



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

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**COMMUNITY DEVELOPMENT**

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

**MEMORANDUM**

**To:** Mayor and City Council Members  
**Cc:** Gregg Mandsager, City Administrator  
**From:** Andrew Fangman, City Planner  
**Date:** September 20, 2012  
**Re:** Request to set a Public Hearing – Utility Vacation – Lots 22 & 22 Riverbend Second Addition, Clermont Drive

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**INTRODUCTION:** A request to vacate certain utility easements has been submitted on behalf of Stacy Eberhard.

**BACKGROUND:** Gary Whitacre of Martin & Whitacre Surveyors & Engineers Inc., acting on behalf of Stacy Eberhard has submitted easement vacation plat that vacates a 10 feet wide utility easement, composed of two adjoining 5' utility easements located on Lot 21 and Lot 22 of the Riverbend Second Addition, on Clermont Drive. The intent is to combine these two parcels, which makes these utility easements unnecessary as the resulting parcel will have all the necessary utility easements located along the perimeter. The Planning Commission reviewed and approved the request to vacate certain utility easements, as requested, during their September 11, 2012 meeting.

**RECOMMENDATION/RATIONALE:** Prior to City Council action of the request, a public hearing is required. It is recommended that the attached resolution setting a public hearing on the proposed vacation of certain utility easements located at Lot 21 and Lot 22 of the Riverbend Second Addition, on Clermont Drive.

**BACKUP INFORMATION:**

1. Resolution
2. Public Hearing
3. Plat of Survey

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION SETTING THE TIME AND PLACE TO  
CONDUCT A PUBLIC HEARING ON A REQUEST TO VACATE CERTAIN  
OF UTILITY EASEMENTS AT LOTS 21 & 22 OF RIVERBEND SECOND  
ADDITION IN THE CITY OF MUSCATINE, IOWA**

**WHEREAS**, a request has been received for the vacation of certain utility easements at Lots 21 & 22 of Riverbend Second Addition in the City Of Muscatine, Iowa) described as:

**WHEREAS**, a public hearing must be conducted by the City Council of Muscatine on the vacation of this utility easement.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council for the City of Muscatine, that a Public Hearing is hereby established. Said hearing to be conducted at 7:00 p.m. on Thursday, October 4, 2012, in the City Hall Council Chambers and the attached public notice of the time and place of said public hearing shall be given by publication in the Muscatine Journal as required by the Code of Iowa

**PASSED, APPROVED AND ADOPTED this 20th day of September, 2012.**

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

\_\_\_\_\_  
**DeWayne M. Hopkins, Mayor**

**Attest:**

\_\_\_\_\_  
**Gregg Mandsager, City Clerk**

## **PUBLIC NOTICE**

### **PUBLIC NOTICE CONCERNING REQUEST THE REQUEST TO VACATE CERTAIN OF UTILITY EASEMENTS AT LOTS 21 & 22 OF RIVERBEND SECOND ADDITION IN THE CITY OF MUSCATINE, IOWA**

Public Notice is hereby given that the City Council for the City of Muscatine, Iowa, will conduct a Public Hearing to review a request has been received for the vacation of certain utility easements at Lots 21 & 22 of Riverbend Second Addition in the City of Muscatine, Iowa described as:

