
COMMUNITY DEVELOPMENT

MEMORANDUM

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

To: Mayor and City Council Members

Cc: Gregg Mandsager, City Administrator
Dave Gobin, Community Development Director

From: Andrew Fangman, City Planner

Date: August 4, 2016

Re: Utility Easement Vacation – Lots 6 & 7 Riverbend Fifth Addition, 3500 Diana Queen Drive

INTRODUCTION: A request to vacate certain utility easements has been submitted on behalf of RBW Enterprises, Inc.

BACKGROUND: RBW Enterprises, Inc. has submitted an easement vacation plat that vacates a 10 feet wide utility easement, composed of two adjoining 5' utility easements located on Lot 6 and Lot 7 of the Riverbend Fifth Addition, on Diana Queen. 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. The applicant intends to combine Lots 6 and 7 and the construct a 2,362 square foot single family home, for use as an elder group home, across the former lot line between lots 6 and 7.

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, for 7:00 p.m. on Thursday, August 18, 2016, regarding the proposed vacation of certain utility easements located at Lot 6 and Lot 7 of the Riverbend Fifth Addition, on Diana Queen Drive, be approved.

BACKUP INFORMATION:

1. Plat of Survey

RESOLUTION NO. _____

**A RESOLUTION SETTING THE TIME AND PLACE TO
CONDUCT A PUBLIC HEARING ON A REQUEST THE REQUEST TO
VACATE CERTAIN OF UTILITY EASEMENTS AT LOTS 6 AND 7 OF
RIVERBEND FIFTH ADDITION IN (3500 DIANA QUEEN DRIVE)**

WHEREAS, a request has been received for the vacation of utility easements at Lots 6 and 7 of Riverbend Fifth Addition in (3500 Diana Queen Drive) described as:

Two public utility easements five feet wide on both sides of the boundary line between Lots 6 and 7, of Riverbend Fifth Addition in the City of Muscatine, Iowa.

WHEREAS The Buyer intends to build a house in the center of Lots 6 and 7, but there are public utility easements five feet wide on both sides of the boundary line between Lots 7 and 8.

WHEREAS, a public hearing must be conducted by the City Council of Muscatine on the vacation of this utility easement.

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Muscatine, that a Public Hearing is hereby established. Said hearing to be conducted at 7:00 p.m. on Thursday, August 18, 2016, in the City Hall Council Chambers and the attached public notice of the time and place of said public hearing shall be given by publication in the Muscatine Journal as required by the Code of Iowa

PASSED, APPROVED AND ADOPTED this 4th day of August, 2016.

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

Diana L. Broderson, Mayor

Attest:

Gregg Mandsager, City Clerk

PUBLIC NOTICE

**TO VACATE CERTAIN OF UTILITY EASEMENTS AT LOTS 6 AND 7 OF
RIVERBEND FIFTH ADDITION IN (3500 DIANA QUEEN DRIVE)**

Public Notice is hereby given that the City Council for the City of Muscatine, Iowa, will conduct a Public Hearing to review a request for the vacation of certain utility easements Lots 6 and 7 of Riverbend Fifth Addition (3500 Diana Queen Drive) in the City of Muscatine, Iowa described as:

Two public utility easements five feet wide on both sides of the boundary line between Lots 6 and 7, of Riverbend Fifth Addition in the City of Muscatine, Iowa.

This Public Hearing will be conducted on Thursday, August 18, 2016, at 7:00 p.m. in the City Council Chambers at City Hall, 215 Sycamore Street.

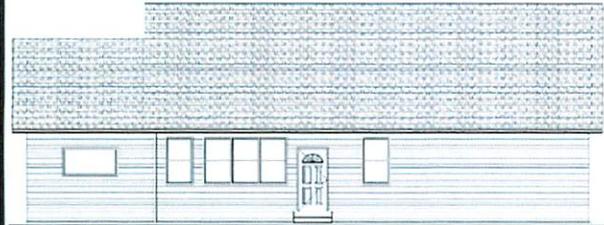
All interested persons are invited to attend and comment on the project at that time.

