

COMMUNITY DEVELOPMENT

MEMORANDUM

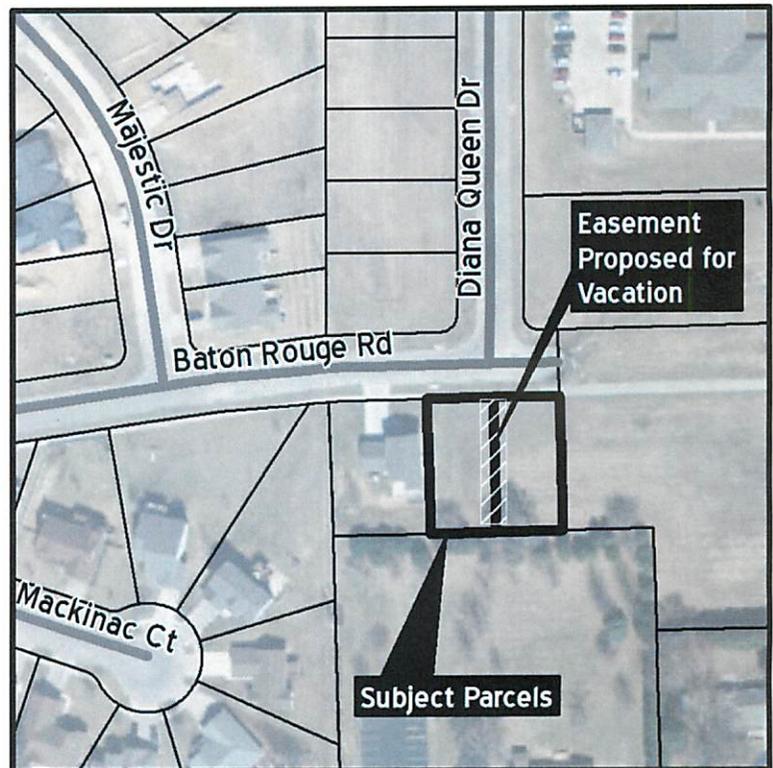
Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

To: Mayor and City Council Members
Cc: Gregg Mandsager, City Administrator
From: Andrew Fangman, City Planner
Date: August 6, 2015
Re: Utility Easement Vacation – Lots 3 & 4 Riverbend Fifth Addition, Baton Rouge Road

INTRODUCTION: A request to vacate certain utility easements has been submitted on behalf of Jeff Hollenbeck

BACKGROUND: Jeff Hollenbeck has submitted an easement vacation plat that vacates a 10 feet wide utility easement, composed of two adjoining 5' utility easements located on Lot 3 and Lot 4 of the Riverbend Fifth Addition, on Baton Rouge Road. 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.



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

RESOLUTION NO. _____

**A Resolution Concerning a Proposed
Vacation of Utility Easements**

RECITALS:

A. Central State Bank is the owner of Lots 3 and 4 of Riverbend Fifth Addition in the City of Muscatine, Iowa, located on Baton Rouge Road and has agreed to sell those lots.

B. The Buyer intends to build a house in the center of Lots 3 and 4, but there are public utility easements five feet wide on both sides of the boundary line between Lots 3 and 4.

C. Central State Bank has requested that the City of Muscatine vacate the public utility easements on both sides of the boundary line between Lots 3 and 4.

IT IS, THEREFORE, RESOLVED, by the City Council of Muscatine, Iowa, as follows:

1. The City Council will hold a public hearing on the proposed vacation of the utility easements at 7:30 p.m. on August 20, 2015, in the Council Chambers at City Hall, Muscatine, Iowa.

2. Notice of the public hearing and the City's intention to vacate the utility easements will be given by publication of the Public Notice attached as Exhibit A; the notice will be published once in *The Muscatine Journal*, a newspaper printed, published, and of general circulation in the City, not less than 4 or more than 20 days before the meeting of the City Council at which the proposal is to be considered.

PASSED, APPROVED, AND ADOPTED on August 6, 2015.

