



City Hall, 215 Sycamore St.
Muscatine, IA 52761-3840
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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 12, 2010
Re: Vacation of Access Easement – 2307 Grandview Avenue

INTRODUCTION: As a part of the review and approval of the Chin Subdivision in 1987, the city required the final plat to include an access easement intended to serve all lots within the subdivision via a single entry point from Grandview Avenue.

BACKGROUND: Since the Chin Subdivision was platted in 1987, the property has developed without the use of the access easement. Recently, the owner of Lot 3 acquired Lot 4 and would like to eliminate the access easement crossing Lot 4 so it can be used for existing and future commercial use(s). The remaining 2 vacant lots are held under single ownership and will continue to be served by the access easement crossing Lot 3. The Planning Commission reviewed the request during their August 9, 2011 meeting and has recommended approval.

RECOMMENDATION/RATIONALE: Since the entire subdivision will continue to be served by existing street openings or the remaining access easement, the access easement crossing Lot 4 is no longer needed. A reservation for all other existing easements of record will be maintained. With that in mind, it is recommended that City Council approve the attached resolution establishing a public hearing on the proposed vacation of the access easement on Lot 4 of the Chin Subdivision.

BACKUP INFORMATION:

1. Resolution setting a public hearing
2. Public notice
3. Vacation Plat

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

RESOLUTION NO. _____

**A RESOLUTION SETTING THE TIME AND PLACE OF
A PUBLIC HEARING UPON THE VACATION OF AN ACCESS
EASEMENT IN LOT 4 OF THE CHIN SUBDIVISION**

WHEREAS, a request has been received for the vacation of an access easement described as:

A STRIP OF LAND 35 FEET WIDE BEING A PART OF CHIN SUBDIVISION IN THE CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA.

COMMENCING AT THE SOUTHEAST CORNER OF LOT 4 OF THE CHIN SUBDIVISION; THENCE NORTH 35°11'57" WEST 30.01 FEET ALONG THE EAST LINE OF LOT 4 TO THE POINT OF BEGINNING AND THE BEGINNING OF A 5629.58 FOOT RADIUS NONTANGENT CURVE CONCAVE NORTHWESTERLY WHOSE 290.10 FOOT CHORD BEARS SOUTH 57°23'16" WEST; THENCE SOUTHWESTERLY AN ARC DISTANCE OF 290.13 FEET TO THE WEST SIDE OF LOT 4; THENCE NORTH 00°44'24" WEST 40.63 FEET ALONG THE WEST LINE OF LOT 4 TO THE BEGINNING OF A 5594.58 FOOT RADIUS NONTANGENT CURVE CONCAVE NORTHWESTERLY WHOSE 267.07 FOOT CHORD BEARS NORTH 57°17'10" EAST; THENCE NORTHEASTERLY AN ARC DISTANCE OF 267.10 FEET TO THE EAST LINE OF SAID LOT 4; THENCE SOUTH 35°11'57" EAST 35.01 FEET ALONG THE EAST LINE OF SAID LOT 4 TO THE POINT OF BEGINNING, CONTAINING 0.224 ACRES.

WHEREAS, a public hearing must be conducted by the City Council of Muscatine on the vacation of an 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 1, 2011, 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 18th day of August 2011.

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

Richard W. O'Brien, 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 easement in the Oakview Plaza Subdivision in the City of Muscatine, Iowa:

**A STRIP OF LAND 35 FEET WIDE BEING A PART OF CHIN SUBDIVISION
IN THE CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA.**

COMMENCING AT THE SOUTHEAST CORNER OF LOT 4 OF THE CHIN SUBDIVISION; THENCE NORTH 35° 11'57" WEST 30.01 FEET ALONG THE EAST LINE OF LOT 4 TO THE POINT OF BEGINNING AND THE BEGINNING OF A 5629.58 FOOT RADIUS NONTANGENT CURVE CONCAVE NORTHWESTERLY WHOSE 290.10 FOOT CHORD BEARS SOUTH 57° 23'16" WEST; THENCE SOUTHWESTERLY AN ARC DISTANCE OF 290.13 FEET TO THE WEST SIDE OF LOT 4; THENCE NORTH 00° 44'24" WEST 40.63 FEET ALONG THE WEST LINE OF LOT 4 TO THE BEGINNING OF A 5594.58 FOOT RADIUS NONTANGENT CURVE CONCAVE NORTHWESTERLY WHOSE 267.07 FOOT CHORD BEARS NORTH 57° 17'10" EAST; THENCE NORTHEASTERLY AN ARC DISTANCE OF 267.10 FEET TO THE EAST LINE OF SAID LOT 4; THENCE SOUTH 35° 11'57" EAST 35.01 FEET ALONG THE EAST LINE OF SAID LOT 4 TO THE POINT OF BEGINNING, CONTAINING 0.224 ACRES.

Said public hearing will be conducted by the city Council of Muscatine on October 21, 2004 at 7:00 p.m. in the City Hall Council Chambers. All interested parties are invited to attend.

Gregg Mandsager, City Clerk



OWA STATE PLANE COORDINATE SYSTEM SOUTH ZONE BASES OF BEARINGS

20 AND 30% IN NOISY AREAS RATED 20 + 10% OF DATA HAD BEEN A PAIN LEVEL 95 DURING 20 HOURS

PROPRIETOR: ABC PORTABLE STORAGE, LLC

FOUND 15. REBAR/METAL CAP #15981	FOUND 15. REBAR/METAL CAP #15980	FOUND 15. REBAR/METAL CAP #15981
ADJACENT PROPERTY OWNER	OWNER	ADJACENT PROPERTY OWNER
R DENOTES RECORD DATA IF OTHER	•	R DENOTES RECORD DATA IF OTHER
THAN ACTUAL FIELD MEASUREMENT	•	THAN ACTUAL FIELD MEASUREMENT
(NAME) _____	(R) _____	(NAME) _____

CURVE DATA					
CURVE	DELTA	RADIUS	ARC	BEARING	CHORD
#2	02°44'.07	55944.58	261.00	N 57°17'.10	E 261.07
##	02°51'.10	56294.58	240.13	S 57°23'.16	W 240.10

Curve Data

LEGEND

— 10. UTILITY EASEMENT TO REMAIN

U.S. HIGHWAY 61

(ABC PORTABLES)

10. UTILITY EASEMENT TO REN

9 LOT 6

PREPARED BY: GARY A. WHITMORE, MARTIN & WHITMORE SURVEYORS, ENGINEERS, INC., P.O. BOX 413, MUSCATINE, IOWA 52641 / PHONE: 563-293-1624