Gregg Mandsager, City Clerk

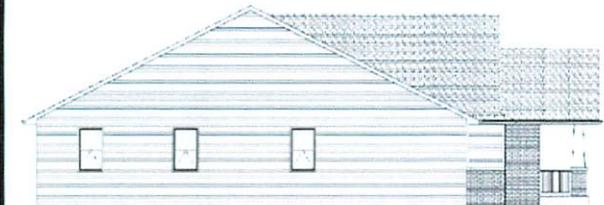
Date Source: Muscatine Area Geographic Information Consortium, City of Muscatine
 Prepared by: Andrew Fangman, City Planner
 Date: August 2, 2016



Front Elevation of Proposed Building



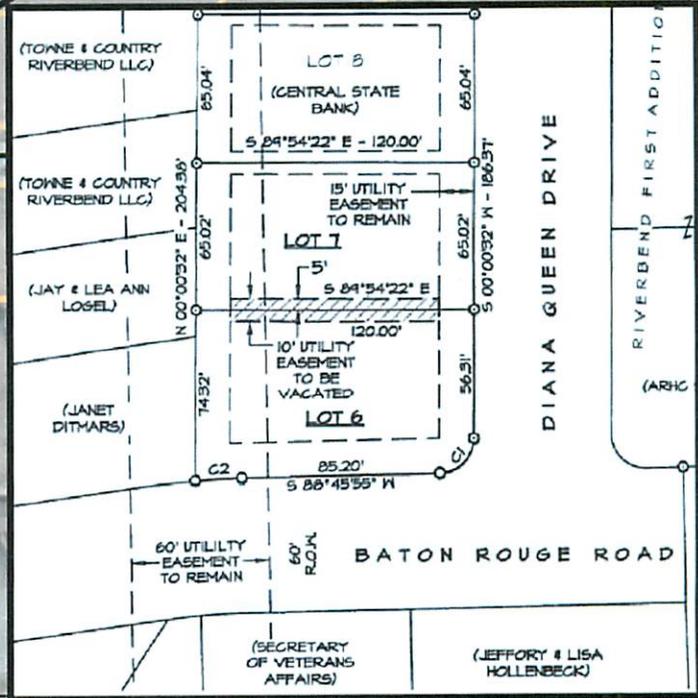
Rear Elevation of Proposed Building



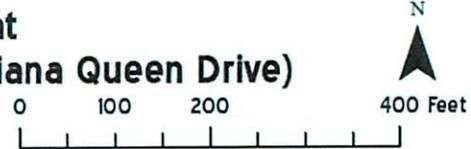
Side (Facing Baton Rouge Rd) Elevation of Proposed Building



Subject Parcels

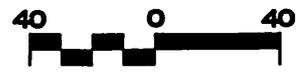


**Proposed Vacation of Certain Utility Easements at
 Lots 6 and 7 of Riverbend Fifth Addition (3500 Diana Queen Drive)**



PREPARED BY: GARY N. WHITACRE, MARTIN & WHITACRE SURVEYORS & ENGINEERS, INC., P.O. BOX 413, MUSCATINE, IOWA 52761 / PHONE: 563-283-1641

CURVE DATA					
CURVE	DELTA	RADIUS	ARC	BEARING	CHORD
C1	88°45'23"	14.93'	23.12'	S 44°23'14" W	20.88'
C2	03°31'05"	330.00'	20.26'	S 87°00'23" W	20.26'



BASIS OF BEARINGS
IOWA STATE PLANE
COORDINATE SYSTEM
SOUTH ZONE

LEGEND

- SET 1/2" X 36" REBAR W/B BLUE CAP #10374
- ⊙ FOUND 1/2" REBAR W/RED CAP #15744
- - - EASEMENTS TO REMAIN
- - - EASEMENTS TO BE VACATED

