

ORDINANCE NO. 2020-0118

**AN ORDINANCE VACATING A PORTION OF THE ALLEY RIGHT-OF-WAY
IN BLOCK 29 OF ORIGINAL TOWN OF THE CITY OF MUSCATINE, IOWA**

WHEREAS, the Planning and Zoning Commission of the City of Muscatine has recommended approval of the vacation of a portion of alley right-of-way in Block 29 of Original Town of the City of Muscatine, Iowa; and

WHEREAS, the City Council of the City of Muscatine has conducted a public hearing on said vacation request;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF MUSCATINE, IOWA, AS FOLLOWS:**

Section I. The following described real estate shall be vacated by the City of Muscatine, Iowa:

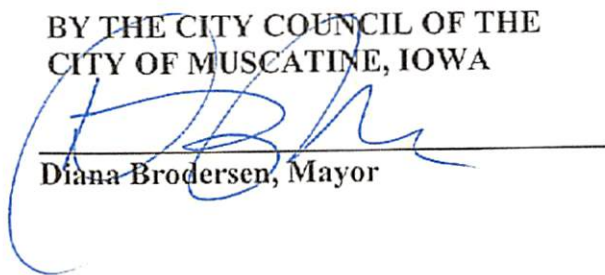
THE SOUTHWESTERLY ONE HALF OF BRIER STREET ADJACENT TO LOT 7 THE PORTION OF THE ALLEY IMMEDIATELY ADJACENT TO THE SOUTHERLY LINES OF LOTS 8, 9 AND 10 OF BLOCK 29 OF THE ORIGINAL TOWN OF MUSCATINE, MEASURED NORMAL TO SAID SOUTHERLY LINES OF LOTS 8, 9 AND 10 OF BLOCK 29. EXCEPTING THE WESTERNMOST 30.70 FEET OF LOT 10 MEASURED NORMAL TO THE WESTERLY LINE OF LOT 10 BEING THE EASTERLY RIGHT OF WAY LINE OF MULBERRY AVENUE.

Section II. Any Ordinance or part thereof in conflict or inconsistent with the provisions of this Ordinance is hereby repealed.

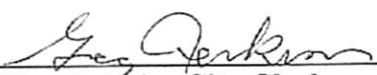
PASSED, APPROVED AND ADOPTED this 2nd day of April, 2020.



BY THE CITY COUNCIL OF THE
CITY OF MUSCATINE, IOWA


Diana Brodersen, Mayor

Attest:


Greg Jenkins, Interim City Clerk

1st Reading 4-2-2020
2nd Reading 4-9-2020
3rd Reading 4-16-2020



COMMUNITY DEVELOPMENT DEPARTMENT

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

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

MEMORANDUM

To: Mayor and City Council Members
Cc: Greg Jenkins, Interim City Administrator
Jodi Royal-Godwin, Community Development Director
From: Andrew Fangman, Assistant Community Development Director
Date: April 2, 2020
Re: Ordinance Vacating a Portion of Right-of-Portion the Alley Located in Block 29 of Original Town

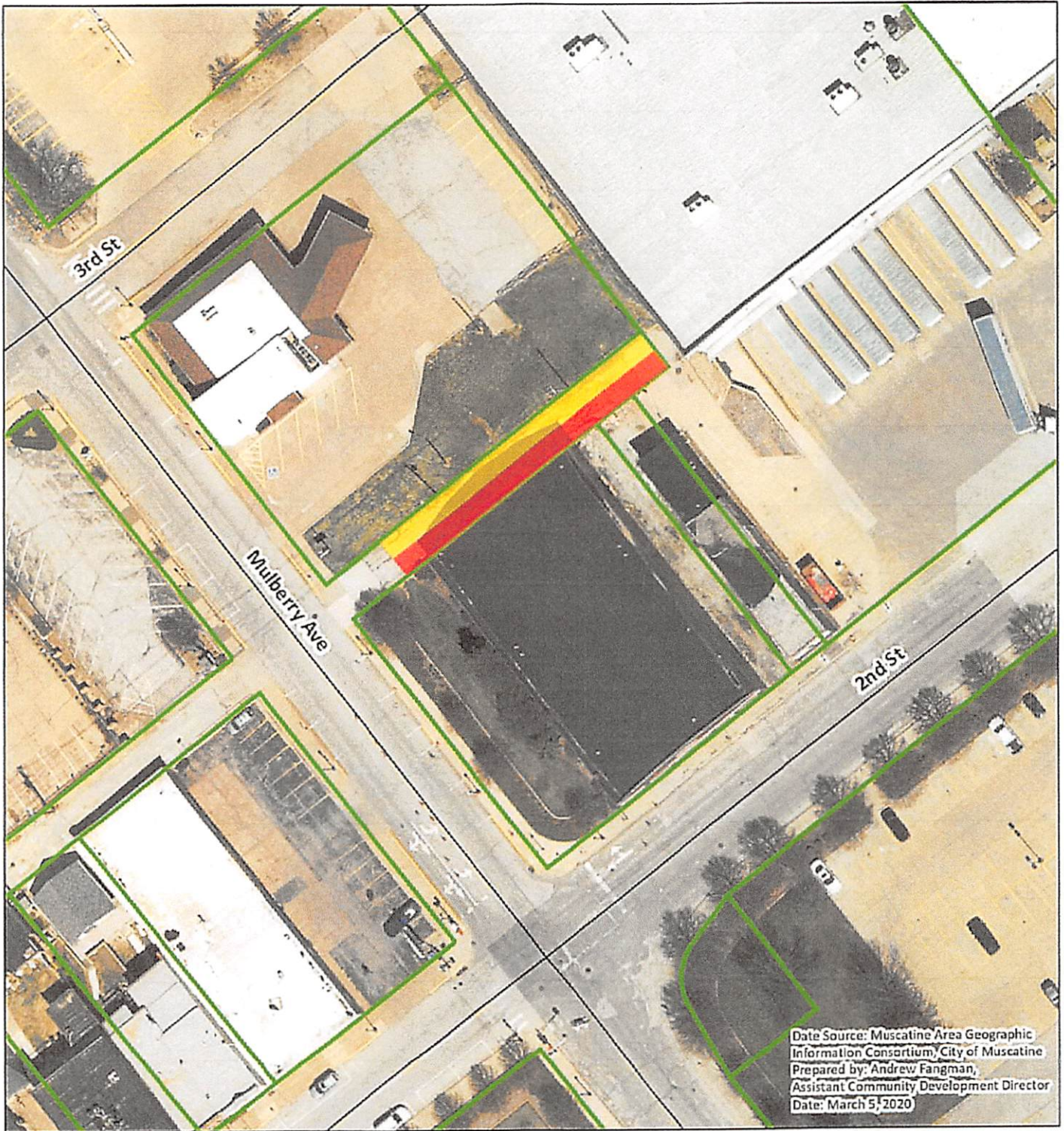
INTRODUCTION: The City of Muscatine has submitted a request to vacate a portion of the alley located in Block 29.

