

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

**RESOLUTION NO. 2020-0003**

**A RESOLUTION**

**TO VACATE CERTAIN OF UTILITY EASEMENTS AT LOTS 4C AND LOT B OF  
SUNRISE SUBDIVISION (EAST SIDE OF UNIVERSITY DRIVE)**

**WHEREAS**, a resolution was adopted by the City Council of Muscatine, Iowa, on December 19, 2019, 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 4B and Lot 4C of Sunrise Subdivision, 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 January 2, 2020, 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:  
Two public utility easements, each 7.5 feet wide, running along the South boundary line of Lot 4B and the North boundary line of Lot 4C, both in Sunrise Subdivision in the City of Muscatine, Iowa, except the West 20 feet and the East 15 feet of each easement.
2. Any resolution or part thereof in conflict or inconsistent with this resolution is repealed.

**PASSED, APPROVED AND ADOPTED** this 2nd day of January, 2020.

**CITY COUNCIL OF THE CITY  
OF MUSCATINE, IOWA**

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Diana L. Broderson, Mayor

ATTEST:

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Greg Jenkins, Interim City Clerk



# MUSCATINE

City Hall, 215 Sycamore St.  
Muscatine, IA 52761-3840  
(563) 262-4141  
Fax (563) 262-4142

## COMMUNITY DEVELOPMENT

### MEMORANDUM

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

**To:** Mayor and City Council Members  
**Cc:** Greg Jenkins, Interim City Administrator  
**From:** Andrew Fangman, Assistant Community Development Director  
**Date:** January 2, 2020  
**Re:** Utility Easement Vacation – (PZVE-10) Lots 4C and 4B of Sunrise Subdivision (East of University Drive)

**INTRODUCTION:** A request to vacate certain utility easements has been submitted by University Storage LLC.

**BACKGROUND:** University Storage has submitted a utility easement vacation plat, that would if approved by City Council, would vacate a 15' wide utility easement that is comprised of two adjoining 7.5' utility easement on Lots 4C and 4B of Sunrise Subdivision, as illustrated in the attached map. The intent is to vacate unused and unneeded utility easements and allow for development across the boundary between Lot 4C and Lot B. The applicant is also proposing to dedicate a 25' wide easement, along the south edge of Lot 4C, to accommodate the construction of a storm sewer line and any other potential future utility extensions.

**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.



## PZVE-10 Proposed Vacation of Certain Utility Easements at Lots 4C & 4B of Sunrise Subdivision

- Proposed New Utility & Stormwater Easement
- Utility Easements Proposed for Vacation
- Lots 4C & 4B
- Parcel Lines

0 25 50 100 150 200  
Feet



**EASEMENT PLAT** **UNIVERSITY STORAGE**

**EASEMENT PLAT** **UNIVERSITY STORAGE**

LEGEND

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FOUND ½ REBAR W YEL  
POWER POLE

COMMUNICATIONS  
EASTERN IRON, LIGHT & POWER COMPANY  
UNDERGROUND GAS  
UNDERGROUND SANITARY SEWER

The utility elements as shown are acceptable to the following offices:

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Date \_\_\_\_\_ Reg. No. \_\_\_\_\_  
My license renewal date is December 31.  
Please or check covered by this grant.

**Martin & Whitacre  
Surveyors & Engineers, Inc.**  
P.O. BOX 413 MUSCATINE, IOWA 52661  
SURVEY COMPANY / RETURN TO:

**INFO@MARTIN-WHITACRE.COM** (863) 263-7691  
**SURVEYOR: GARY N. WHITACRE**  
**PROPRIETORS: UNIVERSITY STORAGE, LLC**  
**REQUESTOR: CITY OF MUSCATINE, IOWA**