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COMMUNITY DEVELOPMENT

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

MEMORANDUM

To: Mayor and City Council Members
Cc: Greg Jenkins, Interim City Administrator
Jodi Royal-Godwin, Community Development Director
From: Andrew Fangman, Assistant Community Development
Date: March 19, 2019
Re: Resolution Setting a Public Hearing on a Request to Vacate a Portion of Alley Right of Way Located in Block 29 of Original Town

INTRODUCTION: The City of Muscatine has submitted a request to vacated a portion of the Alley located in Block 29.

BACKGROUND: The City of Muscatine is currently reconstruction the 2nd Street and Mulberry Avenue intersection into a roundabout. As part of this project additional right of way had to be acquired from a number of adjoining property owners, including HNI Corporation and Dekock Anita LLC. As part of the agreements for the City to acquire the right of way needed for the roundabout project, the City agreed to vacate and convey to HNI Corporation and Dekock Anita LLC, the portions of the alley right of way that no longer serve a current or future public use.

RECOMMENDATION/RATIONALE: Prior to City Council action on this request, a public hearing is required. It is recommended that the attached resolution be adopted, setting a public hearing on the proposed right of way vacation. The Planning and Zoning Commission voted at their March meeting to recommend approval of this request.

BACKUP INFORMATION:

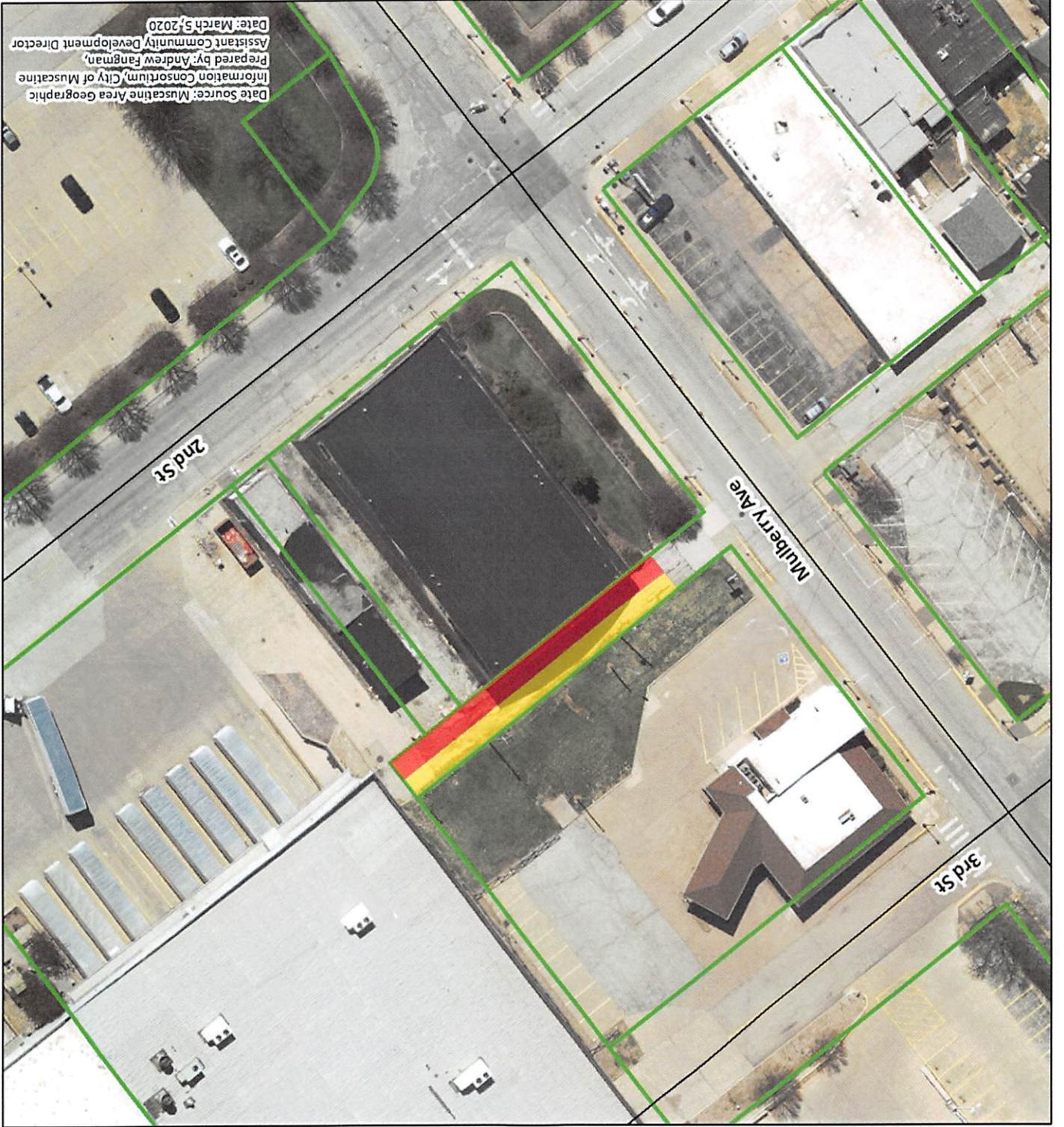
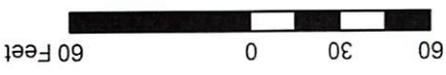
1. Resolution
2. Public Hearing Notice



