



COMMUNITY DEVELOPMENT

MEMORANDUM

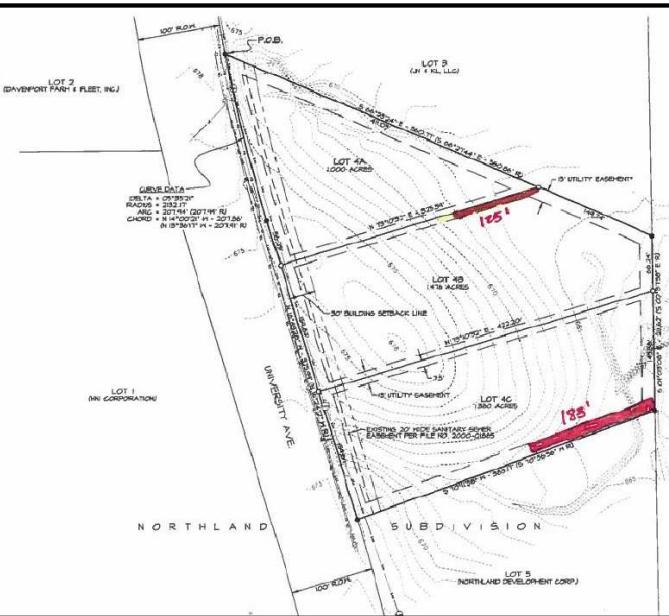
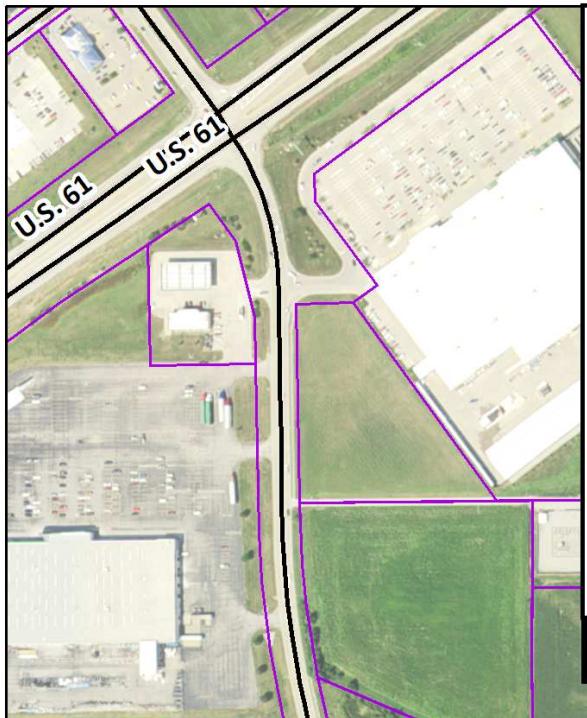
Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

To: Mayor and City Council Members
Cc: Gregg Mandsager, City Administrator
From: Andrew Fangman, City Planner
Date: August 2, 2018
Re: Resolution Vacating Certain Utility Easement Vacation – Lots 4B & 4C Sunrise Subdivision and Lot 1 of University Subdivision

