

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

ORDINANCE NO. 93327-0216

**AN ORDINANCE VACATING A PORTION OF THE SPRING STREET,
E. 4TH STREET, AND POPLAR STREET RIGHT-OF-WAY
IN THE CITY OF MUSCATINE, IOWA.**

WHEREAS, the Planning and Zoning Commission of the City of Muscatine has recommended approval of the vacation of a portion of right-of-way 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:

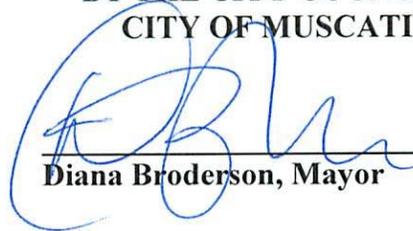
Section I. The following described real estate be vacated by the City of Muscatine, Iowa:

ALL OF SPRING STREET AND POPLAR STREET LOCATED BETWEEN THE SOUTHERLY LINE OF 5TH STREET AND THE NORTHERLY LINE OF 4TH STREET AND ALL OF 4TH STREET FROM THE WESTERLY LINE OF SPRING STREET TO THE WESTERLY LINE OF THE IOWA, CHICAGO & EASTERN RAILROAD RIGHT OF WAY, IN THE ORIGINAL TOWN, CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA. PARCEL "Q" CONTAINS 1.53 ACRES AND SUBJECT TO EASEMENTS OF RECORD.

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 Any Ordinance or part thereof in conflict or inconsistent with the provisions of this Ordinance is hereby repealed.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 4th day of February, 2016.

BY THE CITY COUNCIL OF THE
CITY OF MUSCATINE, IOWA



Diana Broderon, Mayor



ATTEST:



Gregg Mandsager, City Clerk

1st Reading: January 7, 2016
2nd Reading: January 21, 2016
3rd Reading: February 4, 2016
Published: 2-13-16

