



City Hall, 215 Sycamore St.
Muscatine, IA 52761-3840
(563) 262-4141
Fax (563) 262-4142

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: Andrew Fangman, City Planner
Date: April 16, 2015
Re: Request to set a Public Hearing - Utility Easement Vacation – Lots 2 & 3 of Hubbard Prairie Subdivision, 57th Street

INTRODUCTION: A request to vacate certain utility easements has been submitted on behalf of Hank Brown

BACKGROUND: Hank Brown has submitted an easement vacation plat that vacates a 10 feet wide utility easement, composed of two adjoining 5' utility easements located on Lots 2 & 3 of Hubbard Prairie Subdivision, on 57th Street. 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: The Planning and Zoning Commission and staff recommend 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.

RECOMMENDATION/RATIONALE: The Planning and Zoning Commission and staff recommend 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

RESOLUTION NO. _____

**A RESOLUTION
TO VACATE CERTAIN OF UTILITY EASEMENTS AT LOTS 2 & 3 OF
HUBBARD PRAIRIE SUBDIVISION IN THE CITY OF MUSCATINE, IOWA**

WHEREAS, a resolution was adopted by the City Council of Muscatine, Iowa, on March 19, 2015 providing for the proposed vacation of all right, title and interest of the City of Muscatine, Iowa, in and to certain utility easement located at Lots 2 & 3 of Hubbard Prairie Subdivision in the City Of Muscatine, Iowa; and

WHEREAS, the resolution provided that notice of intention to vacate the access easement should be given by publication of a Public Notice in the Muscatine Journal prior to the meeting of the City Council to be held on April 2, 2015, and the notice was duly published in the newspaper as required by law; and

WHEREAS, the resolution provided for a public hearing on the proposed vacation, and such hearing has been held:

WHEREAS, the City Council found and determined that the proposed vacation of said utility easements would serve the public interest:

**BE IT RESOLVED BY THE CITY COUNCIL OF MUSCATINE, IOWA, AS
FOLLOWS:**

1. The City of Muscatine, Iowa, hereby vacates all rights, title, and interest in and to the following described utility easements:

The adjoining 5-wide utility easements along the lot line between Lots 2 & 3 of Hubbard Prairie Subdivision in the City of Muscatine, Iowa.

2. Any resolution or part thereof in conflict or inconsistent with this resolution is repealed.

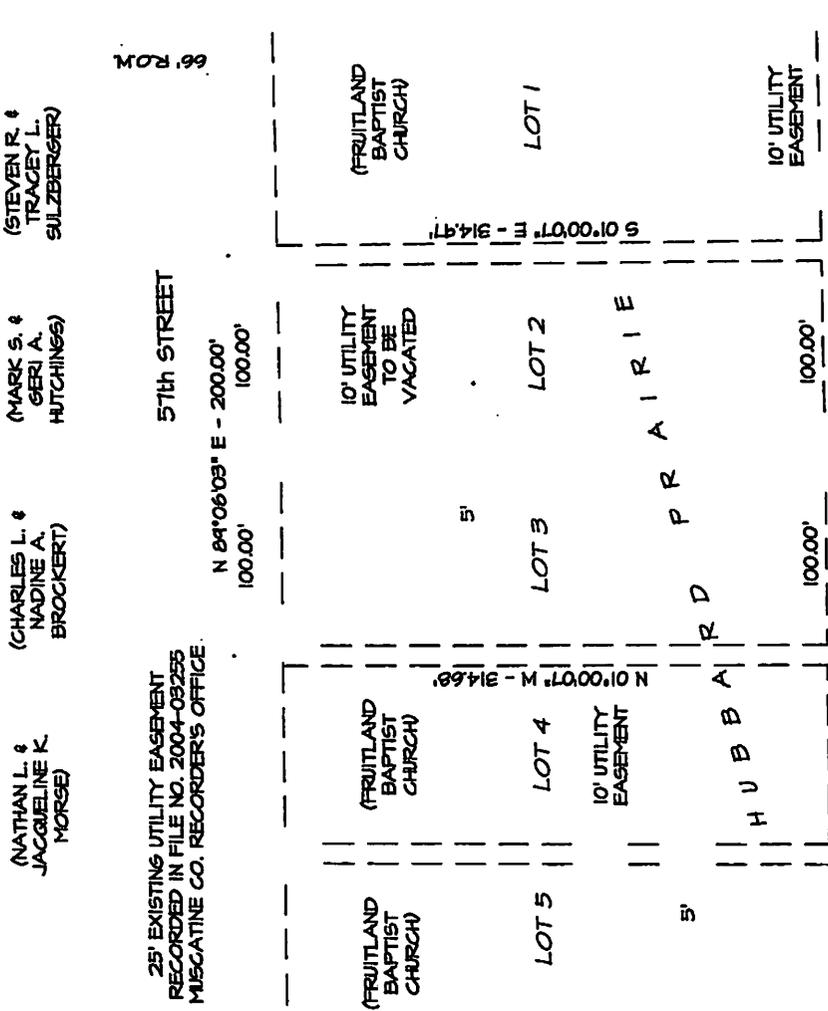
PASSED, APPROVED AND ADOPTED this 16th day of March, 2015.

CITY COUNCIL OF THE CITY
OF MUSCATINE, IOWA

DeWayne M. Hopkins, Mayor

ATTEST:

Gregg Mandsager, City Clerk



(STEVEN R. & TRACY L. SULZBERGER)

(MARK S. & GERI A. HUTCHINGS)

(CHARLES L. & NADINE A. BROCKERT)

(NATHAN L. & JACQUELINE K. MORSE)

25' EXISTING UTILITY EASEMENT RECORDED IN FILE NO. 2004-03255 MUSCATINE CO. RECORDER'S OFFICE.

57th STREET

N 84°06'03" E - 200.00' 100.00'

66' ROW

BASIS OF BEAR
IOWA STATE PLANE COORD.
SOUTH ZONE

The utility easements as shown are acceptable to the following utilities:

| Utility | Title | Date |
|---|--------------|-----------|
| CENTURION, LC | 7 | 03/20/15 |
| INTERSTATE POWER AND LIGHT, AN ALLIANT ENERGY COMPANY | 7L FIELD GAG | 2/27/2015 |
| MUSCATINE POWER & WATER | 7 | 3/1/15 |
| Communications | 5 | 2/24/15 |

PROPRIETOR: FRUITLAND BAPTIST CHURCH

I hereby certify that this land surveying document was prepared and the related survey 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.



(JUSTIN L. & KATHERINE I. BROOKS)

(JASON D. & KATIE M. HAHNB)

LEGEND

- EASEMENTS TO REMAIN
- - - EASEMENTS TO BE VACATED
- FOUND 1/2" X 3/8" REBAR W/YELLOW CAP #10316