

**RESOLUTION NO. 2019-0069**

**A RESOLUTION SETTING THE TIME AND PLACE TO  
CONDUCT A PUBLIC HEARING ON A REQUEST THE REQUEST TO  
VACATE CERTAIN OF UTILITY EASEMENTS AT LOT 45 AND OUTLOT A  
OF RIVERBEND SECOND ADDITION (3435 CLERMONT DRIVE)**

**WHEREAS**, a request has been received for the vacation of utility easements at Lot 45 and Outlot A of Riverbend Second Addition in (3435 Clermont Drive) described as:

Two public utility easements five feet wide on both sides of the boundary line between Lot 45 and Outlot A, of Riverbend Second Addition in the City of Muscatine, Iowa.

**WHEREAS** The Buyer intends to build a house in the center of Lot 45 and Outlot A, but there are public utility easements five feet wide on both sides of the boundary line between Lot 45 and Outlot A.

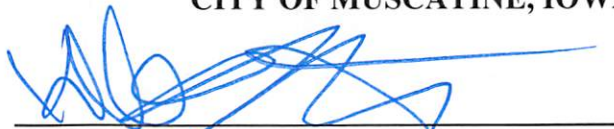
**WHEREAS**, a public hearing must be conducted by the City Council of Muscatine on the vacation of this utility easement.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council for the City of Muscatine, that a Public Hearing is hereby established. Said hearing to be conducted at 7:00 p.m. on Thursday, April 4, 2019, in the City Hall Council Chambers and the attached public notice of the time and place of said public hearing shall be given by publication in the Muscatine Journal as required by the Code of Iowa

**PASSED, APPROVED AND ADOPTED this 21<sup>st</sup> day of March, 2019.**



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

  
\_\_\_\_\_  
Kelcey Brackett, Mayor Pro Tem

**Attest:**



\_\_\_\_\_  
Nancy Lueck, Acting City Clerk



City Hall, 215 Sycamore St.  
Muscatine, IA 52761-3840  
(563) 262-4141  
Fax (563) 262-4142

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COMMUNITY DEVELOPMENT

MEMORANDUM

Planning,  
Zoning,  
Building Safety,  
Construction Inspection Services,  
Public Health,  
Housing Inspections,  
Code Enforcement

**To:** Mayor and City Council Members

**CC:** Gregg Mandsager, City Administrator  
Jodi-Royal Godwin, Community Development Director

**From:** Andrew Fangman, City Planner

**Date:** March 21, 2019

**Re:** Resolution to Set a Public Hearing- Utility Easement Vacation – 3435 Clermont Drive (Lot 45 and Outlot A)

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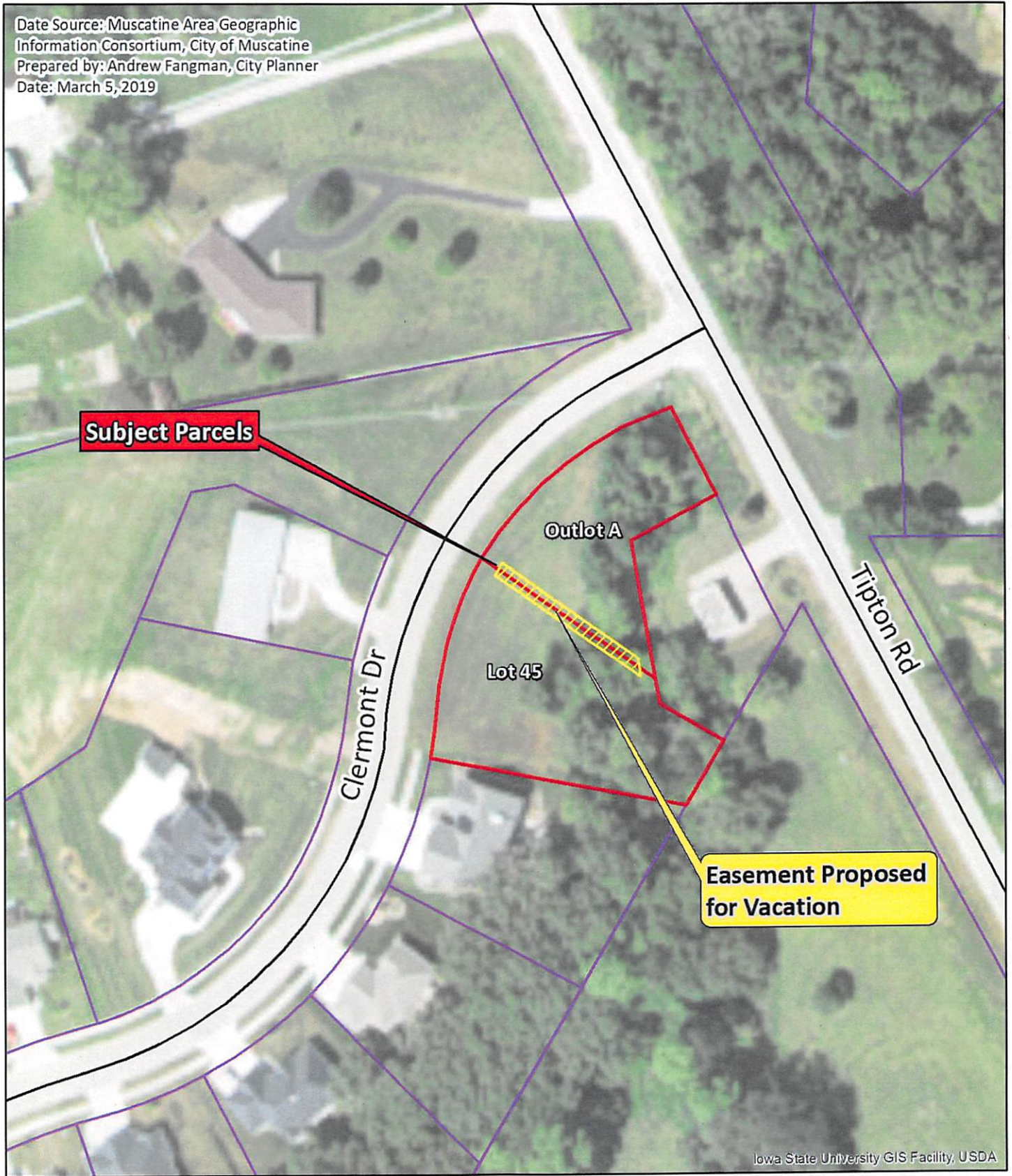
**INTRODUCTION:** A request to vacate certain utility easements has been submitted by Darrell and Brenda Goff.

