



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

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**

DeWayne Hopkins, Mayor

ATTEST:

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.

Gregg Mandsager, City Clerk



BASIS OF BEARINGS
IOWA STATE PLANE
COORDINATE SYSTEM
SOUTH ZONE

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 1, PER PLAT OF SURVEY RECORDED AS DOCUMENT
NO. 2003-08563, IN THE MUSCATINE COUNTY RECORDER'S OFFICE.
SAID PARCEL CONTAINS 1.082 ACRES.

LEGEND

- SET 1/2" X 36" REBAR W/ YELLOW CAP #10316
- FOUND REBAR
- FOUND REBAR W/ CAP #1550
- FOUND REBAR W/ CAP #12088
- EASEMENTS TO REMAIN
- EASEMENTS TO BE VACATED
- OWNERSHIP TIE
- (NAME) PROPERTY OWNER
- (R) R DENOTES RECORD DATA IF OTHER THAN ACTUAL FIELD MEASUREMENT

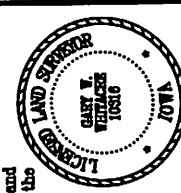
Martin & Whitacre
Surveyors & Engineers, Inc.

P.O. BOX 413 (563) 263-7691 MUSCATINE, IOWA

MIKE STYCH BUILDERS EASEMENT VACATION PLAT

LOTS 8 & 9 CEDAR PLAZA IN THE CITY OF MUSCATINE, IOWA

FILE	BOOK	SCALE	DRN	CHK'D	DATE	JOB NO.
PLAT	CITY 49	1"=50'	PM	GMM	7/25/03	767219
REV.	0				7672 STYCHBNS	SHEET 1 OF 1



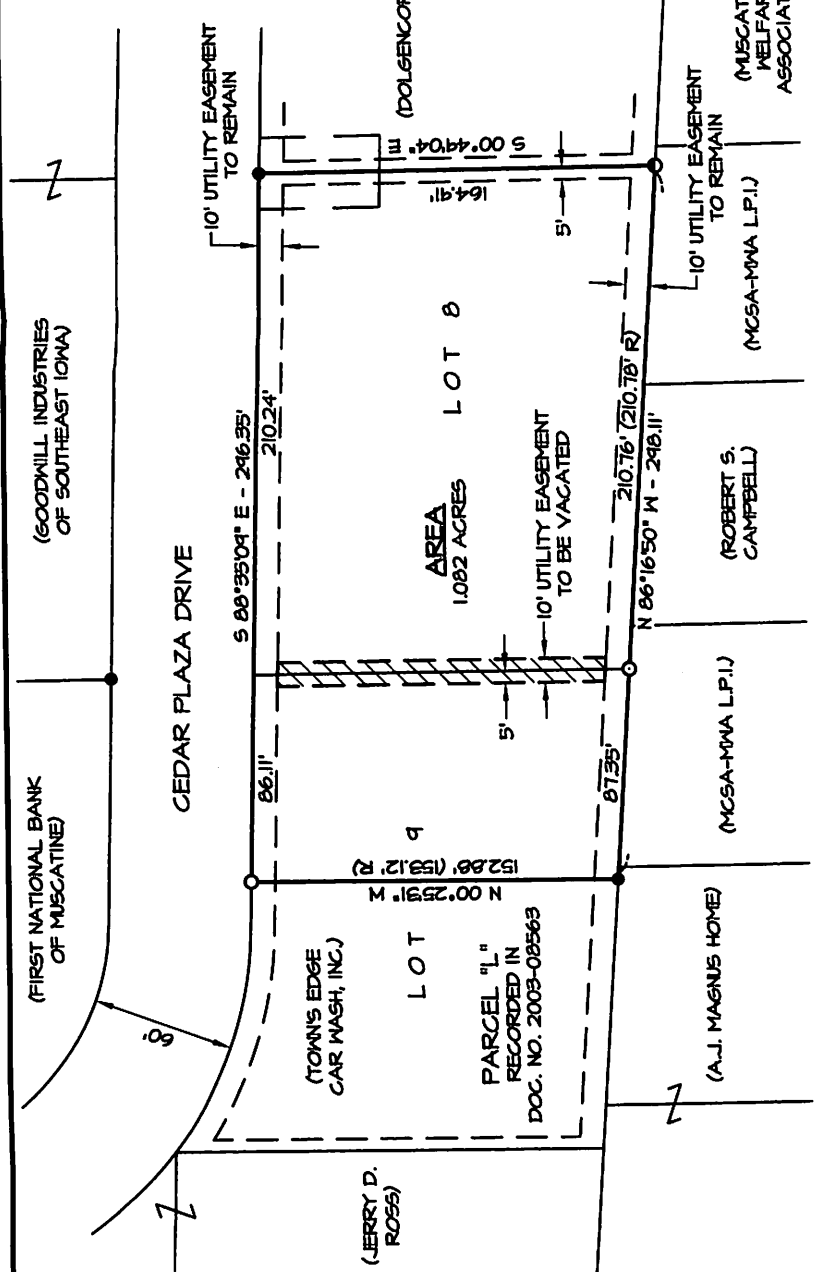
PROPRIETOR: CEDAR STREET PLAZA, LLC

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.

Gary W. Whitacre
Data _____ Reg. No. 10316
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:

Title	Date
INTERSTATE POWER AND LIGHT, AN ALLIANT ENERGY COMPANY	
MUSCATINE POWER & WATER	
Transmission & Distribution	
Water Production & Distribution	
Communications	



(GOODWILL INDUSTRIES
OF SOUTHEAST IOWA)

(FIRST NATIONAL BANK
OF MUSCATINE)

CEDAR PLAZA DRIVE

(TOM'S EDGE
CAR WASH, INC.)

(JERRY D.
ROSS)

PARCEL "1"
RECORDED IN
DOC. NO. 2003-08563

AREA
1.082 ACRES
LOT 8

(DOLGEN CORP., INC.)

(A.J. MAGNUS HOME)

(MCSA-MMA L.P.)

(ROBERT S.
CAMPBELL)

(MCSA-MMA L.P.)

(MUSCATINE
WELFARE
ASSOCIATION)