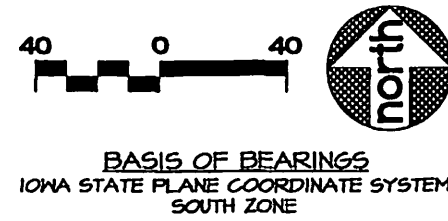
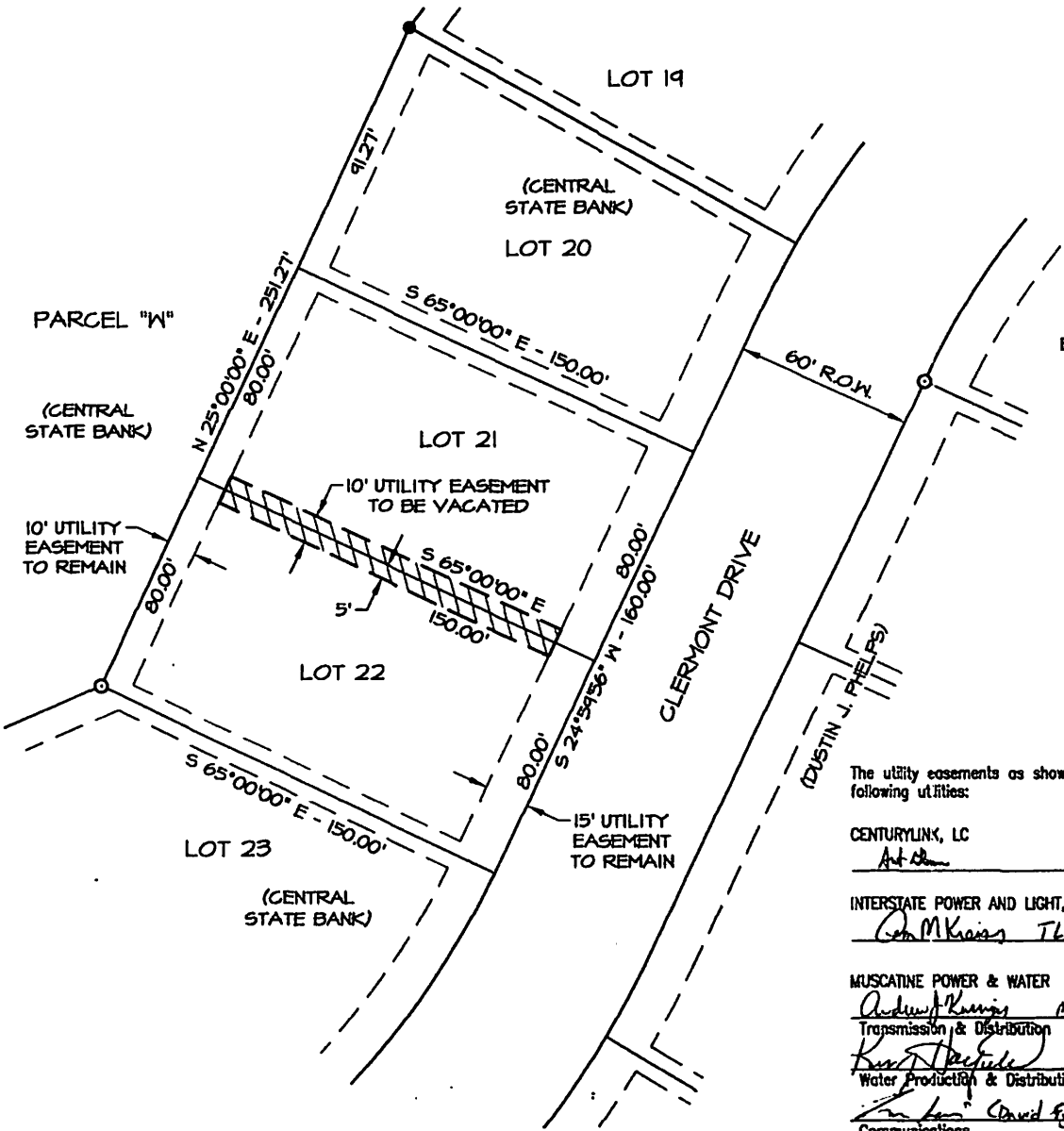
The adjoining 5-wide utility easements along the lot line between Lots 21 & 22 of Riverbend Second Addition in the City of Muscatine, Iowa.

This Public Hearing will be conducted on Thursday, October 4, 2012, at 7:00 p.m. in the City Council Chambers at City Hall.

All interested persons are invited to attend and comment on the project at that time.

Gregg Mandsager, City Clerk

PREPARED BY: MATTHEW W. KRAUSE, MARTIN & WHITACRE SURVEYORS & ENGINEERS, INC., P.O. BOX 413, MUSCATINE, IOWA 52761 / PHONE: 563-263-7691



- LEGEND**
- FOUND 3/4" REBAR
  - FOUND REBAR W/CAP #12088
  - EASEMENTS TO REMAIN
  - EASEMENTS TO BE VACATED

PROPRIETOR: CENTRAL STATE BANK

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 Land Surveyor under the laws of the State of Iowa.



Matthew W. Krause  
Date \_\_\_\_\_ Reg. No. 16981  
My license renewal date is December 31, 2013  
Pages or sheets covered by this seal: 1

The utility easements as shown are acceptable to the following utilities:

|   |                           |                |
|---|---------------------------|----------------|
| CENTURYLINK, LC                                       | Engr                      | 9/11/12        |
| <i>Ant Chen</i>                                       | Title                     | Date           |
| INTERSTATE POWER AND LIGHT, AN ALLIANT ENERGY COMPANY |                           |                |
| <i>Don M Krause</i>                                   | <i>Tk Field Eng Svc</i>   | <i>8/29/12</i> |
|   | Title                     | Date           |
| MUSCATINE POWER & WATER                               |                           |                |
| <i>Andrew Krause</i>                                  | <i>Manager of T&amp;D</i> | <i>9/3/12</i>  |
| Transmission & Distribution                           | Title                     | Date           |
| <i>Ken D. Pfeiffer</i>                                | <i>Manager Water</i>      | <i>9/7/12</i>  |
| Water Production & Distribution                       | Title                     | Date           |
| <i>Jim Lee</i>  | <i>(David Fyffe)</i>      | <i>9/3/12</i>  |
| Communications  | Title                     | Date           |

|  |      |                 |     |       |         |         |
|--|------|-----------------|-----|-------|---------|---------|
| <b>Martin &amp; Whitacre Surveyors &amp; Engineers, Inc.</b> |      |                 |     |       |         |         |
| P.O. BOX 413 (563)263-7691 MUSCATINE, IOWA                   |      |                 |     |       |         |         |
| <b>STACY EBERHARD</b> EASEMENT VACATION PLAT                 |      |                 |     |       |         |         |
| LOTS 21 & 22 OF RIVERBEND SECOND ADDITION, MUSCATINE, IA     |      |                 |     |       |         |         |
| FILE   | BOOK | SCALE           | DRN | CHK'D | DATE    | JOB NO. |
| RIVERBEND  | ---  | 1"=40'          | PM  | MWK   | 8/21/12 | 1513.12 |
| REV.   | 0    | 1513 SURVEY.DWG |     | SHEET | 1 OF 1  |         |