



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

COMMUNITY DEVELOPMENT

MEMORANDUM

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

To: Mayor and City Council Members
Cc: Greg Jenkins, Interim City Administrator
From: Andrew Fangman, Assistant Community Development Director
Date: June 4, 2020
Re: Ordinance Vacating a Portion of the Cypress Street Right of Way Adjoining to 1001 2nd Street

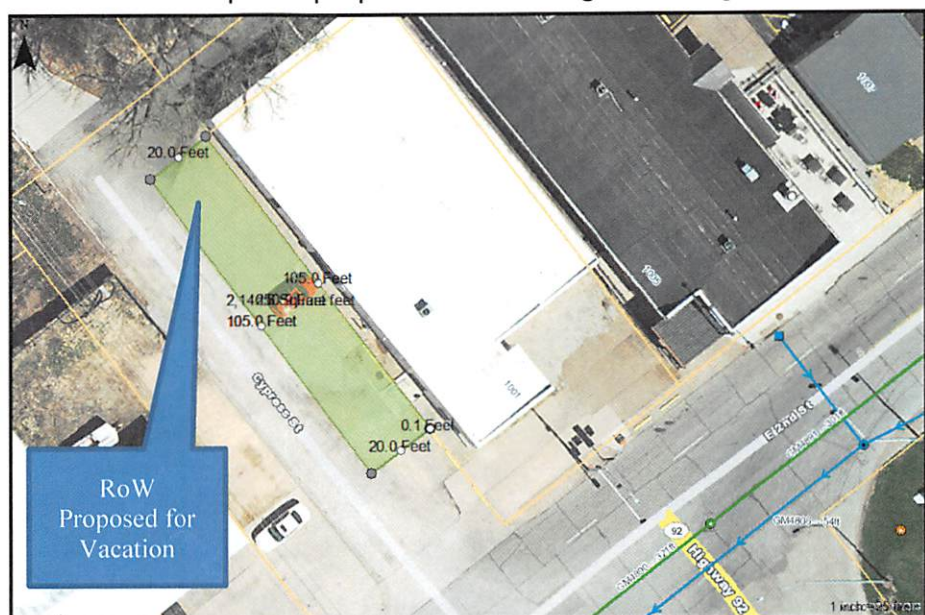
INTRODUCTION: The City of Muscatine has filed for the vacation for of a portion of the Cypress Street right of way that is adjacent to 1001 2nd St. If this vacation request is approved, said ownership said vacated right of way would be transferred to the adjoining property owner.

BACKGROUND: The vacation of portion of the Cypress Street right-of-way adjacent to Warren Poole's property, 1001 2nd Street, is needed for the completion of property acquisition rights for the Park Avenue Project. An easement is needed for the construction and maintenance of the traffic signals for the intersection as well as an easement to construct a pedestrian ramp in front of the Poole building. The area of the easement is currently being used as parking. To ease the impact of losing this parking, it is request that the City vacate a 20' wide portion of the Cypress Street right of way and deed it to the Poole's to use as parking (see attached Vacation Plat).

RECOMMENDATION/RATIONALE Staff recommends approval of this request. The right of way being proposed for vacation serves no useful public purpose. The Planning and Zoning Commission has voted at their May meeting to recommend approval of this request.

BACKUP INFORMATION:

