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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:** August 16, 2013  
**Re:** Resolution Setting a Public Hearing - Utility Vacation – Phase II of Cedar Plaza

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**INTRODUCTION:** A request to vacate an existing utility easement has been submitted on behalf of the proposed buyer of 2 lots located within Phase II of the Cedar Plaza Subdivision.

**BACKGROUND:** Mike Stych Builders of Muscatine has filed a request to vacate existing utility easements along and between Lots 8 and 9 in the Phase II of the Cedar Plaza Subdivision. If approved, the Mr. Stych intends to construct a new commercial building across the area now dedicated as utility easement. The Planning Commission reviewed and approved the request to vacate the utility easements during their August 13, 2013 meeting.

**RECOMMENDATION/RATIONALE:** Prior to vacating a utility easement, a public hearing must be held. It is recommended that the attached resolution setting a public hearing on the vacation of the utility easement located in Phase II of the Cedar Plaza Subdivision be approved.

**BACKUP INFORMATION:**

1. Resolution
2. Public Notice
3. Easement Vacation Plat

Prepared by Steven Boka, 215 Sycamore Street, Muscatine, IA 52761 (563) 262-4141

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

**A RESOLUTION SETTING THE TIME AND PLACE OF  
A PUBLIC HEARING UPON THE VACATION OF A UTILITY  
EASEMENT IN PHASE II OF THE CEDAR PLAZA SUBDIVISION**

**WHEREAS**, a request has been received for the vacation of a utility easement described as:

LAND DESCRIPTION-

LOTS 8 AND 9 IN PHASE II OF CEDAR PLAZA SUBDIVISION TO THE CITY OF MUSCATINE, IN MUSCATINE COUNTY, IOWA. EXCEPT FOR PARCEL "L", PER PLAT OF SURVEY RECORDED AS DOCUMENT NO. 2003-08563, IN THE MUSCATINE COUNTY RECORDER'S OFFICE. SAID PARCEL CONTAINS 1.082 ACRES

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

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MUSCATINE, IOWA**, that a public hearing be conducted by the City Council in the City Hall Chambers at 7:00 p.m. on Thursday, September 19, 2013, and the attached public notice of the time and place of said hearing shall be given by publication in the Muscatine Journal as required by the Code of Iowa.

**PASSED, APPROVED AND ADOPTED** this 5th day of September 2013.

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

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DeWayne Hopkins, Mayor

ATTEST:

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Gregg Mandsager, City Clerk

## **PUBLIC NOTICE**

Public Notice is hereby given that the City Council of the City of Muscatine, Iowa will hold a public hearing on the vacation of the following described utility easements in Phase II of the Cedar Plaza Subdivision to the City of Muscatine, Iowa:

**LAND DESCRIPTION-**

LOTS 8 AND 9 IN PHASE II OF CEDAR PLAZA SUBDIVISION TO THE CITY OF MUSCATINE, IN MUSCATINE COUNTY, IOWA. EXCEPT FOR PARCEL "L", PER PLAT OF SURVEY RECORDED AS DOCUMENT NO. 2003-08563, IN THE MUSCATINE COUNTY RECORDER'S OFFICE. SAID PARCEL CONTAINS 1.082 ACRES

Said public hearing will be conducted by the City Council of Muscatine on September 19, 2013 at 7:00 p.m. in the City Hall Council Chambers. All interested parties are invited to attend.

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Gregg Mandsager, City Clerk