**BACKGROUND:** Darrell and Brenda Goff have submitted an utility easement vacation plat that vacates a 10 feet wide utility easement, composed of two adjoining 5' utility easements located on Lots 45 and Outlot A of the Riverbend Second Addition Subdivision (3435 Clermont Drive). The intent is to combine these two parcels, which makes these utility easements unnecessary as the resulting parcel will have all the necessary utility easements located along the perimeter. The applicant intends construct a house that would cross the former property line between Lot 45 and Outlot A.

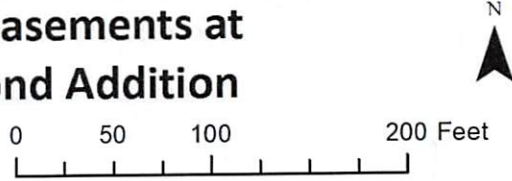
**RECOMMENDATION/RATIONALE:** Prior to City Council action of the request, a public hearing is required. It is recommended that the attached resolution setting a public hearing, for 7:00 p.m. on Thursday, April 4, 2019, regarding the proposed vacation of certain utility easements located at Lot 45, and Outlot A of the Riverbend Second Addition, on Clermont Drive, be approved.



Date Source: Muscatine Area Geographic Information Consortium, City of Muscatine  
Prepared by: Andrew Fangman, City Planner  
Date: March 5, 2019



### Proposed Vacation of Certain Utility Easements at Lots 45, & Outlot A of Riverbend Second Addition (3435 Clermont Drive)



\*\*\* Proof of Publication \*\*\*

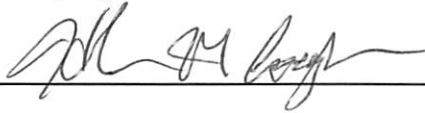
The undersigned, being first duly sworn, on oath does say that he/she is an authorized employee of THE MUSCATINE JOURNAL, morning edition, a daily newspaper printed and published by Lee Enterprises, Incorporated, in the City of Davenport, Scott County, Iowa, and that a notice, a printed copy of which is made a part of this affidavit, was published in said THE MUSCATINE JOURNAL, on the dates listed below.

CITY OF MUSCATINE- Legals account

215 Sycamore Street  
MUSCATINE, IA 52761

ORDER NUMBER 35602

The affiant further deposes and says that all of the facts set forth in the foregoing affidavit are true as he/she verily believes.

  
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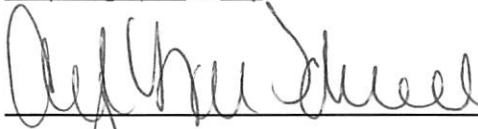
**PUBLIC NOTICE**  
A PUBLIC HEARING ON A REQUEST THE REQUEST TO VACATE CERTAIN OF UTILITY EASEMENTS AT LOT 45 AND OUTLOT A OF RIVERBEND SECOND ADDITION (3435 CLERMONT DRIVE)  
Public Notice is hereby given that the City Council for the City of Muscatine, Iowa, will conduct a Public Hearing to review a request for the vacation of certain utility easements at Lot 45 and Outlot A of Riverbend Second Addition in (3435 Clermont Drive) in the City of Muscatine, Iowa described as:  
Two public utility easements five feet wide on both sides of the boundary line between Lot 45 and Outlot A, of Riverbend Second Addition in the City of Muscatine, Iowa.  
This Public Hearing will be conducted on Thursday, April 4, 2019, at 7:00 p.m. in the City Council Chambers at City Hall, 215 Sycamore Street.  
All interested persons are invited to attend and comment on the project at that time.  
Gregg Mandsager, City Clerk

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Gregg Mandsager, City Clerk

Section: Notices & Legals  
Category: 2520 Miscellaneous Notice  
PUBLISHED ON: 03/29/2019

TOTAL AD COST: 19.28  
FILED ON: 3/29/2019

Subscribed and sworn to before me by said affiant this 29 day of March 2019.

  
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Notary Public in and for Scott County, Iowa

