

Prepared by Andrew Fangman, 215 Sycamore St, Muscatine, IA, 52761 (563) 262-4141

ORDINANCE NO. 92204-1012

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

WHEREAS, the Planning and Zoning Commission of the City of Muscatine has recommended the vacation of public right-of-way located in Block 16 of the Original Town adjacent to Lots 1, 2, 9, 10 and the west half of lots 3 and 8 in the City of Muscatine, Iowa; 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:

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

A part of the twenty foot alley located in Block 16 of the Original Town adjacent to Lots 1, 2, 9, 10 and the west half of lots 3 and 8 in the City of Muscatine, Muscatine County, Iowa.

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 Any Ordinance or part thereof in conflict or inconsistent with the provisions of this Ordinance is hereby repealed.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 18th day of October, 2012.

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



ATTEST:

Gregg Mandsager, City Clerk

DeWayne M. Hopkins, Mayor

1st Reading: October 4, 2012

2nd and 3rd Reading: October 18, 2012

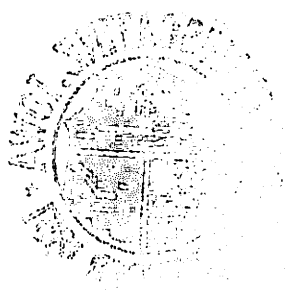
Publication October 23, 2012

Office of the Secretary of the Department of the Interior
Washington, D. C.

Dear Sir:

Enclosed for you are two copies of the report of the
Commissioner of the General Land Office.

Very truly yours,
[Signature]



[Signature]

Very truly yours,
[Signature]

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. 92204-1012

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:

October 23, 2012

Jeff Lee

**STATE OF IOWA
MUSCATINE COUNTY**

Subscribed and sworn to before me this
23rd day of October, 2012


Beth Lester, Notary Public

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

COMMUNITY DEVELOPMENT

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

MEMORANDUM

To: Mayor and City Council Members
Cc: Gregg Mandsager, City Administrator
From: Andrew Fangman, City Planner
Date: September 20, 2012
Re: Request to set a Public Hearing – Right-of-Way Vacation Plat for a Portion of Alley #1 Located off of Mulberry Ave

INTRODUCTION: A vacation plat for a portion (2,992 square feet) of Alley #1 has been filed by HNI Corporation.

BACKGROUND: On August 17, 2012 HNI Corporation filed vacation plat for a portion of Alley #1 off of Mulberry in Block 16. HNI owns all the adjoining property to this portion of Alley #1, including a portion of Alley #1 previously vacated and sold to HNI. There is an ingress-egress easement that extends from this portion of Alley #1 to two residences that fronts Mississippi Drive. The current utility easements and access easements for the home along Mississippi Drive easements will remain in place. HNI intends to construct and then maintain the vacated alley as an access route to a parking lot. The Planning and Zoning Commission reviewed and voted to recommend approval this request to vacate a portion of Alley #1, during their September 11, 2012 meeting.

RECOMMENDATION/RATIONALE: Prior to City Council action on this request, a public hearing is required. It is recommended that the attached resolution setting a public hearing on the proposed vacation of a portion of Alley #1 be approved.

BACKUP INFORMATION:

1. Resolution
2. Public Hearing Notice
3. Plat of Survey