



City of Muscatine



AGENDA ITEM SUMMARY

DATE: 8/5/2021

City Council

STAFF

Andrew Fangman, Assistant Community Development Director

SUBJECT

A Resolution to Vacate Certain Utility Easements at Lot 1 of Arbor Commons Subdivision (1613 Duncan Drive)

EXECUTIVE SUMMARY

A request to vacate certain public utility easements at 1613 Duncan Drive has been submitted by Todd Hackett, to allow for room of the construction of a single family home. This has been approved by the Planning and Zoning Commission.

STAFF RECOMMENDATION

Staff recommends approval of the attached resolution.

BACKGROUND/DISCUSSION

Todd Hackett has submitted a request to vacate the southern 5' of a 10' wide utility easement that runs along the northern property line of Lot 1 of the Arbor Common Subdivision (1613 Duncan Drive). See diagram on the next page. The intent of this request is to allow for more room of the construction of a single-family home.

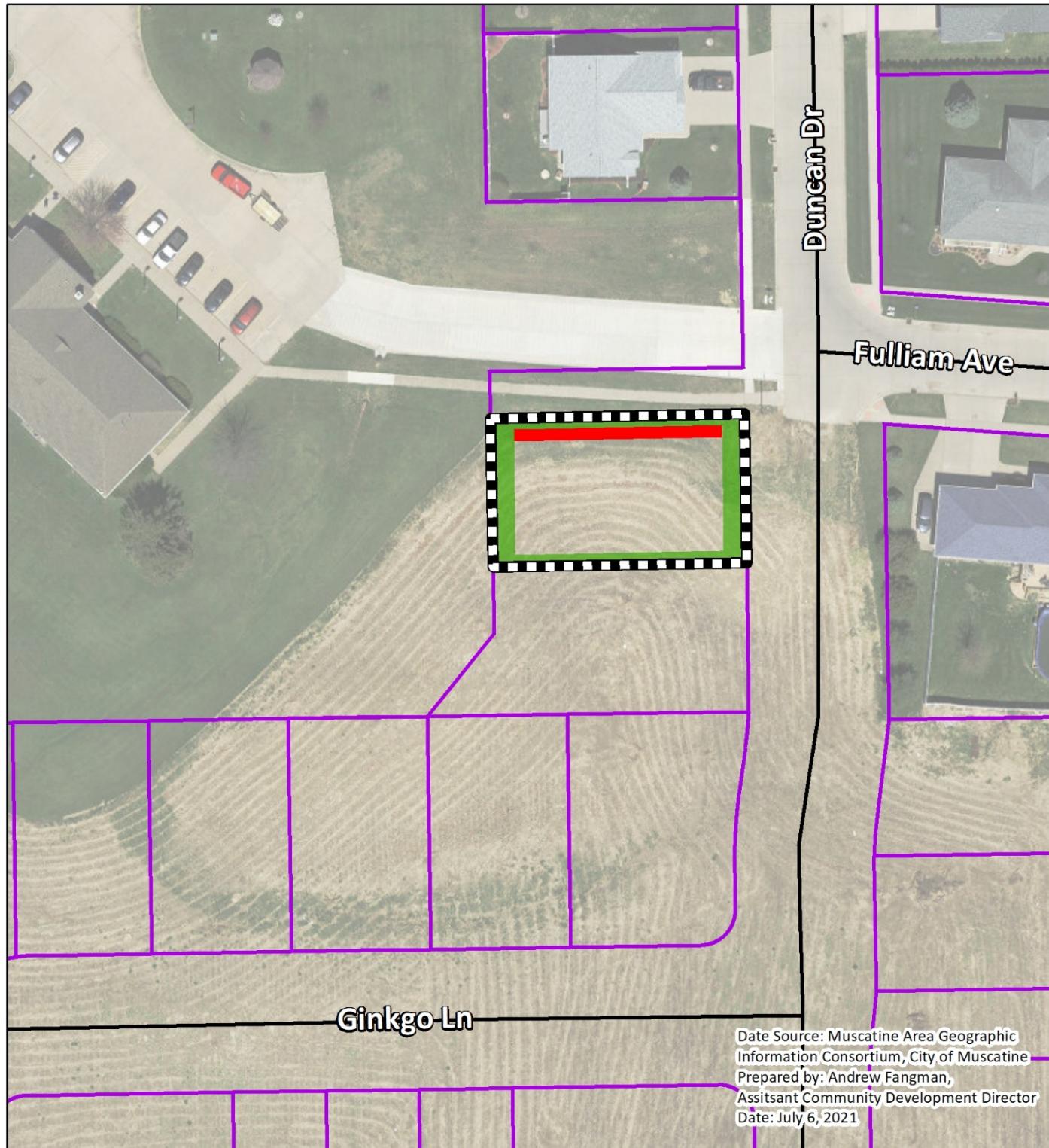
On July 13, 2021, the Planning and Zoning Commission voted unanimously to recommend approval of this vacation request.

CITY FINANCIAL IMPACT

None.

ATTACHMENTS

1. Map
2. Resolution



Proposed Vacation of Certain Utility Easements at Lot 1, Arbor Commons Subdivision (1613 Duncan Dr)



Subject Parcel (Lot 1, Arbor Commons Subdivision)

Utility Easement Proposed for Vacation

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

RESOLUTION NO. 2021-0264

**A RESOLUTION
TO VACATE CERTAIN UTILITY EASEMENTS AT LOT 1 OF ARBOR COMMONS
SUBDIVISION (1613 DUNCAN DRIVE)**

WHEREAS, a resolution was adopted by the City Council of Muscatine, Iowa, on July 17, 2021, 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 1 of Arbor Commons Subdivision (1613 Duncan 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 5, 2021, 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 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 southerly 5' of the public utility easement running along the north boundary line of Lot 1 in Arbor Commons Subdivision in the City of Muscatine, Iowa.
2. Any resolution or part thereof in conflict or inconsistent with this resolution is repealed.
- 3.

PASSED, APPROVED AND ADOPTED this 5th day of August 2021.

CITY COUNCIL OF THE CITY
OF MUSCATINE, IOWA

Diana L. Broderson, Mayor

ATTEST:

Carol Webb, City Clerk