



MUSCATINE

ITEM 11B

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:** Steven Boka, Director of Community Development  
**Date:** July 25, 2013  
**Re:** Resolution Approving Utility Vacation – Riverbend Second Add.

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**INTRODUCTION:** A request to vacate an existing utility easement has been submitted on behalf of the proposed buyer(s) of 2 lots located within the Riverbend Second Addition.

**BACKGROUND:** Keer Wilson of Muscatine has filed a request to vacate existing utility easements along and between Lots 9 and 10 in the Riverbend Second Addition. If approved, the Ms. Wilson intends to construct a new residence across the area now dedicated as utility easement. The Planning Commission reviewed and approved the request to vacate the utility easements during their July 8, 2013 meeting. On July 18, 2013 the City Council approved a resolution setting a public hearing for August 1, 2013 on the vacation request.

**RECOMMENDATION/RATIONALE:** It is recommended that the attached resolution vacating the utility easement located within the Riverbend Second Addition be approved.

**BACKUP INFORMATION:**

1. Resolution
2. Plat of Survey

Prepared by Steven Boka, 215 Sycamore St. Muscatine, Iowa 52761 (563) 262-4141

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

**A RESOLUTION CONCERNING THE VACATION OF UTILITY EASEMENTS IN THE  
RIVERBEND SECOND ADDITION TO THE CITY OF MUSCATINE, IOWA.**

**WHEREAS**, a resolution was adopted by the City Council of Muscatine, Iowa, on August 1, 2013 providing for the proposed vacation of all right, title and interest of the City of Muscatine, Iowa, in and to the real estate described in this resolution; and

**WHEREAS**, the resolution provided that notice of intention to vacate the easements should be given by publication in the Muscatine Journal not less than four (4) nor more than twenty (20) days before the meeting of the City Council to be held on August 1, 2013, and notice was duly published in the newspaper as specified in the resolution 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 real estate:

The 10-foot wide utility easement along and between Lots 9 & 10 in the Riverbend

Second Addition to the City of Muscatine, Iowa.

2. Any resolution or part thereof in conflict or inconsistent with this resolution is hereby repealed.

**PASSED, APPROVED AND ADOPTED** this 1<sup>st</sup> day of August 2013.

CITY COUNCIL OF THE CITY  
OF MUSCATINE, IOWA

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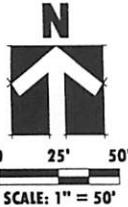
DeWayne Hopkins, Mayor

ATTEST:

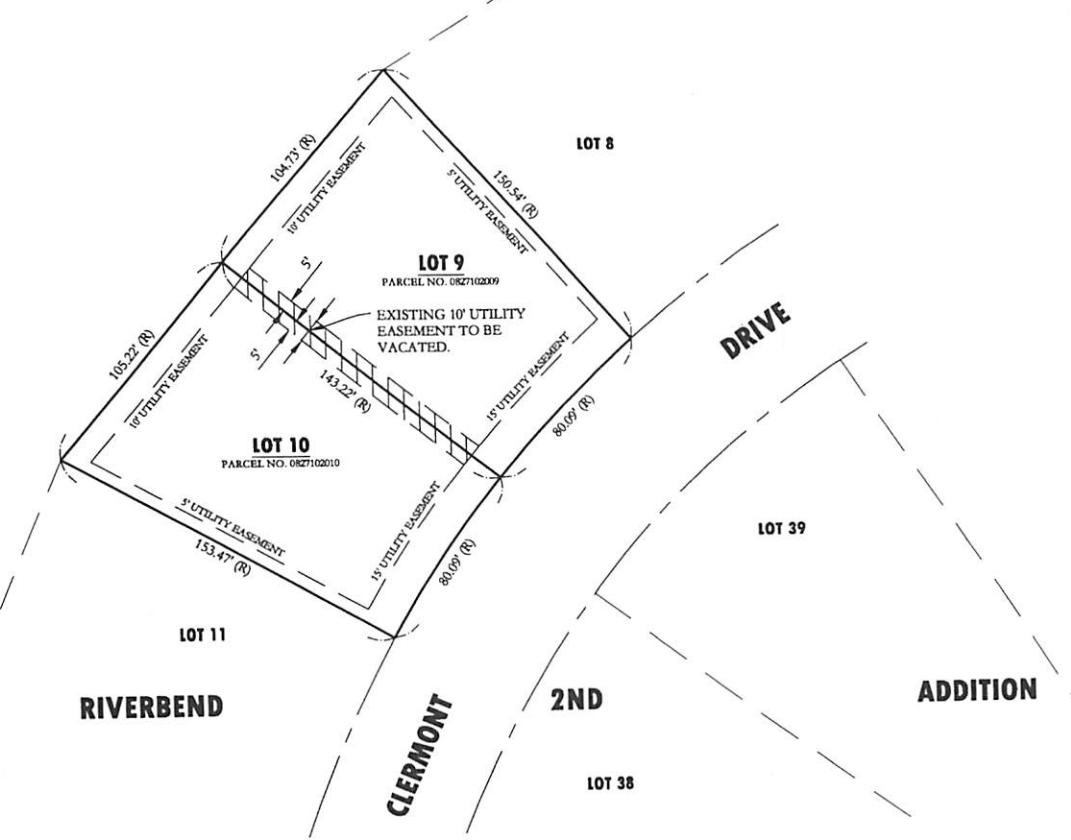
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Gregg Mandsager, City Administrator

