

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

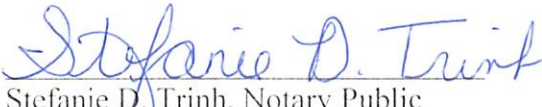
Of which the annexed printed slip is a true, correct and complete copy, was published in said *Muscatine Journal* one time having been made there in on:

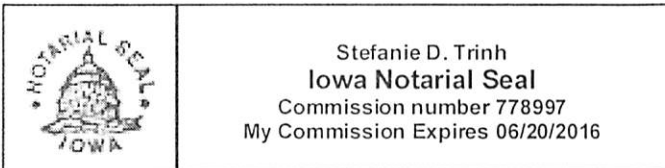
March 12, 2015


Jeff Lee

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




Stefanie D. Trinh, Notary Public



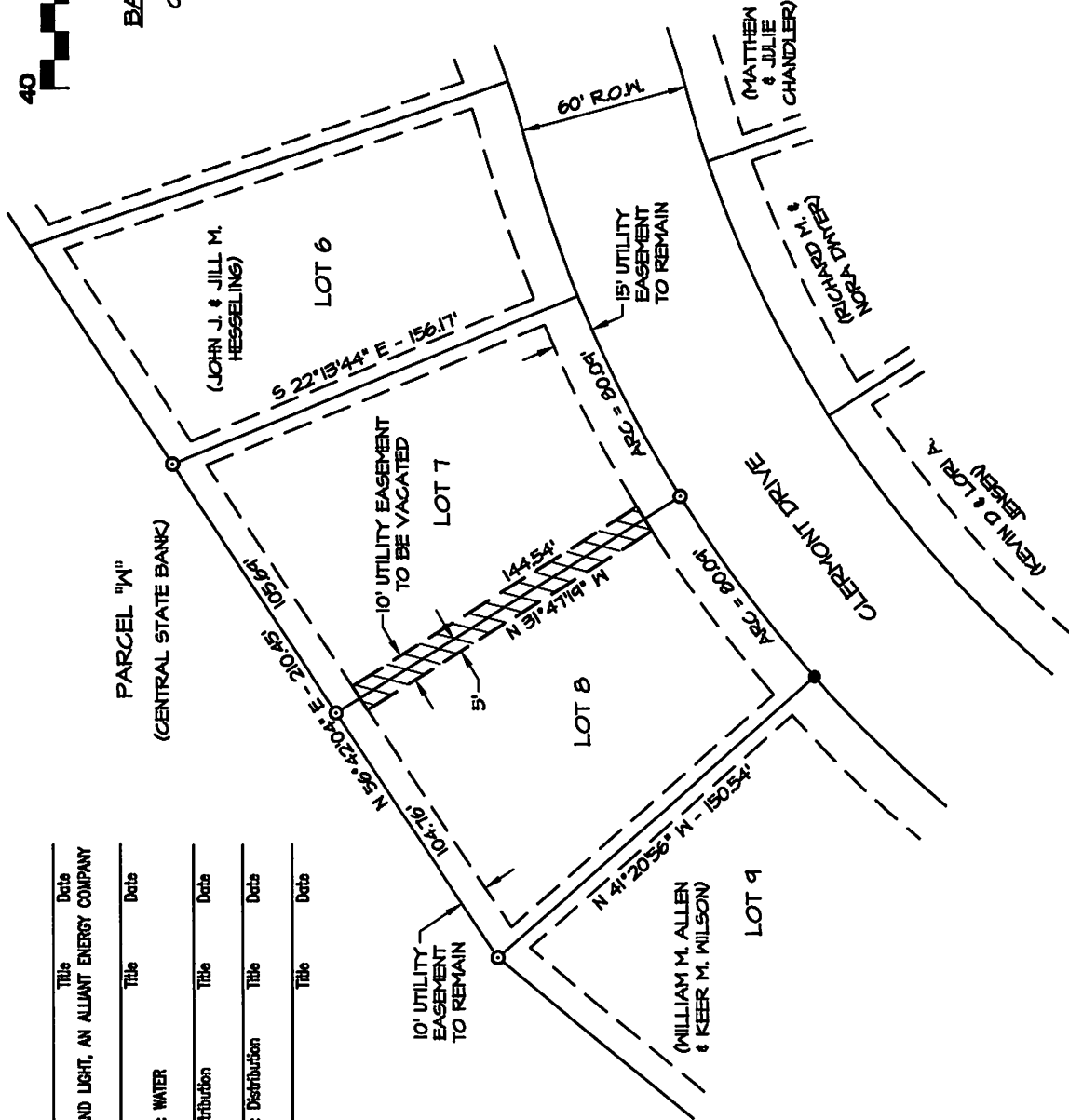
The utility easements as shown are acceptable to the following utilities:

CENTURYLINK, LC

Title	Date
INTERSTATE POWER AND LIGHT, AN ALLIANT ENERGY COMPANY	
MUSCATINE POWER & WATER	
Transmission & Distribution	
Water Production & Distribution	
Communications	



BASIS OF BEARINGS
IOWA STATE PLANE
COORDINATE SYSTEM
SOUTH ZONE



LEGEND

- FOUND REBAR
- FOUND REBAR W/RED CAP #12088
- EASEMENTS TO REMAIN
- EASEMENTS TO BE VACATED
- (NAME) ADJACENT PROPERTY OWNER

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 Professional Land Surveyor under the laws of the State of Iowa.



Gary W. Whitacre
Date: _____ Reg. No. 10816
My license renewal date is December 31, 2015
Pages or sheets covered by this sheet: 1

**Martin & Whitacre
Surveyors & Engineers, Inc.**
P.O. BOX 413 (563)263-7691 MUSCATINE, IOWA

STANLEY LANDE & HUNTER

EASEMENT VACATION PLAT

LOTS 7 & 8 OF RIVERBEND SECOND ADDITION, MUSCATINE, IA

FILE	BOOK	SCALE	DRN	CHK'D	DATE	JOB NO.
RIVERBEND/RIVERBEND	17-40'	PM	GM	2/26/15	7864-15	
REV.	0					

1864 SURVEYING SHEET 1 OF 1



City Hall, 215 Sycamore
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

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