



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:** October 13, 2011

**Re:** Request to set a Public Hearing – Utility Vacation – Riverbend Second Add.

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**INTRODUCTION:** A request to vacate existing utility easements has been submitted on behalf of the proposed buyers of 3 lots located within the Riverbend Second Addition.

**BACKGROUND:** Paul & Tammi Drawbaugh, 2004 Crestline Drive, have filed a request to vacate existing utility easements along and between Lots 32 & 33 and Lots 33 & 34 of the Riverbend Second Addition. If approved, the buyers intend to divide Lot 33 as shown on the attached Plat of Survey and create 2 Lots out of the original three lots which are shown as Parcel "Y" and "Z". If approved, the Drawbaughs intend to develop across the areas now dedicated as utility easements and locate a new utility easement adjacent to the newly created property line between Parcels "Y" and "Z" as shown. The Planning Commission reviewed and approved the request to vacate the utility easements, as requested, during their October 11, 2011 meeting.

**RECOMMENDATION/RATIONALE:** Prior to City Council action of the request, a public hearing is required. It is recommended that the attached resolution setting a public hearing on the proposed vacation of utility easements located within the Riverbend Second Addition be approved.

**BACKUP INFORMATION:**

1. Resolution
2. Public Hearing
3. Plat of Survey

"I remember Muscatine for its sunsets. I have never seen any  
on either side of the ocean that equaled them" — Mark Twain

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 RIVERBEND SECOND ADDITION**

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

THE 10-FOOT WIDE UTILITY EASEMENT ALONG AND BETWEEN LOTS 32 AND 33  
AND LOTS 33 AND 34 IN RIVERBEND SECOND ADDITION TO THE CITY  
OF MUSCATINE, IOWA.

**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, November 3, 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 20th day of October 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 easements in the Riverbend Second Addition to the City of Muscatine, Iowa:

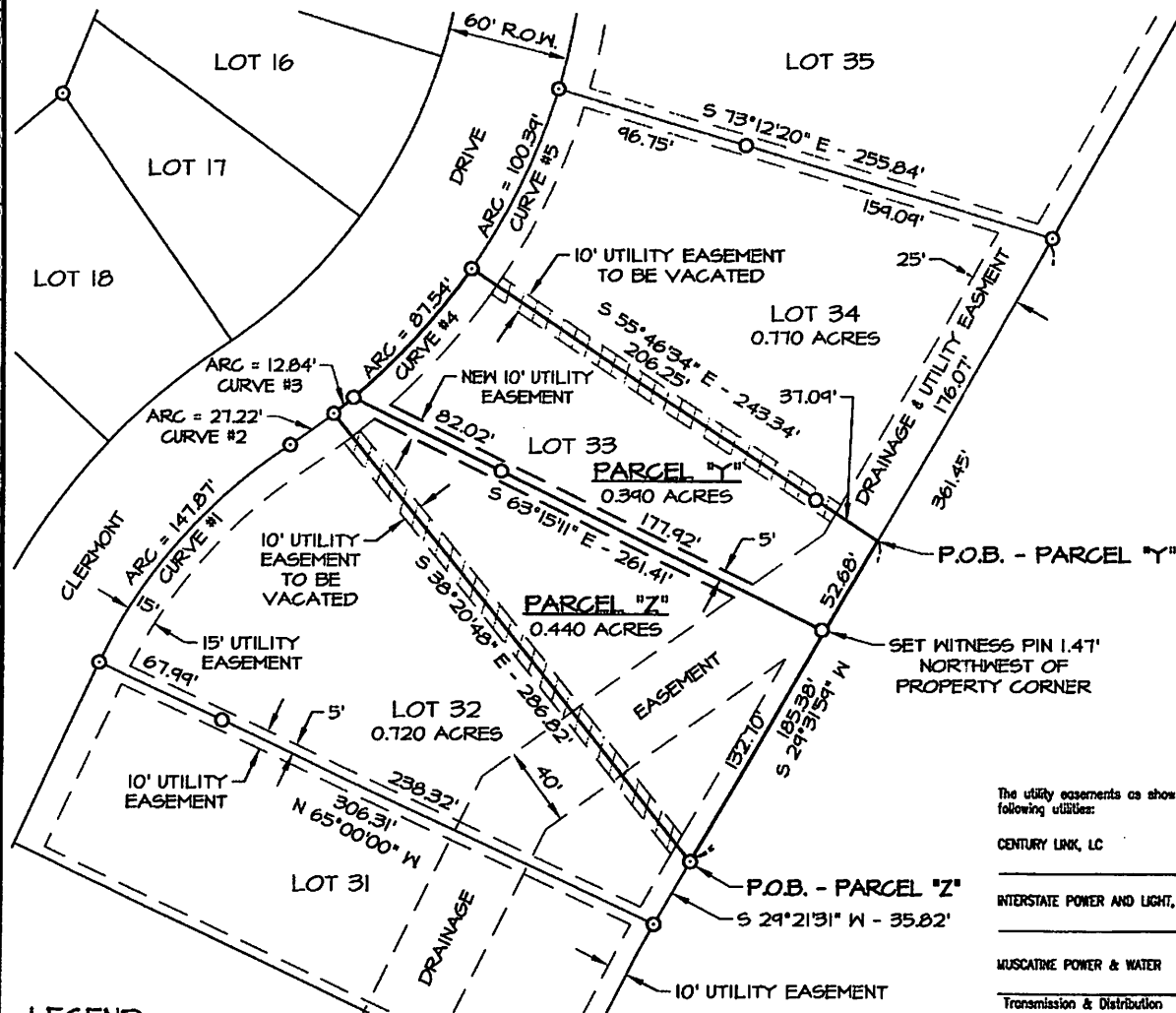
**THE 10-FOOT WIDE UTILITY EASEMENT ALONG AND BETWEEN LOTS 32 AND 33  
AND LOTS 33 AND 34 IN RIVERBEND SECOND ADDITION TO THE CITY OF  
MUSCATINE, IOWA.**