PZROW-5 Block 29 Alley Right of Way Vacation

Proposed Vacated Alley Right of Way

-  Parcel Lines
-  To be Conveyed to Adjoining Property Owner to the South
-  To be Conveyed to Adjoining Property Owner to the North



Date Source: Muscatine Area Geographic Information Consortium, City of Muscatine
Prepared by: Andrew Fangman, Assistant Community Development Director
Date: March 5, 2020

RESOLUTION NO. _____

**A RESOLUTION SETTING THE TIME AND PLACE TO
CONDUCT A PUBLIC HEARING TO CONSIDER THE VACATION AND SALE
OF A PORTION OF THE ALLEY RIGHT-OF-WAY IN BLOCK 29 OF
ORIGINAL TOWN OF THE CITY OF MUSCATINE, IOWA**

WHEREAS, a request has been submitted to vacate and then sell a portion of street and alley right-of-way situated within the City of Muscatine, Iowa; and

WHEREAS, the Planning and Zoning Commission of the City of Muscatine has recommended approval; the vacation of the following portions of street and alley right-of-way that is described as follows:

THE PORTION OF THE ALLEY IMMEDIATELY ADJACENT TO THE SOUTHERLY LINES OF LOTS 8, 9 AND 10 OF BLOCK 29 OF THE ORIGINAL TOWN OF MUSCATINE, MEASURED NORMAL TO SAID SOUTHERLY LINES OF LOTS 8, 9 AND 10 OF BLOCK 29. EXCEPTING THE WESTERNMOST 30.70 FEET OF LOT 10 MEASURED NORMAL TO THE WESTERLY LINE OF LOT 10 BEING THE EASTERLY RIGHT OF WAY LINE OF MULBERRY AVENUE.

WHEREAS, the City Council should now set a time and place for a public hearing upon said vacation and subsequent sale of the above-mentioned alley right-of way.

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, April 2, 2020, 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 19th day of March, 2020.

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

Diana L. Broderon, Mayor

Attest:

Greg Jenkins, Interim City Clerk

PUBLIC NOTICE

TO THE CITIZENS OF MUSCATINE, IOWA:

You are notified that the City of Muscatine, Iowa, proposes vacate and then sell to adjoining property owners the following right of way in the City of Muscatine, Muscatine County, Iowa:

THE SOUTHWESTERLY ONE HALF OF BRIER STREET ADJACENT TO LOT 7 THE PORTION OF THE ALLEY IMMEDIATELY ADJACENT TO THE SOUTHERLY LINES OF LOTS 8, 9 AND 10 OF BLOCK 29 OF THE ORIGINAL TOWN OF MUSCATINE, MEASURED NORMAL TO SAID SOUTHERLY LINES OF LOTS 8, 9 AND 10 OF BLOCK 29. EXCEPTING THE WESTERNMOST 30.70 FEET OF LOT 10 MEASURED NORMAL TO THE WESTERLY LINE OF LOT 10 BEING THE EASTERLY RIGHT OF WAY LINE OF MULBERRY AVENUE.

You are further notified that oral or written statements in support of or opposition to the proposed sale of real property may be made at a public hearing before the City Council to be held at 7:00 p.m. on Thursday, April 2, 2020, in the City Council Chambers in City Hall, Muscatine, Iowa.

**Greg Jenkins
Interim City Clerk**