

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

RESOLUTION NO. _____

**A RESOLUTION
TO VACATE CERTAIN UTILITY EASEMENTS AT LOTS 7 & 8 OF NORTH
PORT COMMONS SUBDIVISION, NORTH PORT DRIVE, IN THE CITY OF
MUSCATINE, IOWA**

WHEREAS, a resolution was adopted by the City Council of Muscatine, Iowa, on August 3, 2017 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 7 & 8 of North Port Commons Subdivision, North Port 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 August 17, 2017, 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; and

WHEREAS, the Planning and Zoning Commission of the City of Muscatine, after a public hearing at its July 13, 2017 meeting, has recommended approval of the proposed vacation; and

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:

ALL 10.00 FOOT UTILITY EASEMENTS AROUND THE PERIMETER OF LOT 7,
NORTHPORT COMMONS DOCUMENT NUMBER 2004-07781.

And

BEGINNING AT THE SOUTHWEST CORNER OF LOT 8 NORTHPORT COMMONS DOCUMENT NUMBER 2004-07781.; THENCE, ALONG THE WEST LINE OF SAID LOT 8, NORTH 36 DEGREES 28 MINUTES 32 SECONDS WEST, A DISTANCE OF 10.00 FEET; THENCE, NORTH 53 DEGREES 31 MINUTES 28 SECONDS EAST, TO AN ARC, A DISTANCE OF 175.96 FEET; THENCE, ALONG SAID ARC CONCAVE NORTHWESTERLY, A DISTANCE OF 7.85 FEET, SAID ARC HAVING A RADIUS OF 5.00 FEET AND A DELTA ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, SAID ARC HAVING A CHORD BEARING OF NORTH 08 DEGREES 31 MINUTES 28 SECONDS EAST AND A CHORD OF 7.07 FEET; THENCE, NORTH 36 DEGREES 28 MINUTES 32 SECONDS WEST, TO AN ARC, A DISTANCE OF 209.50; THENCE, ALONG SAID ARC CONCAVE SOUTHEASTERLY, A DISTANCE OF 55.74 FEET, SAID ARC HAVING A RADIUS OF 110.00 FEET AND A DELTA ANGLE OF 29 DEGREES 02 MINUTES 07 SECONDS, SAID ARC HAVING A CHORD BEARING OF NORTH 50 DEGREES 59 MINUTES 35 SECONDS WEST, AND A CHORD OF 55.15 FEET; THENCE, NORTH 65 DEGREES 30 MINUTES 39 SECONDS WEST, TO AN ARC, A DISTANCE OF 18.34 FEET; THENCE, ALONG SAID ARC CONCAVE NORTHEASTERLY, A DISTANCE OF 314.94 FEET, SAID ARC HAVING A RADIUS OF 655.00 FEET AND A DELTA ANGLE OF 27 DEGREES 32 MINUTES 58 SECONDS, SAID ARC HAVING A CHORD BEARING OF NORTH 51 DEGREES 44 MINUTES 10 SECONDS WEST, AND A CHORD OF 311.92 FEET; THENCE, NORTH 89 DEGREES 13 MINUTES 54 SECONDS EAST, A DISTANCE OF 12.61 FEET; THENCE, NORTH 53 DEGREES 31 MINUTES 28 SECONDS EAST, TO A POINT ON THE WEST LINE OF LOT 7, A DISTANCE OF 60.05 FEET; THENCE, ALONG SAID ARC CONCAVE NORTHEASTERLY, A DISTANCE OF 272.10 FEET, SAID ARC HAVING A RADIUS OF 585.00 FEET AND A DELTA ANGLE OF 26 DEGREES 39 MINUTES 01 SECONDS, SAID ARC HAVING A CHORD BEARING OF SOUTH 52 DEGREES 11 MINUTES 08 SECONDS EAST AND A CHORD OF 269.66 FEET; THENCE, SOUTH 65 DEGREES 30 MINUTES 39 SECONDS, TO AN ARC, A DISTANCE OF 18.34 FEET; THENCE, ALONG SAID ARC CONCAVE SOUTHEASTERLY, A DISTANCE OF 91.22 FEET, SAID ARC HAVING A RADIUS OF 180.00 FEET AND A DELTA ANGLE OF 29 DEGREES 02 MINUTES 07 SECONDS, SAID ARC HAVING A CHORD BEARING OF SOUTH 50 DEGREES 59 MINUTES 35 SECONDS EAST, AND A CHORD OF 90.24 FEET; THENCE, SOUTH 36 DEGREES 28 MINUTES 32 SECONDS EAST, TO AN ARC, A DISTANCE OF 209.50 FEET; THENCE, ALONG SAID ARC CONCAVE NORTHEASTERLY TO A POINT OF THE NORTH RIGHT OF WAY LINE OF NORTH PORT DRIVE, A DISTANCE OF 23.56 FEET, SAID ARC HAVING A RADIUS OF 15.00 FEET AND A DELTA ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, SAID ARC HAVING A CHORD BEARING OF SOUTH 81 DEGREES 28 MINUTES 32 SECONDS EAST AND A CHORD OF 21.21 FEET; THENCE, ALONG SAID NORTH LINE, SOUTH 53 DEGREES 31 MINUTES 28 SECONDS WEST, A DISTANCE OF 265.96 FEET, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED CONTAINS 44,332 SQUARE FEET, MORE OR LESS.

FOR THE PURPOSES OF THIS DESCRIPTION THE WEST LINE OF LOT 8, HAS A BEARING OF NORTH 36 DEGREES 28 MINUTES 32 SECONDS WEST.

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

PASSED, APPROVED AND ADOPTED this 17th day of August, 2017.

CITY COUNCIL OF THE CITY
OF MUSCATINE, IOWA

Diana L. Broderson, Mayor

ATTEST:

Gregg Mandsager, City Clerk