADDITION TO MARSHALL, AS RECORDED IN BOOK 7, PAGE 776 IN THE OFFICE OF THE RECORDER, MARSHALL COUNTY, IOWA; THENCE, S0°40'19"E 110.00' ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE, N89°18'39"E 830.50' ALONG THE SOUTH LINE OF SAID LOT 2 TO THE SOUTHEAST CORNER OF SAID LOT 2 AND THE WEST RIGHT OF WAY LINE OF 18TH AVENUE, AS PRESENTLY ESTABLISHED; THENCE, S0°46'25"E 59.52' ALONG SAID WEST RIGHT OF WAY LINE TO THE NORTH LINE OF THE SOUTH 630.00' OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 36; THENCE, S89°28'25"W 215.07' ALONG SAID NORTH LINE TO THE WEST LINE OF THE EAST 365.00' OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 36; THENCE, S0°46'49"E 549.90' ALONG THE WEST LINE OF THE EAST 365.00' OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 36 TO THE NORTH LINE OF THE SOUTH 80.00' OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 36; THENCE, S0°28'12"E 80.03' ALONG SAID WEST LINE TO THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 36; THENCE, S89°31'46"W 914.87' ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, CONTAINING 17.19 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

being the real estate upon which the following described subdivision, to wit:

Partners 1st Addition to the City of Marshalltown, Marshall County, Iowa

Has been surveyed, staked, platted and laid out into lots, and streets, as shown by the attached final plat drawing, do hereby certify

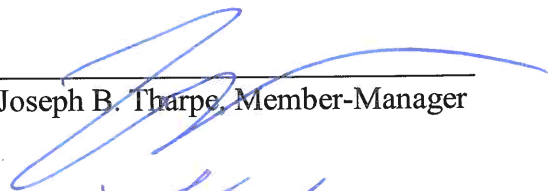
That said owner having in pursuance of law caused said described lands to be surveyed, staked, laid out and platted into lots and streets and that the disposition of the real estate as shown by the said plat is with owner's free consent and in accordance with the owner's desires and conforming to the established requirements for the platting and development under the ordinances of the City of Marshalltown and County of Marshall, Iowa.

That the measurements of the lots and streets contained in said addition are as indicated on the attached plat drawing.

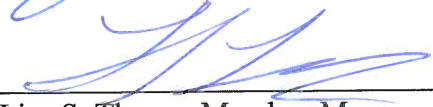
That this plat drawing conforms to the preliminary plat as approved by the City of Marshalltown Planning and Zoning Commission and by the Marshalltown City Council.

That the street designed, designated and shown upon said plat drawing are hereby dedicated to the City of Marshalltown, Iowa for public uses and that any right, title or interest that the undersigned could have or might claim to have is hereby relinquished and released for said purposes to the City of Marshalltown and County of Marshall, Iowa, by the free consent of the undersigned and in accordance with their desires as owners and proprietors thereof.

Executed by P4L Enterprises, LLC, this 3 day of APRIL, 2017.



Joseph B. Tharpe, Member-Manager



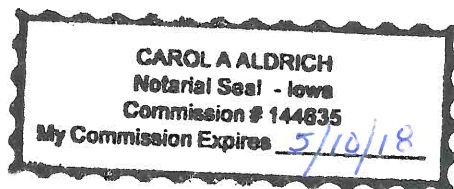
Lisa S. Tharpe, Member-Manager

STATE OF IOWA, MARSHALL COUNTY, ss:

On this 3rd day of April, 2017, before me, a Notary Public in and for the State of Iowa, personally appeared Joseph B. Tharpe and Lisa S. Tharpe, to me personally known, who, being duly sworn, did indicate that they are the Member-Managers of P4L Enterprises, LLC, that the instrument was signed on behalf of the Limited Liability Company by authority of the company and that the execution of the instrument is the voluntary act and deed of said company by it and by them voluntarily executed.