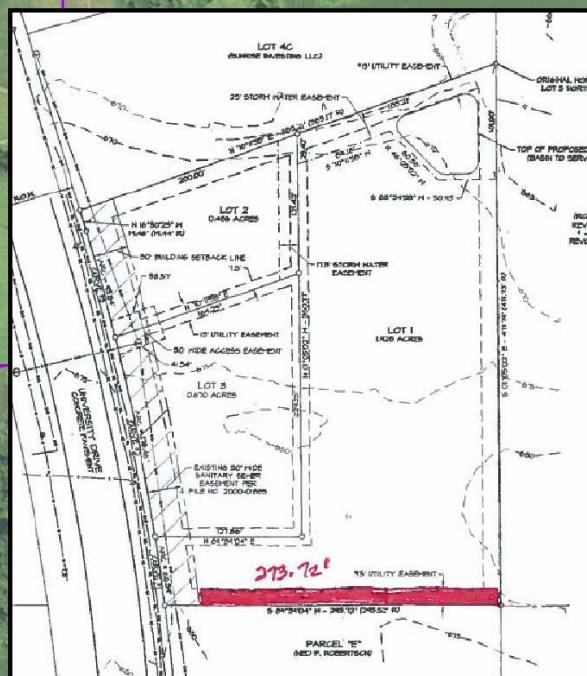
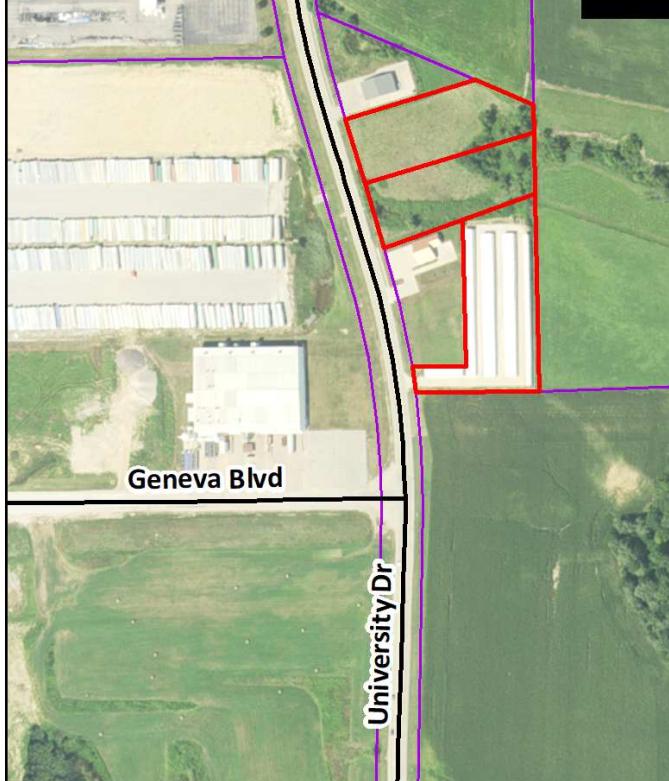
INTRODUCTION: A request to vacate certain utility easements has been submitted on behalf of University Storage LLC

BACKGROUND: University Storage LLC has submitted an easement vacation plat that vacates the following described utility easements: the Easterly 125 feet of the 7.5' wide utility easement running along the North boundary line of Lot 48 of Sunrise Subdivision in; the Easterly 183 feet of the 15' wide utility easement running along the South boundary line of Lot 4C of Sunrise Subdivision; and the Easterly 273.72 feet of the 15' wide utility easement running along the South boundary line of Lot 1 of University Development Subdivision. University Storage intends to install additional 5' x 5' storage units along the South line of Lot 1 with plans for similar development of the other two lots in the future

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.



Proposed Easement Vacations in Sunrise Subdivision



Proposed Easement Vacation in University Development Subdivision

Legend

Subject Parcels

Parcel Lines

0 125 250 500 750 1,000 Feet

RESOLUTION NO. _____

**A Resolution Vacating Public Utility
Easements in Sunrise and University Development Subdivisions**

RECITALS:

A. The City Council adopted a Resolution on July 19, 2018, providing for the proposed vacation of certain utility easements in Lots 4B and 4C of Sunrise Subdivision, and Lot 1 of University Development Subdivision in the City of Muscatine, Iowa.

B. The Resolution provided for publication of a public notice of a public hearing on the proposed vacation, the notice was duly published, and the public hearing has been held.

C. The Planning and Zoning Commission has approved the proposed vacation of certain public utility easements created in the original platting of Lots 4B and 4C of Sunrise Subdivision and Lot 1 of University Development Subdivision.

D. Centurylink, LC; Interstate Power and Light, an Alliant energy company; and Muscatine Power & Water have consented to the vacation of such easements.

E. The easements are not being used, continuation of the easements is of no benefit to the City or any other party, and the best interests of the City will be served by vacating such utility easements.

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

1. Three public utility easements: (A) the Westerly 110 feet of the Easterly 125 feet of the 7.5' wide utility easement running along the North boundary line of Lot 4B; (B) the Westerly 168 feet of the Easterly 183 feet of the 15' wide utility easement running along the South boundary line of Lot 4C, both in Sunrise Subdivision in the City of Muscatine, Iowa; and (C) the Westerly 258.72 feet of the Easterly 273.72 feet of the 15' wide utility easement running along the South boundary line of Lot 1 of University Development Subdivision in the City of Muscatine, Iowa.

2. Any resolution or part thereof in conflict or inconsistent with the provisions of this Resolution is repealed.

PASSED, APPROVED, AND ADOPTED on _____, 2018.

(CITY SEAL)

Diana L. Broderson, Mayor

ATTEST:

Gregg Mandsager, City Clerk