(CITY SEAL)

DeWayne M. Hopkins, Mayor

ATTEST:

Gregg Mandsager, City Clerk

EXHIBIT A

PUBLIC NOTICE

TO THE CITIZENS OF MUSCATINE, IOWA:

You are notified that the City of Muscatine, Iowa, proposes to vacate the following public utility easements in the City of Muscatine, Muscatine County, Iowa:

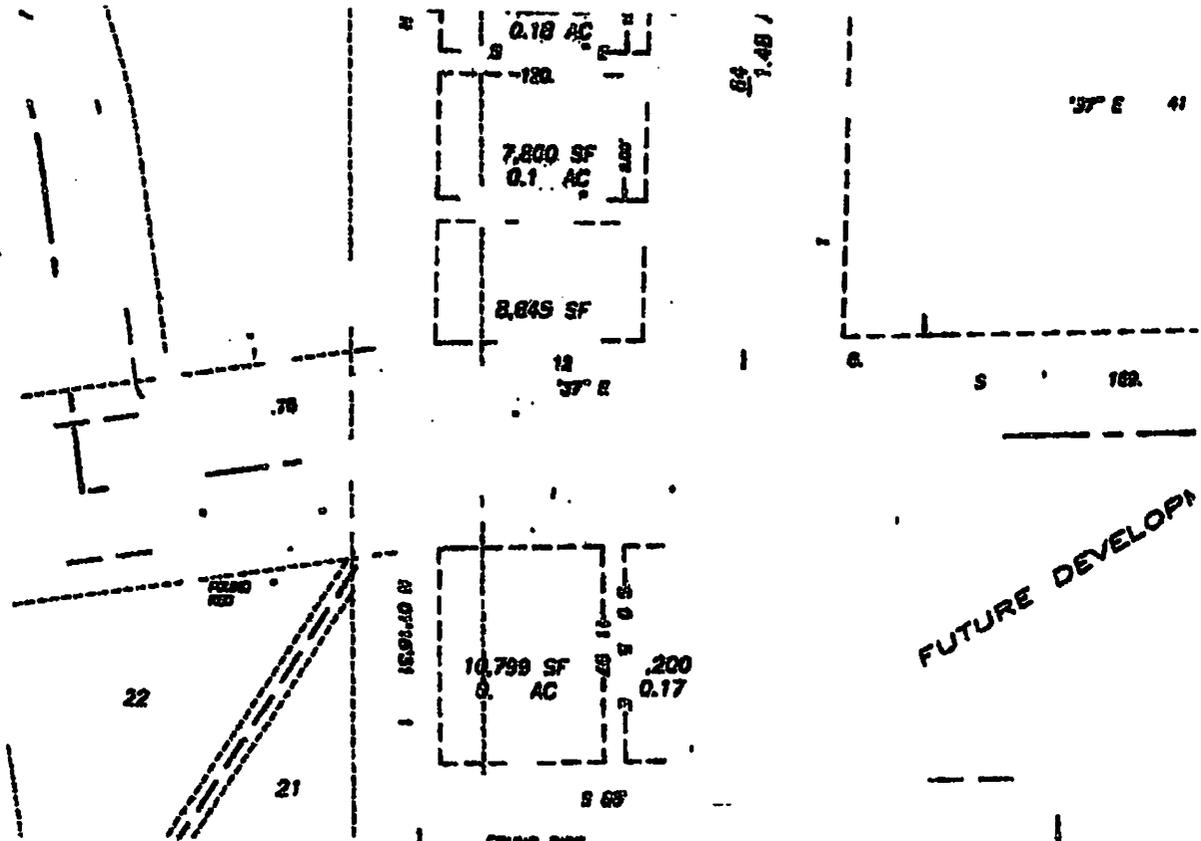
Two public utility easements five feet wide on both sides of the boundary line between Lots 3 and 4 of Riverbend Fifth Addition in the City of Muscatine, Iowa, located on Baton Rouge Road.

You are further notified that oral or written statements in support of or opposition to the proposed vacation may be made at a public hearing before the City Council to be held at 7:30 p.m. on August 20, 2015, in the Council Chambers in City Hall, Muscatine, Iowa.

Gregg Mandsager, City Clerk

**PLAT OF VACATION - UTILITY EASEMENT
 LOTS 3 & 4 - RIVERBEND 5th ADDITION**

Located in part of the Northwest Quarter of Section 27 and the Northwest Quarter of Section 28,
 Township 77 North, Range 2 West of the 5th P.M., city of Muscatine, Muscatine County, Iowa.



Existing 10' utility easement to be vacated 

CENTURY LINK

ALLIANT ENERGY

MUSCATINE POWER & WATER

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