Said public hearing will be conducted by the City Council of Muscatine on November 3, 2011 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

PREPARED BY: GARY W. WHITACRE, MARTIN & WHITACRE SURVEYORS & ENGINEERS, INC., P.O. BOX 413, MUSCATINE, IOWA 52761 / PHONE: 563-263-7641



**BASIS OF BEARINGS**  
IOWA STATE PLANE COORDINATE SYSTEM  
SOUTH ZONE

| CURVE DATA |           |         |         |               |         |
|------------|-----------|---------|---------|---------------|---------|
| CURVE      | DELTA     | RADIUS  | ARC     | BEARING       | CHORD   |
| #1         | 31°22'46" | 270.00' | 147.87' | N 40°41'23" E | 146.03' |
| #2         | 04°43'54" | 330.00' | 27.22'  | N 54°00'54" E | 27.21'  |
| #3         | 02°13'52" | 330.00' | 12.84'  | N 50°32'16" E | 12.85'  |
| #4         | 15°11'55" | 330.00' | 87.54'  | N 41°44'22" E | 87.28'  |
| #5         | 17°23'46" | 330.00' | 100.34' | N 25°30'33" E | 100.00' |

PROPRIETOR: CENTRAL STATE BANK

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

Date \_\_\_\_\_ Reg. No. 10316

My license renewal date is December 31, 2011

Pages or sheets covered by this seal: 1 & 2

The utility easements as shown are acceptable to the following utilities:

CENTURY LINK, LC

| Title   | Date |
|---|------|
| INTERSTATE POWER AND LIGHT, AN ALLIANT ENERGY COMPANY |      |

| Title                   | Date |
|-------------------------|------|
| MUSCATINE POWER & WATER |      |

| Title                       | Date |
|-----------------------------|------|
| Transmission & Distribution |      |

| Title                           | Date |
|---------------------------------|------|
| Water Production & Distribution |      |

| Title          | Date |
|----------------|------|
| Communications |      |

# **LEGEND**

- SET 1/2" X 36" REBAR W/YELLOW CAP #10316
- FOUND REBAR WITH CAP

## **Martin & Whitacre Surveyors & Engineers, Inc.**

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

**PAUL & TAMMI DRAWBAUGH** FLAT OF SURVEY  
OF LOT 33 IN RIVERBEND SECOND ADDITION, MUSCATINE, IOWA

| FILE      | BOOK    | SCALE  | DRN | CHK'D | DATE            | JOB NO.      |
|-----------|---------|--------|-----|-------|-----------------|--------------|
| RIVERBEND | CITY 43 | 1"=60' | PM  | GM    | 10/10/11        | 7452.11      |
| REV. 0    |         |        |     |       | 7452 SURVEY.DWG | SHEET 1 OF 2 |