



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

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**

ATTEST:

Richard W. O'Brien, Mayor

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

CURVE	DELTA	RADIUS	ARC	BEARING	CHORD
#2	02°57'10"	5629.56'	290.13'	S 57°23'16" W	290.10'
	02°44'07"	5544.58'	267.10'	N 57°17'10" E	267.07'

- LEGEND
- FOUND 1/2" REBAR
 - FOUND 1/2" REBAR W/ YELLOW CAP #15481
 - FOUND 1/2" REBAR W/ YELLOW CAP #1550
 - (R) ADJACENT PROPERTY OWNER
 - R DENOTES RECORD DATA IF OTHER THAN ACTUAL FIELD MEASUREMENT

REV.	0	1403 SURVEY DWS	SHEET	1	OF	1
FILE	BOOK	SCALE	DATE	JOB NO.	1403.11	
CHN SLED	76N2W#11	1"=60'	7/5/2011	1403.11		

EASEMENT VACATION PLAT - LOT 4 OF CHIN SUBD., MUSCATINE, IA

Martin & Whitacre
Surveyors & Engineers, Inc.
P.O. BOX 418
(563) 263-7691
MUSCATINE, IOWA



Gary W. Whitacre
Reg. No. 10316
My license renewal date is December 31, 2011
Pages or sheets covered by this seal: 1

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.

PROPRIETOR: ABC PORTABLE STORAGE, LLC

EASEMENT DESCRIPTION -

A STRIP OF LAND 36 FEET WIDE BEING A PART OF LOT 4 OF CHIN SUBDIVISION IN THE CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA.

COMMENCING AT THE SOUTHEAST CORNER OF LOT 4 OF CHIN SUBDIVISION; THENCE NORTH 36°11'57" WEST ALONG THE EAST LINE OF LOT 4 TO THE POINT OF BEGINNING AND THE BEGINNING OF A 6629.56 FOOT RADIUS NONANGULAR CURVE CONCAVE NORTHWESTERLY WHOSE 290.13 FOOT CHORD BEARS NORTH 00°44'24" WEST 40.63 FEET ALONG THE WEST LINE OF LOT 4 TO THE BEGINNING OF A 5544.58 FOOT RADIUS NONANGULAR CURVE CONCAVE NORTHWESTERLY WHOSE 267.10 FOOT CHORD BEARS SOUTH 67°23'16" WEST; THENCE SOUTHWESTERLY AN ARC DISTANCE OF 290.13 FEET TO THE WEST LINE OF SAID LOT 4; THENCE NORTH 00°44'24" WEST 40.63 FEET ALONG THE WEST LINE OF SAID LOT 4 TO THE BEGINNING OF A 5544.58 FOOT RADIUS NONANGULAR CURVE CONCAVE NORTHWESTERLY WHOSE 267.10 FOOT CHORD BEARS NORTH 00°44'24" WEST 40.63 FEET ALONG THE WEST LINE OF SAID LOT 4; THENCE NORTH 00°44'24" WEST 40.63 FEET ALONG THE WEST LINE OF SAID LOT 4 TO THE EAST LINE OF SAID LOT 4; THENCE SOUTH 67°23'16" WEST 40.63 FEET ALONG THE EAST LINE OF SAID LOT 4 TO THE POINT OF BEGINNING, CONTAINING 0.224 ACRES.

