



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: October 13, 2011
Re: Request to set a Public Hearing – Utility Vacation – Riverbend Second Add.

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

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

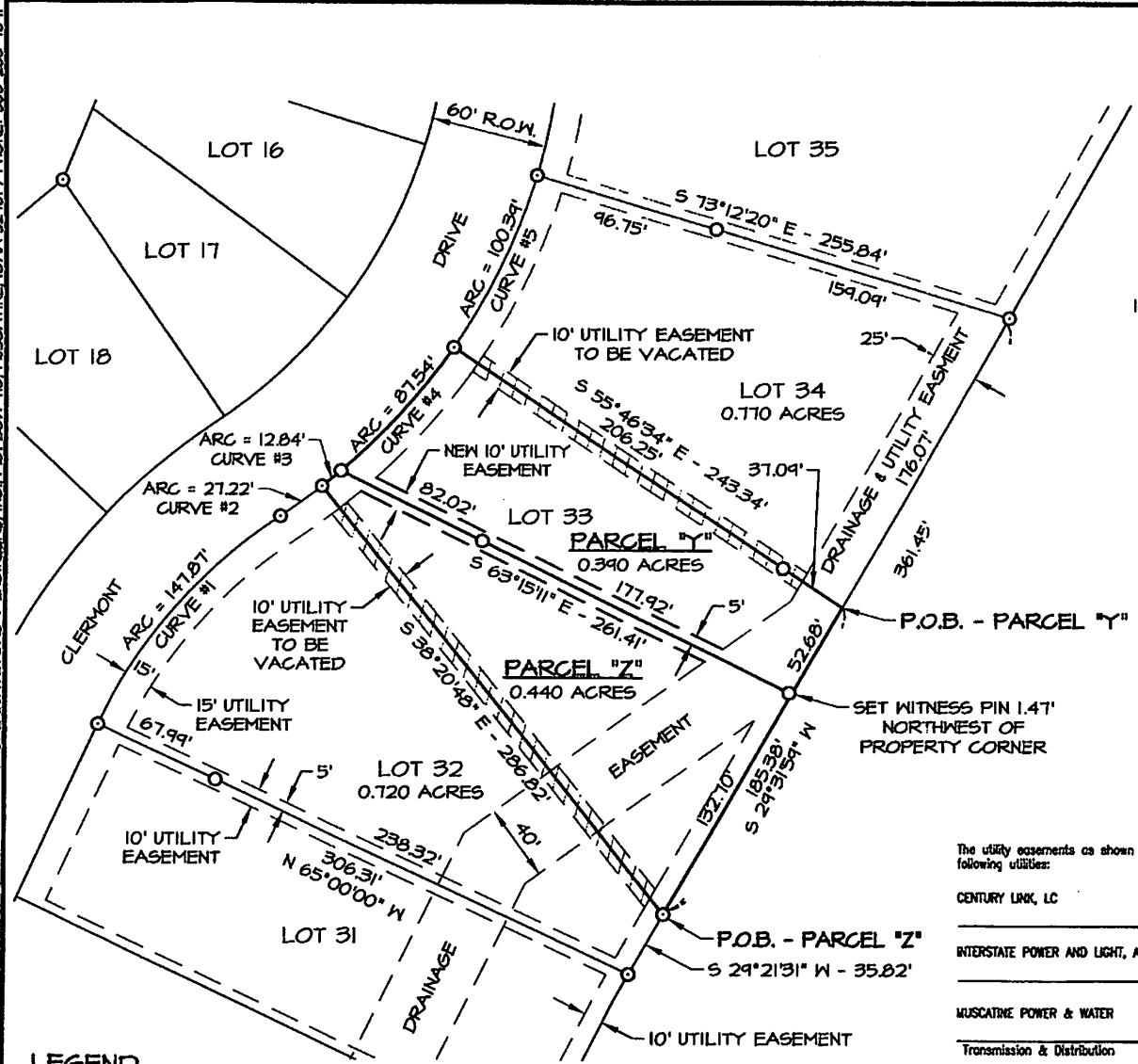
PUBLIC NOTICE

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.

Gregg Mandsager, City Clerk



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BASIS OF BEARINGS
IOWA STATE PLANE COORDINATE SYSTEM
SOUTH ZONE

CURVE DATA					
CURVE	DELTA	RADIUS	ARC	BEARING	CHORD
#1	31°22'46"	270.00'	141.87'	N 40°41'23" E	146.03'
#2	04°43'34"	330.00'	21.22'	N 54°00'54" E	21.25'
#3	02°13'52"	330.00'	12.84'	N 50°32'16" E	12.85'
#4	15°11'53"	330.00'	87.54'	N 41°49'22" E	87.28'
#5	17°25'46"	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



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

P.O. BOX 413 (563)263-7681 MUSCATINE, IOWA

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

FILE	BOOK	SCALE	DRN	CHK'D	DATE	JOB NO.
RIVERBEND	CITY 48	1"=60'	PM	GMW	10/01/11	1452.11
REV. 0					7452 SURVEY.DWG	SHEET 1 OF 2