ORDINANCE NO. 90788-0509

AN ORDINANCE VACATING CITY RIGHT-OF-WAY IN THE CITY OF MUSCATINE, IOWA.

WHEREAS, the City of Muscatine Planning and Zoning Commission has reviewed a request to vacate a portion of the unimproved McClellan Street right-of-way located between blocks 30 and 32 in Park Place Addition; and

WHEREAS, the City of Muscatine's Planning and Zoning Commission has determined there is no anticipated future use of the unimproved public right-of-way requested for vacation, except the reservation of a right-of-entry to maintain existing utilities; and

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:

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

DESCRIPTION - PARCEL "T"

A PART OF MCCLELLAN STREET ADJACENT TO BLOCK 32 IN PARK PLACE ADDITION TO THE CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA. BEGINNING AT THE NORTHEAST CORNER OF LOT8 OF BLOCK 30 IN PARK PLACE ADDITION: THENCE NORTH 89° 18'56" EAST 67.88 FEET ALONG THE SOUTH RIGHT OF WAY OF MCARTHUR STREET TO THE INTERSECTION WITH THE WEST RIGHT OF WAY OF FIRST AVENUE; THENCE SOUTH 00° 19'53" EAST 8.74 FEET ALONG THE WEST RIGHT OF WAY OF FIRST AVENUE TO THE POINT OF INTERSECTION WITH THE EASTERLY RIGHT OF WAY OF MCCLELLAN STREET; THENCE SOUTH 35° 20'00" WEST 151.81 FEET ALONG SAID RIGHT OF WAY TO THE INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF THE 20 FOOT ALLEY IN BLOCK 30 EXTENDED; THENCE SOUTH 89° 18'56" WEST 37.09 FEET TO THE CENTERLINE OF MCCLELLAN STREET; THENCE NORTH 23° 18'19" EAST 143.96 FEET TO THE POINT OF BEGINNING, CONTAINING 7,290 SQUARE FEET.

And Also:

DESCRIPTION - PARCEL "S"

A PART OF MCCLELLAN STREET ADJACENT TO BLOCK 30 IN PARK PLACE ADDITION TO THE CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA. BEGINNING AT THE NORTHEAST CORNER OF LOT 8 OF BLOCK 30 IN PARK PLACE ADDITION; THENCE SOUTH 23°18'19" WEST 143.96 FEET TO THE NORTH RIGHT OF WAY LINE OF THE 20 FOOT ALLEY IN BLOCK 30 EXTENDED; THENCE SOUTH 89°18'56" WEST 37.09 FEET ALONG SAID ALLEY LINE EXTENDED TO THE SOUTHEAST CORNER OF LOT 8 OF BLOCK 30; THENCE NORTH 35°20'00" EAST 162.61 FEET TO THE NORTHEAST CORNER OF LOT 8 AND THE POINT OF BEGINNING, CONTAINING 2.439 SQUARE FEET.

<u>Section II</u>. Said vacation is subject to easements for inspection, maintenance, repair and replacement of all existing utilities.

<u>Section III</u>. Any Ordinance or part thereof in conflict or inconsistent with the provisions of this Ordinance is repealed.

PASSED, APPROVED AND ADOPTED this 2nd day of April 2009.

BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA

THISCATING A THIS CALL AND THE SECOND AS A THIR AS A THIRD AS A THIR AS A THIRD AS

Richard W. O'Brien, Mayor

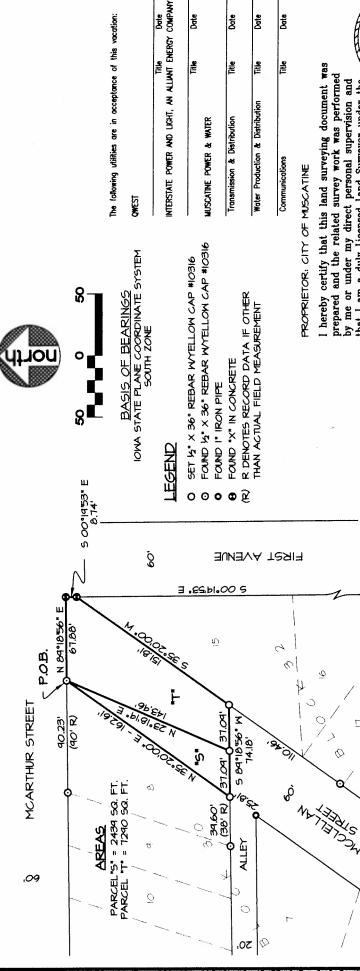
A. J. Johnson, City Clerk

1st Reading April 2, 2009

2nd Reading April 16, 2009

3rd Reading May 5, 2009

Publication May 13, 2009



g Pote 흏

差 뢀

Pate

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 lowa.

No. 10316 My license renewal date is December 31, 2009 Pages or sheets covered by this seal: Gary W. Whitacre Date



Surveyors & Engineers, Inc. Martin & Whitacre

MUSCATINE, IOWA (563)263-7691 P.O. BOX 413

SCHOOL DISTRICT VACATION PLAT FOR MCCLELLAN STREET, MUSCATINE, IOWA 24400 JOB NO. 9 09/00/00 DATE 6844 VAC. PLATDWS SHEET CHK.D ₹ 5 SE SE 8 SCALE 8 MUSCATINE PRKPLCE CITY #36 BOOK 0 FILE

DESCRIPTION - Parcel 'S'

A PART OF MCCLELLAN STREET ADJACENT TO BLOCK 30 IN PARK PLACE ADDITION TO THE CITY OF MUSCATINE, MUSCATINE COUNTY, 10WA. BECINNING AT THE NORTHEAST CRINER OF LOT 8 OF BLOCK 30 IN PARK PLACE ADDITION; THENCE SOUTH 23°18'19" WEST 143.96 FRET TO THE NORTH RIGHT OF WAY LINE OF THE 20 POOT ALLEY IN BLOCK 30 EXTENDED; THENCE SOUTH 89°18'56" WEST 3°7.09 FEET ALONG SALD ALLEY LINE EXTENDED TO THE SOUTHEAST CORNER OF LOT 8 OF BLOCK 30; THENCE NORTH 35°20'00" EAST 162.81 FEET TO THE NORTHEAST CORNER OF LOT 8 AND THE POINT OF BEGINNING, CONTAINING 2,439 SQUARE PEET.

A PART OF MCCLELLAN STREET ADJACENT TO BLOCK 32 IN PARK PLACE ADDITION THE CITY OF MUSCATINE, MUSCATINE COUNTY, 10WA. BEGINNING AT THE NORTHEAST CORNER OF LOT 8 OF BLOCK 30 IN PARK PLACE ADDITION; THENCE NORTH 89°18'56" EAST 87.88 FRET ALONG THE SOUTH RIGHT OF WAY OF MUSCATION WITH THE EASTERLY RIGHT OF WAY OF PREST ADJAC THE WEST RIGHT OF WAY OF WICKELLAN STREET, THENCE SOUTH 35°20'00" WEST 151.81 FEET ALONG SAID RIGHT OF WAY TO THE INTERSECTION WITH THE NORTH RIGHT OF WAY IN THE SOUTH 35°20'00" WEST 151.81 FEET ALONG SAID RIGHT OF WAY TO THE INTERSECTION WITH THE NORTH MICH OF WAY IN THE OF THE 20 FOOT ALLEY IN BLOCK 30 EXTENDED, THENCE SOUTH 89°18'56" WEST 37.09 FEET TO THE CENTERLINE OF MUCLELLAN STREET; THENCE NORTH 23°18'19" EAST 143.96 FEET TO THE POINT OF BECINNING, CONTAINING 7,290 SQUARE FEET.

