

## COMMUNITY DEVELOPMENT

### MEMORANDUM

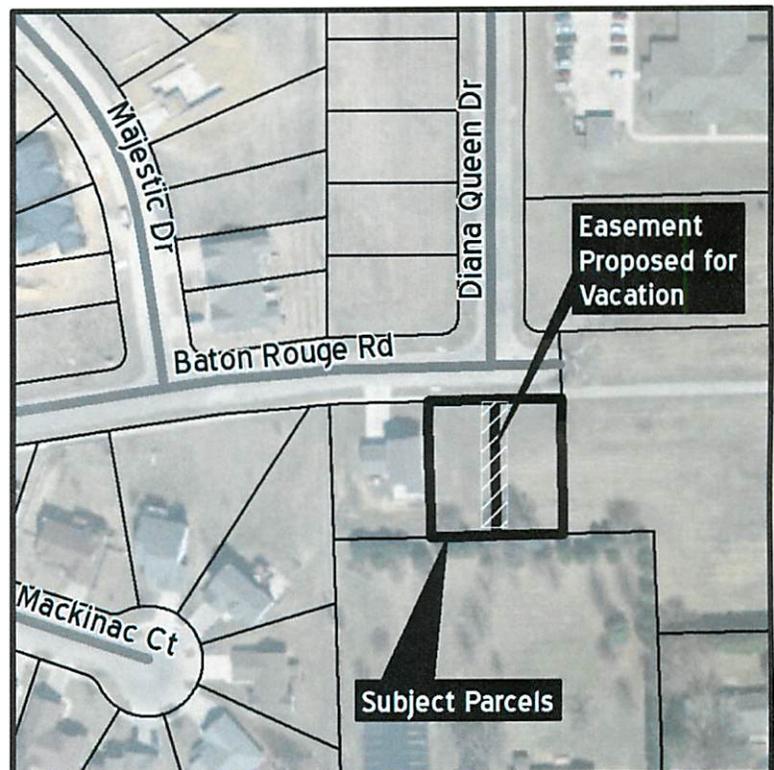
Planning,  
Zoning,  
Building Safety,  
Construction Inspection Services,  
Public Health,  
Housing Inspections,  
Code Enforcement

**To:** Mayor and City Council Members  
**Cc:** Gregg Mandsager, City Administrator  
**From:** Andrew Fangman, City Planner  
**Date:** August 20, 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

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

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION  
TO VACATE CERTAIN OF UTILITY EASEMENTS AT LOTS 3 & 4 OF  
RIVERBEND FIFTH ADDITION, BATON ROUGE ROAD, IN THE CITY OF  
MUSCATINE, IOWA**

**WHEREAS**, a resolution was adopted by the City Council of Muscatine, Iowa, on August 20, 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 3 & 4 of Riverbend Fifth Addition, Baton Rouge Road, in the City Of Muscatine, Iowa; and

**WHEREAS**, the resolution provided that notice of intention to vacate the utility 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 August 20, 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 3 & 4 of Riverbend Fifth Addition 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 20th day of August, 2015.

CITY COUNCIL OF THE CITY  
OF MUSCATINE, IOWA

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DeWayne M. Hopkins, Mayor

ATTEST:

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Gregg Mandsager, City Clerk