NOTARY PUBLIC STATE OF IOWA



Prepared By & Return to: Eric R. Bidwell, 106A South First Ave., Marshalltown, IA
50158 (641) 753-3648

QUIT CLAIM DEED

Know all persons by these presence that P4L Enterprises, LLC, an Iowa Limited Liability Company, the legal titleholder and owner of record and holders in fee simple the real estate comprising Partners First Addition to the City of Marshalltown, Marshall County, Iowa, in consideration of One Dollar (\$1.00) and other good and valuable consideration in hand paid does hereby Quit Claim to the City of Marshalltown, Iowa, for use by its franchise holders of the following described real estate, to wit:

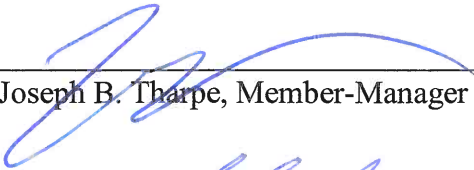
“LOT A” OF PARTNERS 1ST ADDITION LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 84 NORTH, RANGE 18 WEST OF THE 5TH P.M., MARSHALL COUNTY, IOWA;

THIS DEED IS EXEMPT ACCORDING TO IOWA CODE 428A.2(4).

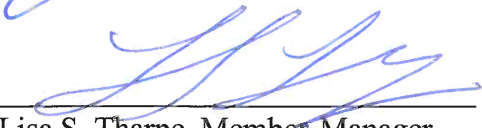
“LOT A” (2.50ACRES) IS LOCALLY KNOWN AS REX RYDEN ROAD;

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

Dated this 3rd day of April, 2017.



Joseph B. Tharpe, Member-Manager

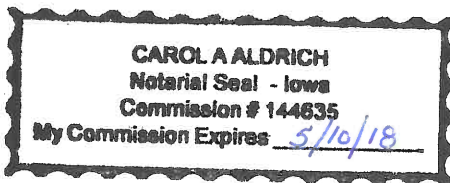


Lisa S. Tharpe, Member-Manager

STATE OF IOWA, MARSHALL COUNTY, ss:

On this 3rd day of April, 2017, before me, a Notary Public in and for the State of Iowa, personally appeared Joseph B. Tharpe and Lisa S. Tharpe, to me personally known, who, being duly sworn, did indicate that they are the Member-Managers of P4L Enterprises, LLC, that the instrument was signed on behalf of the Limited Liability Company by authority of the company and that the execution of the instrument is the voluntary act and deed of said company by it and by them voluntarily executed.

Carol A. Aldrich
NOTARY PUBLIC STATE OF IOWA



AUDITOR'S APPROVAL OF SUBDIVISION NAME

STATE OF IOWA, MARSHALL COUNTY, ss:

I, Deanne Raymond, being Auditor of Marshall County, Iowa, do hereby approve, pursuant to Iowa Code §354.6(2) and §354.11(6), the subdivision name PARTNERS 1ST ADDITION on the annexed plat and find the same to be succinct and unique in Marshall County, Iowa.

Witness my hand and seal this 7th day of February, 2017.

Deanne Raymond

Deanne Raymond, Auditor

Marshall County, Iowa

TREASURER'S CERTIFICATE

STATE OF IOWA, MARSHALL COUNTY, ss:

I, Jarret Heil, being Treasurer of Marshall County, Iowa, do hereby certify that land on which PARTNERS 1ST ADDITION, Marshall County, Iowa, is laid out and platted as shown by the annexed plat is free from delinquent property taxes. A total of \$322.00 in current real estate property taxes is due on March 31, 2017.

Witness my hand and seal this 7th day of February, 2017.

Jarret Heil

Jarret Heil, Treasurer

Marshall County, Iowa

FINAL PLAT PARTNERS 1ST ADDITION

SURVEYOR AND ENGINEER

TRAVIS R. STEWART, P.L.S.
ADAM DATERS, P.E.
CLAPSADDLE-GARBER ASSOCIATES
P.O. BOX 754 - 16 E. MAIN STREET
MARSHALLTOWN, IOWA 50158
(641)752-6701

ZONE INFORMATION:

HEAVY INDUSTRY

FRONT YARD: NONE
SIDE YARDS: NONE
REAR YARD: NONE
FRONTAGE: 200'
LOT AREA: MINIMUM 1.0 ACRES

OWNERS OF RECORD

P4L ENTERPRISES, LLC
1540 239th ST.
STATE CENTER, IOWA 50247

SURVEY REQUESTED BY:

JOE THARPE
TIG DISTRIBUTING
MARSHALLTOWN, IOWA
DATE: 4-2-2013

FLOOD ZONE:

ZONE A
PANEL# 19127C 0170C
EFFECTIVE DATE NOVEMBER 16, 2011

VICINITY MAP

NOT TO SCALE

LEGAL DESCRIPTION

PARTNERS 1ST ADDITION LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 84 NORTH, RANGE 18 WEST OF THE 5TH P.M., MARSHALL COUNTY, IOWA