1. Ordinance



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

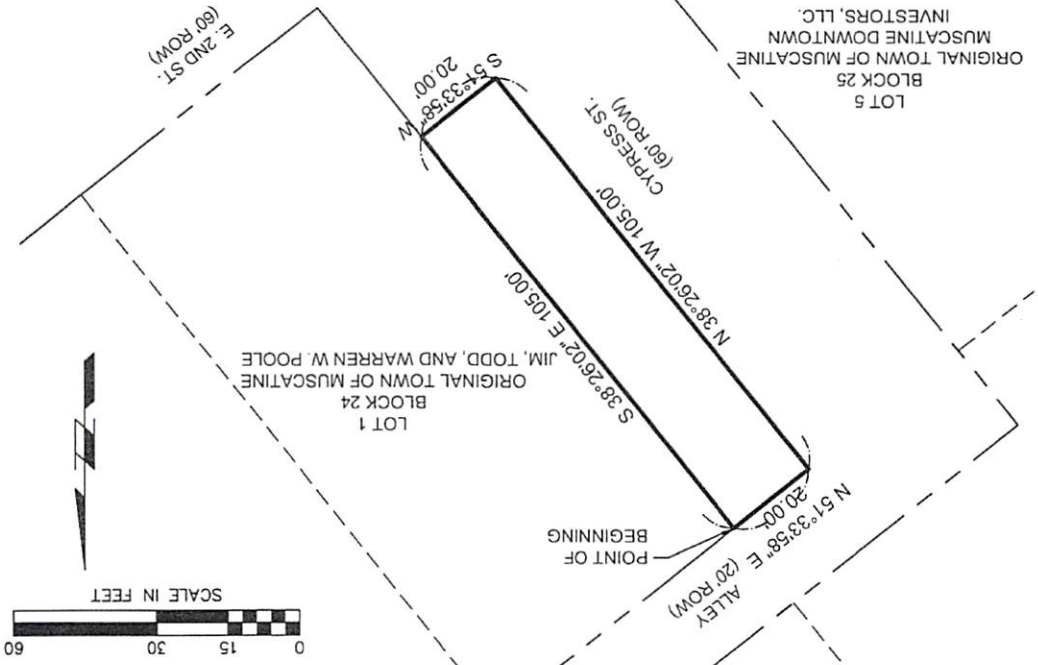
SHIVE-HATTERY
ARCHITECTURE + ENGINEERING
1701 River Drive, Suite 200 | Moline, Illinois 61265
309.764.7650 | www.shive-hattery.com
Iowa | Illinois | Indiana
Illinois Firm Number: 184-000214

PROJECT NO.	317247-0
VACATION PLAT	
CYPRESS STREET	
CITY OF MUSCATINE	
MUSCATINE, IOWA	
DATE	3/8/2020
SCALE	AS SHOWN
FIELD BOOK	644
REVISION	---
APPROVED	GDS

PLACES, SHEETS OR DIVISIONS COVERED BY THIS SEAL, B1.12
MY LICENSE EXPIRES DATE: DECEMBER 31, 2020
DATE: 3/8/2020
NAME: GARY D. GROSS
PROFESSIONAL LAND SURVEYOR
IOWA
I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS
PREPARED AND THE RELATED SURVEY WORK WAS PROVIDED
BY ME OR UNDER MY DIRECT PROFESSIONAL SUPERVISION AND THAT
I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER
THE LAWS OF THE STATE OF IOWA.



PLAN MARK	00
BEARING/DISTANCE	
DESCRIPTION	
SURVEY	
LEGEND	



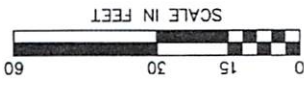
THIS PARCEL CONTAINS 2,100 SQUARE FEET MORE OR LESS.
POINT OF BEGINNING
ALLEY (20' ROW)
N 51°33'58\"/>

LAND DESCRIPTION
A PART OF CYPRESS STREET IN THE ORIGINAL TOWN OF MUSCATINE, MUSCATINE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AS A POINT OF BEGINNING AT THE WESTERNMOST CORNER OF LOT 1, BLOCK 24, ORIGINAL TOWN OF MUSCATINE, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY OF A 20' ALLEY AND THE EASTERLY RIGHT-OF-WAY LINE OF CYPRESS STREET;
THENCE SOUTH 38°26'02\"/>

VACATION PLAT

INDEX LEGEND	
LOCATION	PART OF CYPRESS STREET IN THE ORIGINAL TOWN OF MUSCATINE, MUSCATINE COUNTY, IOWA
REQUESTOR	CITY OF MUSCATINE
PROPRIETOR	CITY OF MUSCATINE
SURVEYOR	GARY D. GROSS
SURVEY	SHIVE-HATTERY
COMPANY	1701 River Drive, Suite 200, Moline, Illinois 61265
RETURN TO	SHIVE-HATTERY

OWNER INFORMATION
CITY OF MUSCATINE
1459 WASHINGTON STREET
MUSCATINE, IA 52761
PREPARED BY
SHIVE-HATTERY
1701 RIVER DRIVE SUITE 200
MOLINE, ILLINOIS 61265
1-(309)-764-7650