- Parcel T

DESCRIPTION

PREPARED BY: GARY M. WHITACRE, MARTIN & MHITACRE GURY

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 Ordinance No. 90788-0509

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:

May 13, 2009

STATE OF IOWA MUSCATINE COUNTY

Jeff Ree

Subscribed and sworn to before me this 13th day of May 2009

Beth Lester Iowa Notarial Seal Commission number 745921 My Commission Expires 03/20/2010 ORDINANCE NO. 90788-0509 AN ORDINANCE VACATING CITY RIGHT-OF-WAY

IN THE CITY OF MUSCATINE, IOWA. WHEREAS, the City of Muscatine Pianning and Zoning Commission has reviewed a request to vacate a portion of the unimproved McClellan Street right-of-way located between blocks 30 and 32 in

Park Place Addition; and WHEREAS, the City of Muscatine's Planning and Zoning Commission has determined there is no anticipated future use of the unimproved public right-of-way requested for vacation, except the reservation of a right-of-entry to maintain existing

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUS-CATINE, IOWA as follows:

Section I. The following described real estate be vacated by the City of Musicatine,

DESCRIPTION - PARCEL "T A PART OF MCCLELLAN STREET ADJA-CENT TO BLOCK 32 IN PARK PLACE ADDI-TION TO THE CITY OF MUSCATINE, MUSCA-TIME COUNTY, IOWA. BEGINNING AT THE NORTHEAST CORNER OF LOTS OF BLOCK 30 IN PARK PLACE ADDITION; THENCE NORTH 89018'56" EAST 67.88 FEET ALONG THE SOUTH RIGHT OF WAY OF MCARTHUR STREET TO THE INTERSECTION WITH THE WEST RIGHT OF WAY OF FIRST AVENUE; THENCE SOUTH 00019'53" EAST 8.74 FFFT ALONG THE WEST RIGHT OF WAY OF FIRST AVENUE TO THE POINT OF INTERSECTION WITH THE EASTERLY RIGHT OF WAY OF MCCLELLAN STREET; THENCE SOUTH 35020'00" WEST 151.81 FEET ALONG SAID RIGHT OF WAY TO THE INTER-SECTION WITH THE NORTH RIGHT OF WAY LINE OF THE 20 FOOT ALLEY IN BLOCK 30 EXTENDED; THENCE SOUTH 89018'56" WEST 37.09 FEET TO THE CENTERLINE OF MCCLELLAN STREET; THENCE NORTH 23018'19" EAST 143.96 FEET TO THE POINT OF BEGINNING, CONTAINING 7,290 SQUARE FEET.

And Also:

DESCRIPTION - PARCEL "S" A PART OF MCCLELLAN STREET ADJA-CENT TO BLOCK 30 IN PARK PLACE ADDI-TION TO THE CITY OF MUSCATINE, MUSCA TINE COUNTY, IOWA. BEGINNING AT THE NORTHEAST CORNER OF LOT 8 OF BLOCK 30 IN PARK PLACE ADDITION; THENCE SOUTH 23018'19" WEST 143.96 FEET TO THE NORTH RIGHT OF WAY LINE OF THE 20 FOOT ALLEY IN BLOCK 30 EXTENDED; THENCE SOUTH 89018'56" WEST 37.09 FEET ALONG SAID ALLEY LINE EXTENDED TO THE SOUTHEAST CORNER OF LOT 8 OF BLOCK 30: THENCE NORTH 35020'00" EAST 162.61 FEET TO THE NORTHEAST CORNER OF LOT 8 AND THE POINT OF BEGINNING, CONTAINING 2,439 SQUARE

Section II. Said vacation is subject to easements for inspection, maintenance, repair and replacement of all existing utili-

Section III. Any Ordinance or part there of in conflict or inconsistent with the provi-sions of this Ordinance is repealed.

PASSED, APPROVED AND ADOPTED this 2nd day of April 2009.

BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA Richard W. O'Brien, Mayor

A. J. Johnson, City Clerk

1st Reading: April 2, 2009 ading: April 16, 2009 ading: May 5, 2009