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

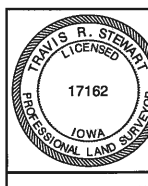
BEGINNING AT THE SOUTHEAST CORNER OF A CERTAIN PARCEL OF LAND DESCRIBED AS LOT 6, BLOCK 2 OF THE M.I.P. 4TH ADDITION TO MARSHALL, AS RECORDED IN DOCUMENT NO. 8917-1977-8 IN THE OFFICE OF THE RECORDER, MARSHALL COUNTY, IOWA; THENCE, N0°08'35"W 43.36'; THENCE, NORTHWESTERLY 96.91' ALONG THE ARC OF A 100.82' RADIUS CURVE, CONCAVE SOUTHWESTERLY, HAVING A CHORD BEARING OF N27°39'31"W AND A CHORD DISTANCE OF 93.22'; THENCE, N54°56'45"W 125.82'; THENCE, NORTHWESTERLY 154.16' ALONG THE ARC OF A 540.21' RADIUS CURVE, CONCAVE NORTHEASTERLY, HAVING A CHORD BEARING OF N46°46'14"W AND A CHORD DISTANCE OF 153.64'; THE AFORESAID ALL ALONG THE EAST LINE OF SAID LOT 6; THENCE, N49°47'19"E 80.16' ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF SOUTH 14TH AVENUE, AS PRESENTLY ESTABLISHED, TO THE SOUTHWESTERLY LINE OF A CERTAIN PARCEL OF LAND DESCRIBED AS LOT 1, M.I.P. 6TH ADDITION TO MARSHALL, AS RECORDED IN DOCUMENT NO. 9921928 IN THE OFFICE OF THE RECORDER, MARSHALL COUNTY, IOWA; THENCE, SOUTHEASTERLY 134.35' ALONG SAID SOUTHWESTERLY LINE AND THE ARC OF A 460.00' RADIUS CURVE, CONCAVE NORTHEASTERLY, HAVING A CHORD BEARING OF S46°37'40"E AND A CHORD DISTANCE OF 133.87'; THENCE, S54°56'45"E 11.84'; THENCE, N50°52'55"W 537.20' ALONG THE EAST LINE OF THE WEST 200' OF SAID LOT 1; THENCE, N89°130'2"E 387.24' ALONG THE SOUTH LINE OF A CERTAIN PARCEL OF LAND DESCRIBED AS LOT 1, M.I.P. 2ND ADDITION TO MARSHALL, AS RECORDED IN BOOK 7, PAGE 776 IN THE OFFICE OF THE RECORDER, MARSHALL COUNTY, IOWA, TO THE WEST LINE OF A CERTAIN PARCEL OF LAND DESCRIBED AS LOT 2, M.I.P. 2ND ADDITION TO MARSHALL, AS RECORDED IN BOOK 7, PAGE 776 IN THE OFFICE OF THE RECORDER, MARSHALL COUNTY, IOWA; THENCE, S0°46'59"E 110.00' ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE, N18°58'56"E 630.16' ALONG THE SOUTH LINE OF SAID LOT 2 TO THE SOUTHWEST CORNER OF SAID LOT 1; AND THEN THE RIGHT OF WAY LINE OF South 18TH AVENUE, AS PRESENTLY ESTABLISHED; THENCE, S0°48'25"E 59.52' ALONG SAID WEST RIGHT OF WAY LINE TO THE NORTH LINE OF THE SOUTH 830.00' OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 36; THENCE, S89°28'25"W 215.07' ALONG SAID NORTH LINE TO THE WEST LINE OF THE EAST 365.00' OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 36; THENCE, S0°46'49"E 549.90' ALONG THE WEST LINE OF THE EAST 365.00' OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 36 TO THE NORTH LINE OF THE SOUTH 80.00' OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 36; THENCE, S0°28'12"E 80.03' ALONG SAID WEST LINE TO THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 36; THENCE, S89°31'46"W 914.87' ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, CONTAINING 17.19 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

CLOSURE:

- ALL SUBDIVISION BOUNDARIES ARE WITHIN THE 1:10,000 ERROR OF CLOSURE REQUIREMENT
- ALL LOTS ARE WITHIN THE 1:5000 ERROR OF CLOSURE REQUIREMENT

NOTE:

ALL BEARINGS ARE THE RESULT OF G.P.S. OBSERVATIONS
USING NAD83 IOWA STATE PLAN NORTH ZONE



I hereby certify that this land surveying document was prepared and related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Iowa.