BACKGROUND: The City of Muscatine is currently reconstructing the 2nd Street and Mulberry Avenue intersection into a roundabout. As part of this project additional right-of-way had to be acquired from a number of adjoining property owners, including from HNI Corporation and Dekock Anita LLC. As part of the agreements for the City to acquire the right of way needed for the roundabout project, the City agreed to vacate and convey to HNI Corporation and Dekock Anita LLC, the portions of the alley right of way that do not serve a current or future public use.

RECOMMENDATION/RATIONALE: The Planning and Zoning Commission voted at their March meeting to recommend approval of this request. Staff concurs with this recommendation; the right-of-way being proposed for vacation serves no useful public purpose.

BACKUP INFORMATION:

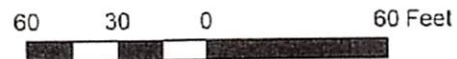
1. Ordinance



PZROW-5 Block 29 Alley Right of Way Vacation

Proposed Vacated Alley Right of Way

- To be Conveyed to Adjoining Property Owner to the North
- To be Conveyed to Adjoining Property Owner to the South
- Parcel Lines



*** Proof of Publication ***

The undersigned, being first duly sworn, on oath does say that he/she is an authorized employee of THE MUSCATINE JOURNAL, morning edition, a daily newspaper printed and published by Lee Enterprises, Incorporated, in the City of Davenport, Scott County, Iowa, and that a notice, a printed copy of which is made a part of this affidavit, was published in said THE MUSCATINE JOURNAL, on the dates listed below.

CITY OF MUSCATINE- Legals account

215 Sycamore Street
MUSCATINE, IA 52761

ORDER NUMBER 68296

The affiant further deposes and says that all of the facts set forth in the foregoing affidavit are true as he/she verily believes.

Aileen Cooper

ORDINANCE NO. 2020-0118
AN ORDINANCE VACATING A PORTION OF THE ALLEY RIGHT-OF-WAY IN BLOCK 29 OF ORIGINAL TOWN OF THE CITY OF MUSCATINE, IOWA
WHEREAS, the Planning and Zoning Commission of the City of Muscatine has recommended approval of the vacation of a portion of street and right-of-way the City of Muscatine, Iowa; and
WHEREAS, the City Council of the City of Muscatine has conducted a public hearing on said vacation request;
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA, AS FOLLOWS:
Section I. The following described real estate be vacated by the City of Muscatine, Iowa:
THE SOUTHWESTERLY ONE HALF OF BRIER STREET ADJACENT TO LOT 7 THE PORTION OF THE ALLEY IMMEDIATELY ADJACENT TO THE SOUTHERLY LINES OF LOTS 8, 9 AND 10 OF BLOCK 29 OF THE ORIGINAL TOWN OF MUSCATINE, MEASURED NORMAL TO SAID SOUTHERLY LINES OF LOTS 8, 9 AND 10 OF BLOCK 29, EXCEPTING THE WESTERNMOST 40.70 FEET OF LOT 10 MEASURED NORMAL TO THE WESTERLY LINE OF LOT 10 BEING THE EASTERLY RIGHT OF WAY LINE OF MULBERRY AVENUE.
Section II. Any Ordinance or part thereof in conflict or inconsistent with the provisions of this Ordinance is hereby repealed.
PASSED, APPROVED AND ADOPTED this 9th day of April, 2020.
BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA
Diana Broderson, Mayor
Attest:
Greg Jenkins, Interim City Clerk
1st Reading 4/2/2020
2nd Reading 4/9/2020
3rd Reading 4/16/2020

Section: Notices & Legals
Category: 2635 Legal Ordinance
PUBLISHED ON: 04/23/2020

TOTAL AD COST: 17.68
FILED ON: 4/23/2020

Subscribed and sworn to before me by said affiant this 23 day of April 2020

Danine Glascock

Notary Public in and for Scott County, Iowa