Surveyed By: Ben D. Holliday, VSP Engineering & Surveying - 3500 Oakview Drive - Suite B, Muscatine, IA. 52761 (563) 288-6427



**PLAT OF VACATION - UTILITY EASEMENT**  
**LOTS 9 & 10 - RIVERBEND 2ND ADDITION**  
Part of the Northwest Quarter of Section 27, Township 77 North, Range 2 West, 5th Principal Meridian  
City of Muscatine, Muscatine County, Iowa



**CENTURYLINK**

THE VACATION OF THE EXISTING UTILITY EASEMENT SHOWN HEREON  
MEETS THE ACCEPTANCE OF THE UNDERSIGNED SERVICE PROVIDER.

CENTURYLINK

DATE

**INTERSTATE POWER & LIGHT COMPANY - AN ALLIANT ENERGY COMPANY**

THE VACATION OF THE EXISTING UTILITY EASEMENT SHOWN HEREON  
MEETS THE ACCEPTANCE OF THE UNDERSIGNED SERVICE PROVIDER.

INTERSTATE POWER & LIGHT COMPANY

DATE

**MUSCATINE POWER & WATER**

THE VACATION OF THE EXISTING UTILITY EASEMENT SHOWN HEREON  
MEETS THE ACCEPTANCE OF THE UNDERSIGNED SERVICE PROVIDER.

COMMUNICATIONS DIVISION

DATE

**MUSCATINE POWER & WATER**

THE VACATION OF THE EXISTING UTILITY EASEMENT SHOWN HEREON  
MEETS THE ACCEPTANCE OF THE UNDERSIGNED SERVICE PROVIDER.

WATER PRODUCTION & DISTRIBUTION

DATE

**MUSCATINE POWER & WATER**

THE VACATION OF THE EXISTING UTILITY EASEMENT SHOWN HEREON  
MEETS THE ACCEPTANCE OF THE UNDERSIGNED SERVICE PROVIDER.

TRANSMISSION & DISTRIBUTION

DATE

**CITY OF MUSCATINE**

THE VACATION OF THE EXISTING UTILITY EASEMENT SHOWN HEREON  
MEETS THE ACCEPTANCE OF THE CITY OF MUSCATINE.

CITY OF MUSCATINE

DATE

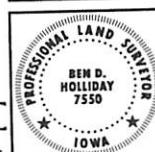
SURVEY FOR: KEER WILSON  
2113 RIDGEWOOD AVENUE  
MUSCATINE, IA. 52761  
PROPRIETOR: CENTRAL STATE BANK  
ADDRESS: P.O. BOX 146  
MUSCATINE, IA. 52761  
VSP JOB NO.: VM-13-120  
DATE: MAY 23, 2013

**LEGEND**

(000.0')	RECORDED DISTANCE
—	BOUNDARY OF SURVEY
—	UTILITY EASEMENT LINES
—	LOT LINES
—	RIGHT-OF-WAY LINE



**SITE VICINITY MAP**



I HEREBY CERTIFY THAT THIS LAND SURVEYING INSTRUMENT WAS  
PREPARED BY ME 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.

**BEN D. HOLLIDAY**

LICENSE NUMBER 7550  
MY LICENSE RENEWAL DATE IS  
PAGES OR SHEETS COVERED BY THIS SEAL:

DATE