Signature Travis R. Stewart, PLS
Iowa License Number 17162
My license renewal date is December 31, 2017.

Pages or sheets covered by this seal

SURVEY LEGEND

- ▲ GOVERNMENT CORNER MONUMENT FOUND
- ▲ GOVERNMENT CORNER MONUMENT SET
1/2" x 30" REBAR w/ORANGE PLASTIC ID CAP #17162
- PARCEL OR LOT CORNER MONUMENT FOUND
1/2" x 30" REBAR w/ORANGE PLASTIC
ID CAP #17162 UNLESS NOTED OTHERWISE
- SET 1/2" x 30" REBAR w/ORANGE PLASTIC
ID CAP #17162
- () RECORDED AS

LINE DATA		
LINE NUMBER	BEARING	DISTANCE
L1	N0°08'35"W	43.36
L2	N49°47'19"E	80.16
L3	S54°56'45"E	11.84
L4	S0°46'25"E	59.52
L5	S0°28'12"E	80.03

Curve Table					
CURVE DATA	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD
C1	96.91'	100.82'	55°04'20"	N27°39'31"W	93.22'
C2	154.16'	540.21'	16°21'02"	N46°46'14"W	153.6'
C3	134.35'	460.00'	16°44'01"	S46°37'40"E	133.8'
C4	299.31'	476.54'	35°58'46"	S19°35'49"W	294.4'
C5	321.45'	520.00'	35°25'09"	S69°49'15"E	316.3'

NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE



Clapsaddle-Garber Associates, Inc.
16 East Main Street
Marshalltown, Iowa 50158
Ph 641-752-6701
www.cgaconsultants.com

DESIGNED: CAQ DATE: 2-7-17
DRAWN: CAQ DATE: 2-7-17
CHECKED: TRS DATE: 2-7-17
APPROVED: TRS DATE: 2-7-17

PARTNERS 1ST ADDITION

FINAL PLAT

PROJECT NO.	5469.05
SHEET NO.	1 OF 1

\\TIG-2015\dwg\Survey\5469 Final Plat 2-7-2017.dwg - Prel Plat - 02-09-17 - 3:37pm - sst301

Date Submitted & Fee Paid: _____

Rezoning Application Form

36 N. Center Street, Marshalltown, IA 50158 Ph: 641-754-5756 Fax: 641-754-5742
www.ci.marshalltown.ia.us

All items listed must be submitted with this application:

Failure to complete and submit all the required materials as a part of this application will result in a delay in accepting your application until it is complete.

_____ **Legal description of the property.** The property owner should have a copy of the legal description. If not, owners may obtain a copy of the recorded deed, which contains the legal description, from the Marshall County Recorder's Office for a fee.

_____ **Application fee.** A \$500 fee is required payable to "City of Marshalltown." The fee must be paid when the application is submitted to the Zoning Office.

Please type or print legibly in ink.

Property Address:	
Owner:	
Mailing Address:	
Phone:	Fax:
Current Zoning Classification:	
Current Use:	
Proposed Zoning Classification:	
Proposed Use:	
Please list the uses of surrounding properties:	
Signature and Date:	

Dear Michelle

Please consider this request to modify the Marshalltown Zoning Ordinance of 2010 for the properties at 909 S 2nd Street and 201 W High Street for the future use of the new Police and Fire Facility. Parcel numbers are 8418-35-376-001 for the property at 909 S 2nd Street and 8418-35-376-004 for the property at 201 W High Street. Please reclassify zoning to community commercial for both parcels.

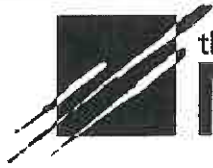
Feel contact me at 754-5734 or jnickel@ci.marshalltown.ia.us for further information.

Sincerely

A handwritten signature in blue ink, appearing to read "Justin Nickel". The signature is fluid and cursive, with the first name "Justin" written in a more compact, looped style and the last name "Nickel" written in a more open, cursive style.

JUSTIN NICKEL, P.E.

PUBLIC WORKS DIRECTOR/CITY ENGINEER



the City of

Marshalltown



Proposed Public Safety Facility Site

331-010 1 inch = 125 feet

351-002

909 South 2nd Street

376-001

OF SUB OF SE SW 35-84-18

376-401
376-004

201 West High Street

W HIGH ST.

W HIGH ST

S 2nd ST.

S 2nd ST.

S 2nd ST