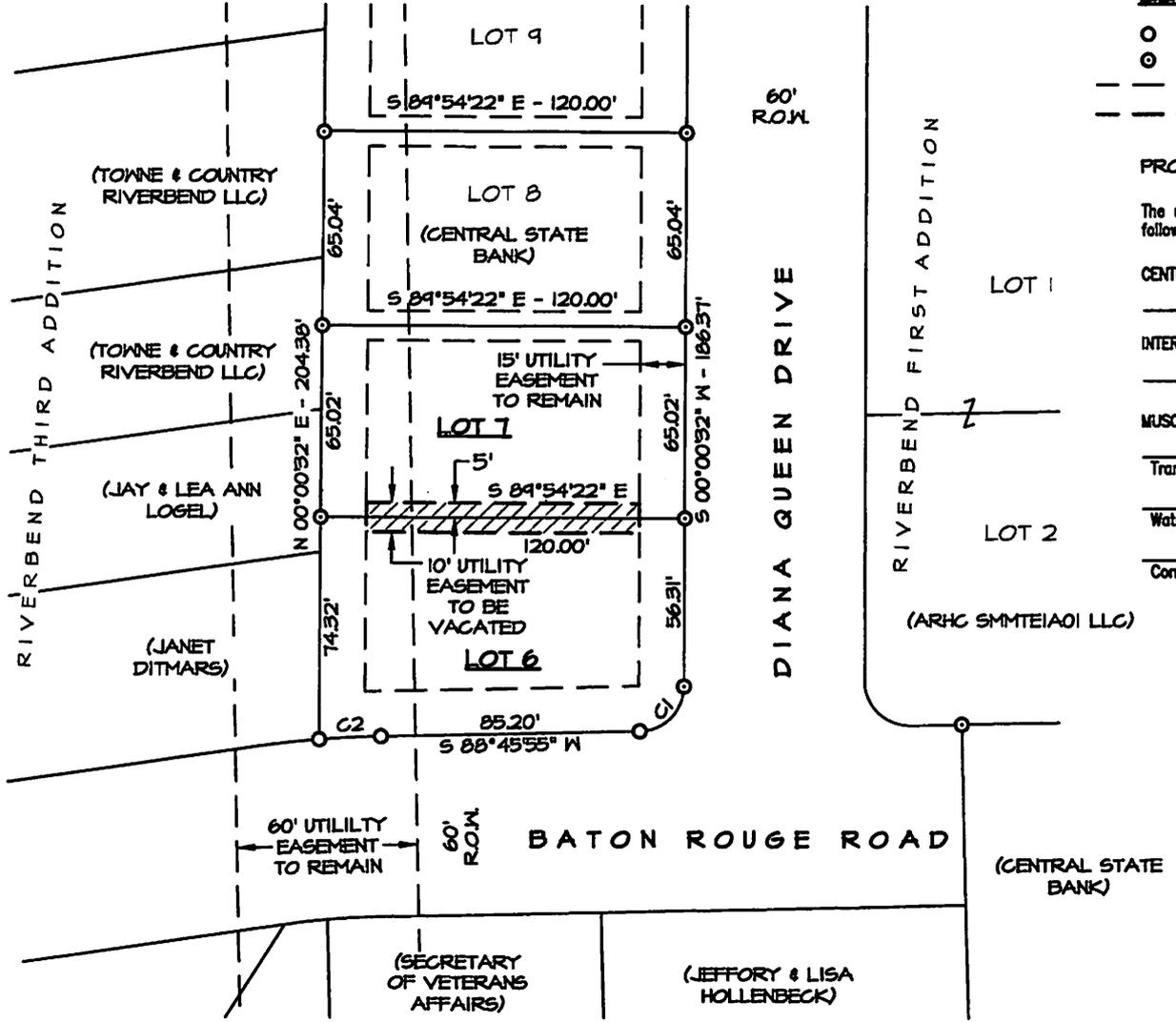
PROPRIETOR: CENTRAL STATE BANK

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

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

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.

Seth A. Whitacre
Date _____ Reg. No. 18379
My license renewal date is December 31, 2016
Pages or sheets covered by this seal: 1



Martin & Whitacre Surveyors & Engineers, Inc.
P.O. BOX 413 (563)283-7891 MUSCATINE, IOWA

RBW ENTERPRISES, INC EASEMENT VACATION PLAT
LOT 6 & 7 OF RIVERBEND FIFTH ADDITION, MUSCATINE, IOWA

FILE	BOOK	SCALE	DRN	CHKD	DATE	JOB NO.
REV.	0	1"=40'	JRM	GMM	07/23/16	804616

8046 SURVEY.DWG SHEET 1 OF 1