ORDINANCE NO. 2020-0202

**AN ORDINANCE VACATING A PORTION OF THE CYPRESS STREET
RIGHT OF WAY ADJOINING TO 1001 2ND STREET**

WHEREAS, the Planning and Zoning Commission of the City of Muscatine has recommended approval of the vacation of a portion of street the City of Muscatine, Iowa; and

A PART OF CYPRESS STREET IN THE ORIGINAL TOWN OF MUSCATNIE, MUSCATINECOUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AS A POINT OF BEGINNING AT THE WESTERNMOST CORNER OF LOT 1, BLOCK 24, ORIGINAL TOWN OF MUSCATINE, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY OF A 20' ALLEY AND THE EASTERLY RIGHT-OF-WAY LINE OF CYPRESS STREET; THENCE SOUTH 38°26'02"EAST 105.00FEET ALONG THE SOUTHWESTERLY LINE OF SAID LOT 1 AND THE EASTERLY RIGHT-OF-WAY LINE OF CYPRESS STREET; THENCE SOUTH 51°33'58"WEST 20.00 FEET ALONG A LINE PERPENDICULAR TO THE SAID SOUTHWESTERLYLINE OF LOT 1 AND THE EASTERLY RIGHT OF WAY LINE OF CYPRESS STREET; THENCE NORTH 38°26'02"WEST 105.00' PARALLEL TO THE SAID SOUTHWESTERLY LINE OF LOT 1 AND THE EASTERLY RIGHT-OF-WAY LINE OF CYPRESS STREET TO THE SOUTHERLYLINE OF A 20' ALLEY EXTENDED SOUTHWESTERLY; THENCE NORTH 51°33'58" EAST 20.00 FEET ALONG THE SAID SOUTHERLYLINE OF A 20' ALLEY EXTENDED SOUTHWESTERLY TO THE SOUTHWESTELRY LINE OF LOT 1 AND THE EASTERLY RIGHT-OF-WAY LINE OF CYPRESS STREET AND THE POINT OF BEGINNING. (FOR PURPOSES OF THIS DESCRIPTION THE SOUTHWESTERLYLINE OF LOT 1, BLOCK 24, ORIGINAL TOWN OF MUSCATINE IS ASSUMED TO BEAR SOUTH 38°26'02" EAST) THIS PARCEL CONTAINS 2,100 SQUARE FEET MORE OR LESS

WHEREAS, the City Council of the City of Muscatine has conducted a public hearing on said vacation request;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA, AS FOLLOWS:

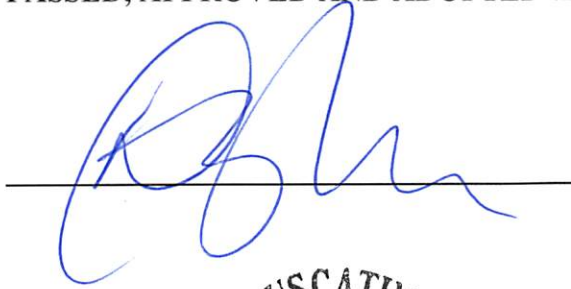
Section I. The following described real estate be vacated by the City of Muscatine, Iowa:

Vacation Plat is hereto attached as Exhibits A,

Section II. Any Ordinance or part thereof in conflict or inconsistent with the provisions of this Ordinance is hereby repealed.

PASSED, APPROVED AND ADOPTED this 4th day of June 2020.

BY THE CITY COUNCIL OF THE
CITY OF MUSCATINE, IOWA



Diana Brodersen, Mayor



Attest:


Greg Jenkins, Interim City Clerk

1st Reading  6-4-2020

2nd Reading  6-18-2020

3rd Reading  7-2-2020

*** 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 74256

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



Section: Notices & Legals
Category: 2633 Zoning Notices
PUBLISHED ON: 07/17/2020

TOTAL AD COST: 43.04
FILED ON: 7/17/2020

Subscribed and sworn to before me by said affiant this 17 day of July 2020.



Notary Public in and for Scott County, Iowa

ORDINANCE NO. 2020-0201
AN ORDINANCE VACATING A
PORTION OF STREET AND ALLEY
(BRIER STREET) RIGHT-OF-WAY IN
THE CITY OF MUSCATINE, IOWA

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BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA

1st Reading 6/4/2020

2nd Reading 6/18/2020

3rd Reading 7/2/2020

