

## 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:** October 20, 2016

**Re:** Utility Easement Vacation – Lots 16 & 17 Riverbend Second Addition, 3222 Clermont Drive

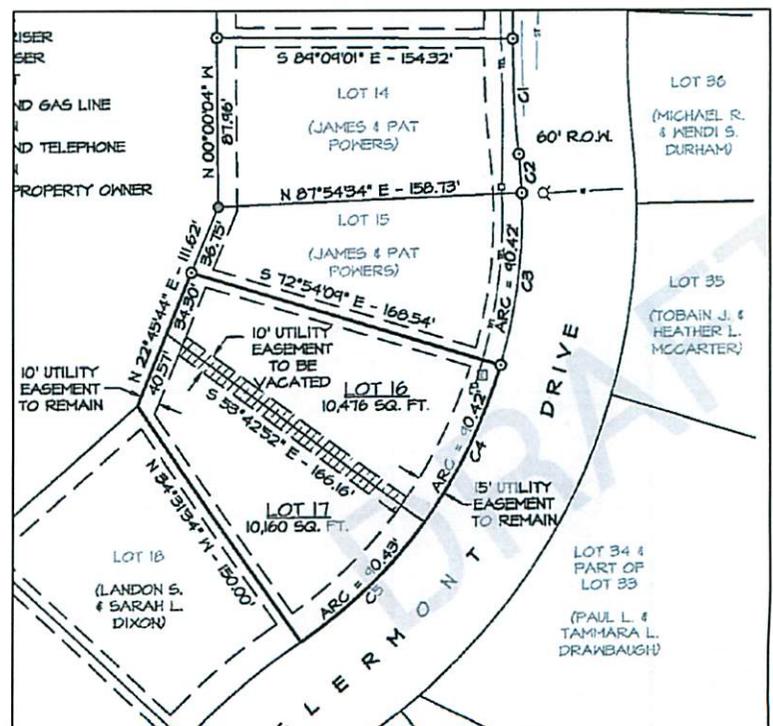
**INTRODUCTION:** A request to vacate certain utility easements has been submitted on behalf of Cliff Lanfier

**BACKGROUND:** Cliff Lanfier has submitted easement vacation plat that vacates a 10 feet wide utility easement, composed of two adjoining 5' utility easements located on Lot 16 and Lot 17 of the Riverbend Second Addition, 3302 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:** The Planning and Zoning Commission and staff recommend approval of this request, as all the necessary utility easements will be present on the proposed combined parcel. The utility easements being proposed for vacation serve no useful public purpose.

#### BACKUP INFORMATION:

1. Resolution



"I remember Muscatine for its sunsets. I have never seen any on either side of the ocean that equaled them" – Mark Twain

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION  
TO VACATE CERTAIN OF UTILITY EASEMENTS T LOTS 16 & 17 OF  
RIVERBEND SECOND ADDITION, 3222 CLERMONT DRIVE**

**WHEREAS**, the City Council adopted a Resolution on October 6, providing for the proposed vacation of certain utility easements at Lots 16 & 17 of Riverbend Second Addition, 3222 Clermont Drive; and

**WHEREAS**, The Resolution provided for publication of a public notice of a public hearing on the proposed vacation, the notice was duly published, and the public hearing has been held; and

**WHEREAS**, the Planning and Zoning Commission has approved the proposed vacation of a certain utility easements in at Lots 16 & 17 of Riverbend Second Addition, 3222 Clermont Drive; and

**WHEREAS**, The easement(s) is not being used, continuation of the easement is of no benefit to the City or any other party, and the best interests of the City will be served by vacating such utility easement;

**BE IT RESOLVED BY THE CITY COUNCIL OF MUSCATINE, IOWA, AS  
FOLLOWS:**

1. The City of Muscatine, Iowa, hereby vacates all rights, title, and interest in and to the following described utility easements:

The adjoining 5-wide utility easements along the lot line between Lots 16 & 17 of Riverbend Second Addition in the City of Muscatine, Iowa

2. Any resolution or part thereof in conflict or inconsistent with this resolution is repealed.

**PASSED, APPROVED AND ADOPTED** this 20<sup>th</sup> Day of October, 2016/

CITY COUNCIL OF THE CITY  
OF MUSCATINE, IOWA

\_\_\_\_\_  
Diana Broderson, Mayor

ATTEST:

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