

COMMUNITY DEVELOPMENT

MEMORANDUM

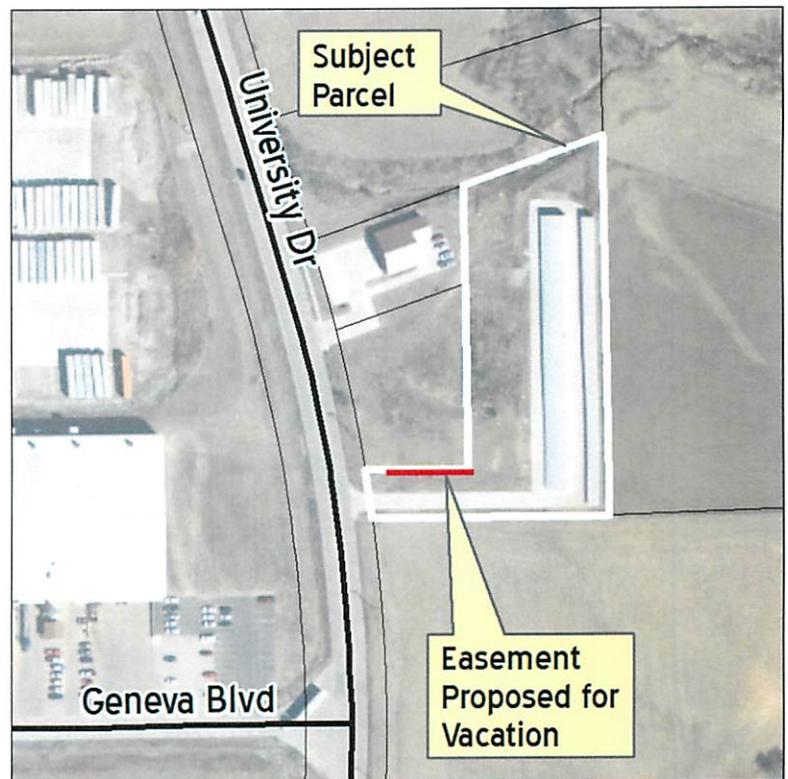
Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

To: Mayor and City Council Members
Cc: Gregg Mandsager, City Administrator
From: Andrew Fangman, City Planner
Date: September 3, 2015
Re: Utility Easement Vacation – Lot 1 of University Development Subdivision, 2701 University Drive

INTRODUCTION: A request to vacate certain utility easements has been submitted by Clark Johnson.

BACKGROUND: Clark Johnson has submitted an easement vacation plat that vacates that vacates a 7.5' utility easement along a portion of the north line of Lot 1 of University Development Subdivision, 2701 University Drive. The intent is to allow for the construction of building in this portion of the platted utility easement. This portion of the utility easement is not used or needed for present or future development.

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 LOT 1 OF THE
UNIVERSITY DEVELOPMENT SUBDIVISION, 2701 UNIVERSITY DRIVE, IN
THE CITY OF MUSCATINE, IOWA**

WHEREAS, a resolution was adopted by the City Council of Muscatine, Iowa, on September 17, 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 Lot 1 of the University Development Subdivision, 2701 University Drive 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 September 17, 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 7.5' wide utility easement along the portion of the north line Lot 1 of the University Development Subdivision 1 that adjoins the south line of Lot 2 of the University Development Subdivision.

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 Any resolution or part thereof in conflict or inconsistent with this resolution is repealed.

PASSED, APPROVED AND ADOPTED this 17th day of September, 2015.

CITY COUNCIL OF THE CITY
OF MUSCATINE, IOWA

DeWayne M. Hopkins, Mayor

ATTEST:

Gregg Mandsager, City Clerk