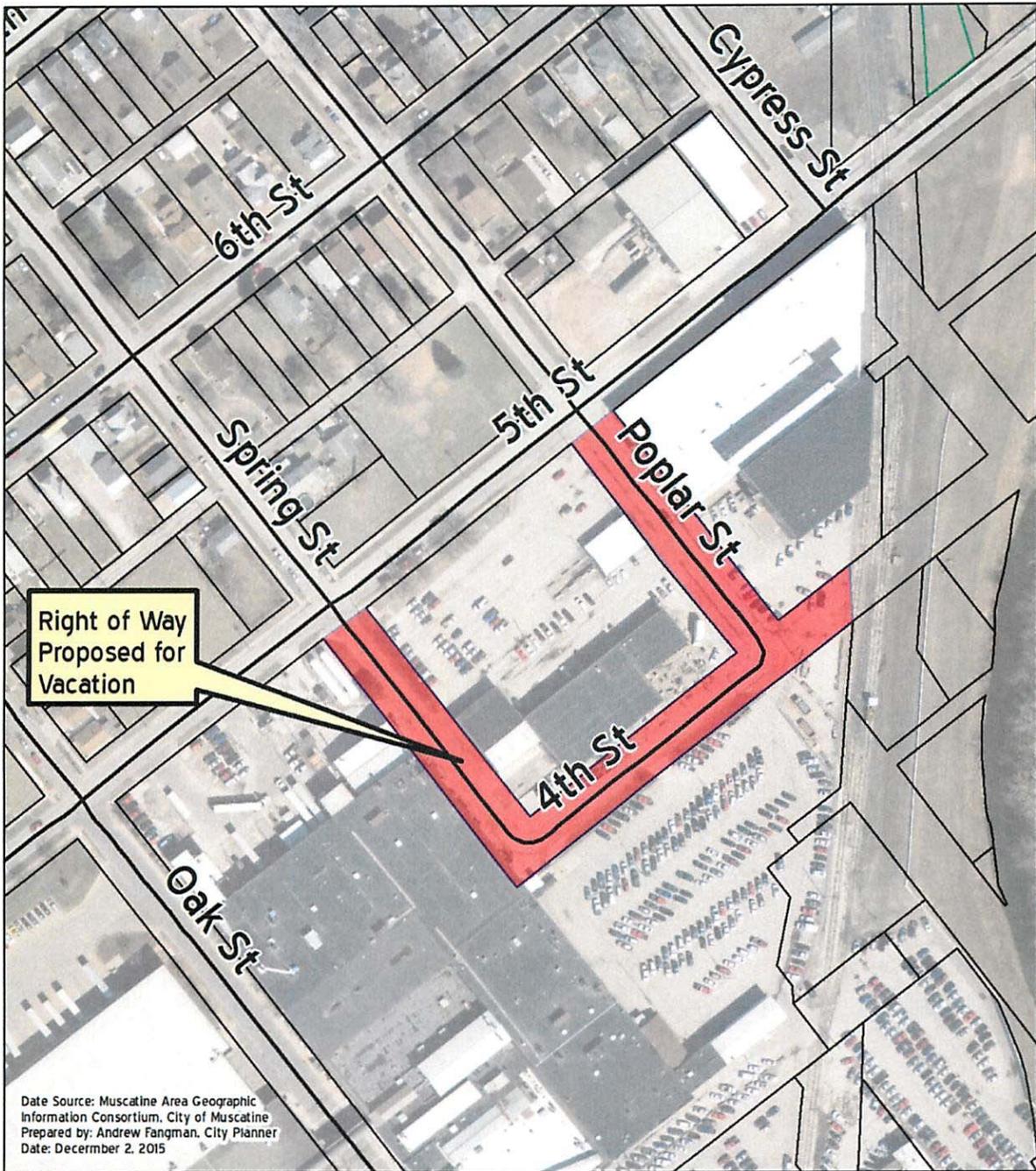
THE UNIVERSITY OF THE SOUTH PACIFIC

Faculty of Education
Department of Educational Studies



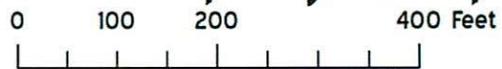
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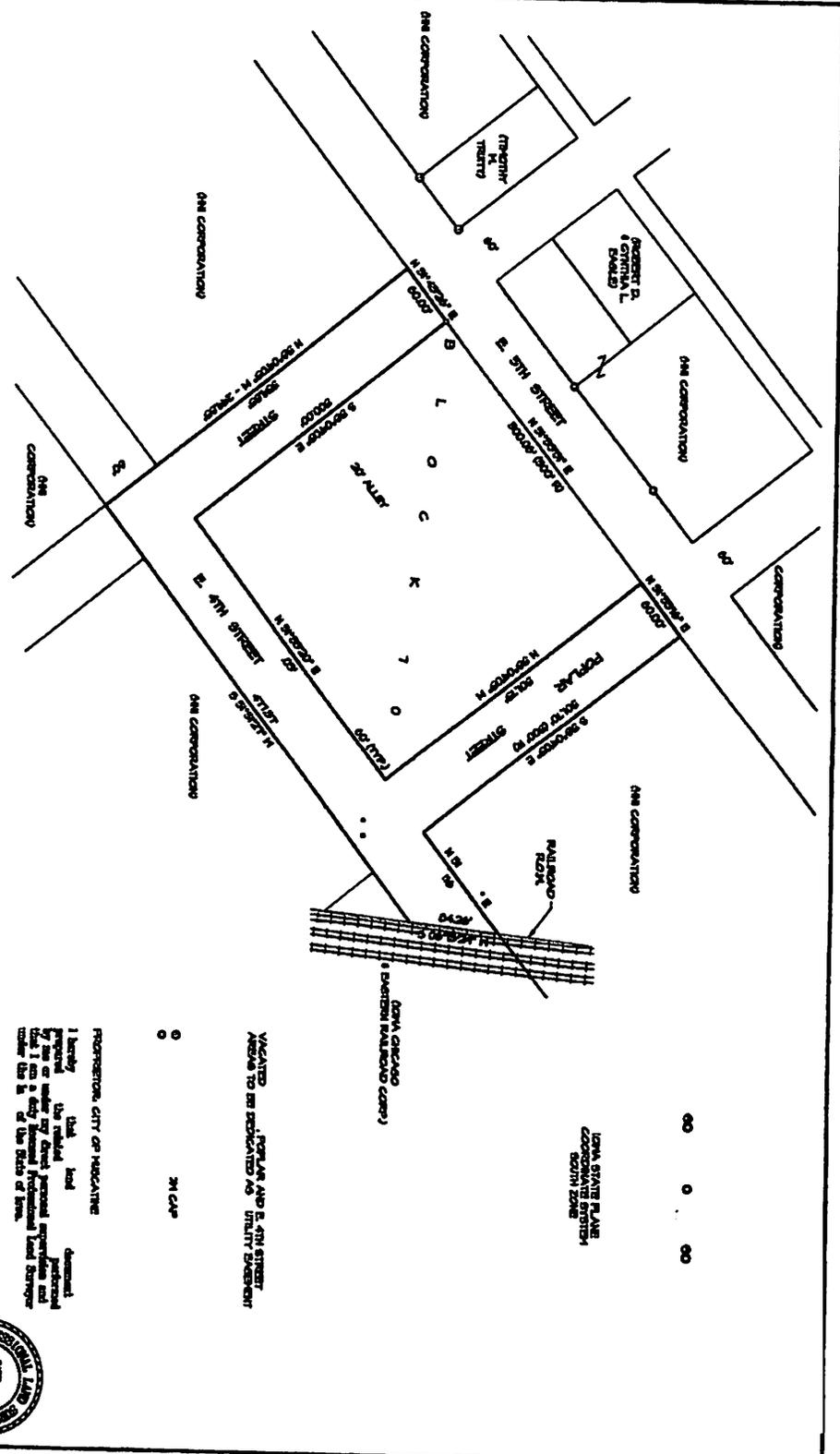
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A vacation plat for 1.53 acres of right of way, as indicated on this map, has been filed by HNI Corporation.

