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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 – Lots 14 & 15 Riverbend Second Addition, 3302 Clermont Drive

INTRODUCTION: A request to vacate certain utility easements has been submitted on behalf of James L. & Pat J. Powers.

BACKGROUND: James L. & Pat J. Powers have submitted easement vacation plat that vacates a 10 feet wide utility easement, composed of two adjoining 5' utility easements located on Lot 14 and Lot 15 of the Riverbend Second Addition, 3302 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

BACKUP INFORMATION:

1. Resolution
3. Plat of Survey

RESOLUTION NO. _____

**A RESOLUTION
TO VACATE CERTAIN OF UTILITY EASEMENTS AT LOTS 14 & 15 OF
RIVERBEND SECOND ADDITION, 3302 CLERMONT 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 Lots 14 & 15 of Riverbend Second Addition, 3302 Clermont Drive, in the City of Muscatine; 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 adjoining 5-wide utility easements along the lot line between Lots 14 & 15 of Riverbend Second 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 17th day of September, 2015.

CITY COUNCIL OF THE CITY
OF MUSCATINE, IOWA

DeWayne M. Hopkins, Mayor

ATTEST:

Gregg Mandsager, City Clerk