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COMMUNITY DEVELOPMENT

**Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement**

MEMORANDUM

To: Planning and Zoning Commission
From: Andrew Fangman, City Planner
Date: March 10, 2015
Re: Utility Easement Vacation – Lots 7 and 8 Riverbend Second Addition, Clermont Drive

INTRODUCTION: A request to vacate certain utility easements has been submitted on behalf of Sylvia A. Trumbull.

BACKGROUND: Sylvia A. Trumbull has submitted an easement vacation plat that vacates a 10 feet wide utility easement, composed of two adjoining 5-foot utility easements located on Lot 7 and Lot 8 of the Riverbend Second Addition, on Clermont Drive. The intent is to combine these two parcels, which makes these utility easements unnecessary as the resulting parcel will have all the necessary utility easements located along the perimeter.

RECOMMENDATION/RATIONALE: Staff recommends approval of this request as all the necessary utility easements will be present on the proposed combined parcel. The utility easements being proposed for vacation serve no useful public purpose.

BACKUP INFORMATION:

1. Plat of Survey

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

Communications	Title	Date
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BASIS OF BEARINGS
IOWA STATE PLANE
COORDINATE SYSTEM
SOUTH ZONE

LEGEND

- FOUND REBAR
○ FOUND REBAR W/RED CAP #12088
— EASEMENTS TO REMAIN
— EASEMENTS TO BE VACATED
— ADJACENT PROPERTY OWNER
(NAME)

PROPRIETOR: CENTRAL STATE BANK

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 a duly licensed Professional Land Surveyor under the laws of the State of Iowa.



Gary W. Whitacre
Date Reg. No. 10318
My license renewal date is December 31, 2015
Pages or sheets covered by this seal: 1

**Martin & Whitacre
Surveyors & Engineers, Inc.**

P.O. BOX 413
(563)263-7691
MUSCATINE, IOWA

STANLEY LANDE & HUNTER

EASEMENT VACATION PLAT

LOTS 7 & 8 OF RIVERBEND SECOND ADDITION, MUSCATINE, IA

FILE	BOOK	SCALE	DRN	CHK'D	DATE	JOB NO.
RIVERBEND	RIVERBEND	1"=40'	PM	GWM	2/26/15	7864.15
REV.	0				SHEET	OF
					7864 SURVEY.DWG	

CHARLES R. COULTER
AMBER J. FREYERMUTH¹
STEVEN J. HAVERCAMP¹
STEVEN T. HUNTER
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DANIEL P. KRESOWIK¹
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OF COUNSEL
ROBERT D. LAMBERT, P.C.¹
ROBERT L. LANDE
CLEMENS (CAL) A. WERNER, JR.

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WWW.SLHLAW.COM

February 17, 2015

Writer's E-mail Address:
chuckcoulter@slhlaw.com

Andrew Fangman
City of Muscatine
City Hall
213 Sycamore Street
Muscatine, IA 52761

Dear Andrew:

As we discussed last week, Central State Bank owns Lots 7 and 8 in Riverbend Second Addition, and our client, Sylvia A. Trumbull, Trustee, is buying both of those lots. She intends to build a new house in the center of the lots.

Therefore, we request that the City take appropriate action to vacate the public utility easements that run along both sides of the boundary line between Lots 7 and 8. We enclose the following documents to accomplish that end:

1. Resolution Concerning a Proposed Vacation of Utility Easements, with Public Notice attached.
2. Resolution Vacating Public Utility Easements in Riverbend Second Addition.
3. Certificate of City Clerk attesting to the Resolutions.
4. Our check payable to the City of Muscatine for the \$200 filing fee.

Martin & Whitacre is preparing a Plat of Survey showing the utility easements and will obtain consents from the various utility companies.

Based on our phone discussion, we anticipate the following schedule:

March 5 – City Council adoption of the first Resolution.

Andrew Fangman

February 17, 2015

March 10 – Planning and Zoning Commission meeting to consider and act on the proposed vacation.

March 19 – Public Hearing and City Council adoption of the second Resolution.

Thanks for your assistance with this procedure. Please let us know if you have any questions.

Very truly yours,

STANLEY, LANDE & HUNTER

By 
Charles R. Coulter

CRC/me

M10312-1

Cc: Sylvia A. Trumbull (w/ enc.)