Right of Vacation E. 4th, Spring, & Poplar





LAND DESCRIPTION Right of - ay Vacation

ALL OF SPRING STREET AND POPLAR STREET LOCATED BETWEEN THE SOUTHERLY LINE OF 6TH STREET AND THE NORTHERLY LINE OF 4TH STREET AND ALL OF 4TH STREET FROM THE WESTERLY LINE OF SPRING STREET TO THE WESTERLY LINE OF A CHICAGO & EASTERN RAILROAD RIGHT OF WAY, IN THE GENERAL TO CITY OF ILLINOIS, ILLINOIS COUNTY, IOWA. PARCEL 168 ACRES AND SUBJECT TO ENCUMBRANCES OF RECORD.

SECTION	TOWNSHIP	RANGE	ACRES
16	16	16	168

PROPOSED, CITY OF ILLINOIS

1 hereby that land described hereon is the subject of a proposed vacation of the right of way of the Chicago and Eastern Railroad Company, and that I am a duly licensed Professional Land Surveyor under the laws of the State of Illinois.

Day of _____, 1901

By _____

Witness _____

Page or sheets covered by this plat: 1





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

**COMMUNITY DEVELOPMENT
MEMORANDUM**

**Planning,
Zoning,
Building Safety,
Construction Inspection
Services,
Public Health**

To: Planning and Zoning Commission
From: Andrew Fangman, City Planner
Date: December 2, 2015
Re: Right-of-Way Vacation Plat for Right of Way in Block 70 (Spring Street, E. 4th Street, and Poplar Street)

INTRODUCTION: A vacation plat for 1.53 acres of right-of-way, primarily in Block 70 of Original Town has been filed, this right-of-way include portions of Spring Street, E. 4th Street, and Poplar Street.

BACKGROUND: On December 1, 2015 HNI Corporation filed a vacation plat for 1.53 acres of right-of-way, primarily in Block 70 of Original Town. This right-of-way includes portions of Spring Street, E. 4th Street, and Poplar Street. HNI owns all the adjoining property and desires to acquire this property to allow for the further expansion of their facilities in this area.

HNI owns all the adjoining property to the right-of-way being prosed for vacation. Only property owned by HNI can be accessed from the right-of0-way being proposed for vacation. HNI has made significant recent investments in storm sewer, water main, and paving improvements in the right-of-way being proposed for vacation.

RECOMMENDATION/RATIONALE:

The City of Muscatine Traffic Committee and staff recommend approval of the proposed vacation as there is no current or anticipated public use for this right-of-way.

BACKUP INFORMATION:

1. Site Map
2. Vacation Plat
3. Ordinance

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

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:

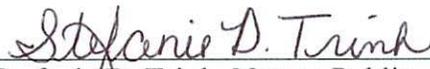
Muscatine City Clerk
Ordinance No. 93327-0216

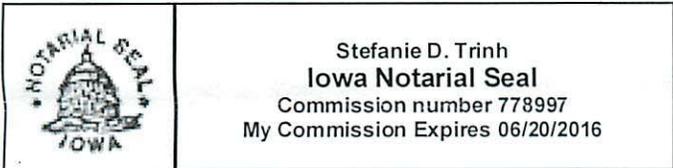
Of which the annexed printed slip is a true, correct and complete copy, was published in said *Muscatine Journal* one time having been made there in on:

February 13, 2016

Jeff Lee 

STATE OF IOWA
MUSCATINE COUNTY
15th day of February, 2016


Stefanie D. Trinh, Notary Public



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