

**RESOLUTION NO. 92988-0315**

A Resolution Concerning a Proposed  
Vacation of Utility Easements

**RECITALS:**

A. Central State Bank is the owner of Lots 7 and 8 of Riverbend Second Addition in the City of Muscatine, Iowa, and has agreed to sell those lots.

B. The Buyer intends to build a house in the center of Lots 7 and 8, but there are public utility easements five feet wide on both sides of the boundary line between Lots 7 and 8.

C. Central State Bank has requested that the City of Muscatine vacate the public utility easements on both sides of the boundary line between Lots 7 and 8.

**IT IS, THEREFORE, RESOLVED**, by the City Council of Muscatine, Iowa, as follows:

1. The City Council will hold a public hearing on the proposed vacation of the utility easements at 7:30 p.m. on March 19, 2015, in the Council Chambers at City Hall, Muscatine, Iowa.

2. Notice of the public hearing and the City's intention to vacate the utility easements will be given by publication of the Public Notice attached as Exhibit A; the notice will be published once in *The Muscatine Journal*, a newspaper printed, published, and of general circulation in the City, not less than 4 or more than 20 days before the meeting of the City Council at which the proposal is to be considered.

PASSED, APPROVED, AND ADOPTED on March 5, 2015.



\_\_\_\_\_  
DeWayne M. Hopkins, Mayor

ATTEST:



\_\_\_\_\_  
Gregg Mandsager, City Clerk

**EXHIBIT A**

**PUBLIC NOTICE**

**TO THE CITIZENS OF MUSCATINE, IOWA:**

You are notified that the City of Muscatine, Iowa, proposes to vacate the following public utility easements in the City of Muscatine, Muscatine County, Iowa:

Two public utility easements five feet wide on both sides of the boundary line between Lots 7 and 8 of Riverbend Second Addition in the City of Muscatine, Iowa.

You are further notified that oral or written statements in support of or opposition to the proposed vacation may be made at a public hearing before the City Council to be held at 7:30 p.m. on March 19, 2015, in the Council Chambers in City Hall, Muscatine, Iowa.

Gregg Mandsager, City Clerk

## PROOF OF PUBLICATION

I, Jeff Lee, being duly sworn, on my oath, say that I am an advertising clerk at the *Muscatine Journal*, a newspaper of general circulation, published in the City of Muscatine, Muscatine County, Iowa; and that the following Notice:

Muscatine City Clerk

Public Notice

Request To Vacate Certain Utility Easements At Lots 7 & 8 Of Riverbend  
Second Addition

Of which the annexed printed slip is a true, correct and complete copy, was published in said *Muscatine Journal* one time having been made there in on:

March 12, 2015

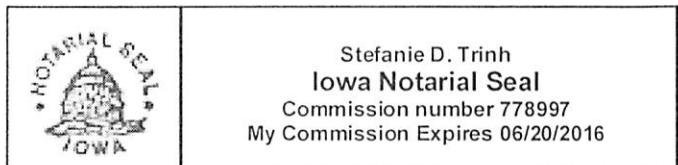
Jeff Lee

STATE OF IOWA  
MUSCATINE COUNTY  
1st day of June, 2015

**PUBLIC NOTICE**  
**PUBLIC NOTICE CONCERNING**  
**REQUEST THE REQUEST TO**  
**VACATE CERTAIN UTILITY**  
**EASEMENTS AT LOTS 7 & 8 OF**  
**RIVERBEND SECOND ADDITION IN**  
**THE CITY OF MUSCATINE, IOWA**  
**PUBLIC** Notice is hereby given that the City Council for the City of Muscatine, Iowa, will conduct a Public Hearing to review a request has been received for the vacation of certain utility easements at Lots 7 & 8 of Riverbend Second Addition in the City of Muscatine, Iowa described as: The adjoining 5-wide utility easements along the lot line between Lots 7 and 8 of Riverbend Second Addition in the City of Muscatine, Iowa. This Public Hearing will be conducted on Thursday, March 19, 2015, at 7:00 p.m. in the City Council Chambers at City Hall. All interested persons are invited to attend and comment on the project at that time.

Gregg Mandsager, City Clerk

Stefanie D. Trinh  
Stefanie D. Trinh, Notary Public







# MUSCATINE

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Muscatine, IA 52761-  
(563) 262-4141  
Fax (563) 262-4142

## COMMUNITY DEVELOPMENT

Planning,  
Zoning,  
Building Safety,  
Construction Inspection  
Services,  
Public Health

### MEMORANDUM

**To:** Mayor and City Council Members  
**Cc:** Gregg Mandsager, City Administrator  
**From:** Andrew Fangman, City Planner  
**Date:** March 5, 2015  
**Re:** Request to set a Public Hearing – Utility Vacation – Lots 7 & 8 Riverbend Second Addition, Clermont Drive

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**INTRODUCTION:** A request to vacate certain utility easements has been submitted on behalf of Sylvia A. Trumbull.

**BACKGROUND:** Sylvia A. Trumbull has submitted an easement vacation plat that vacates a 10 feet wide utility easement, composed of two adjoining 5' utility easements located on Lot 7 and Lot 8 of the Riverbend Second Addition, on 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

**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 certain utility easements located at Lot 7 and Lot 8 of the Riverbend Second Addition, on Clermont Drive.

**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*