



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

MEMORANDUM

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

To: Planning and Zoning Commission
From: Andrew Fangman
Date: November 12, 2013
Re: Vacation of an Unimproved Portion of the Charles Street Right-of-Way

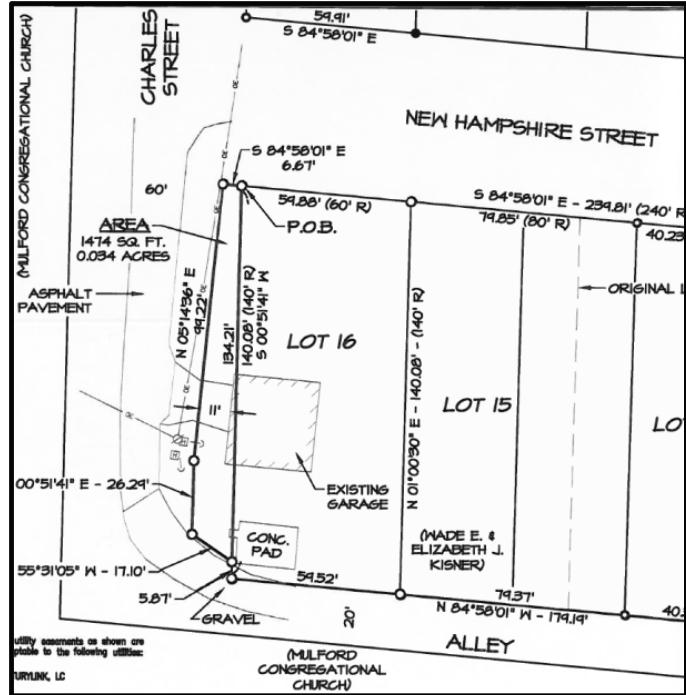
INTRODUCTION: Gary Whitacre of Martin & Whitacre Surveyors & Engineers Inc., acting on behalf of Jimmy Truitt has submitted a right-of-way vacation plat that vacates a 1,474 square feet unimproved portion of the Charles Street right-of-way located adjacent 2218 New Hampshire Street.

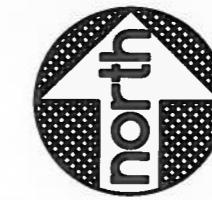
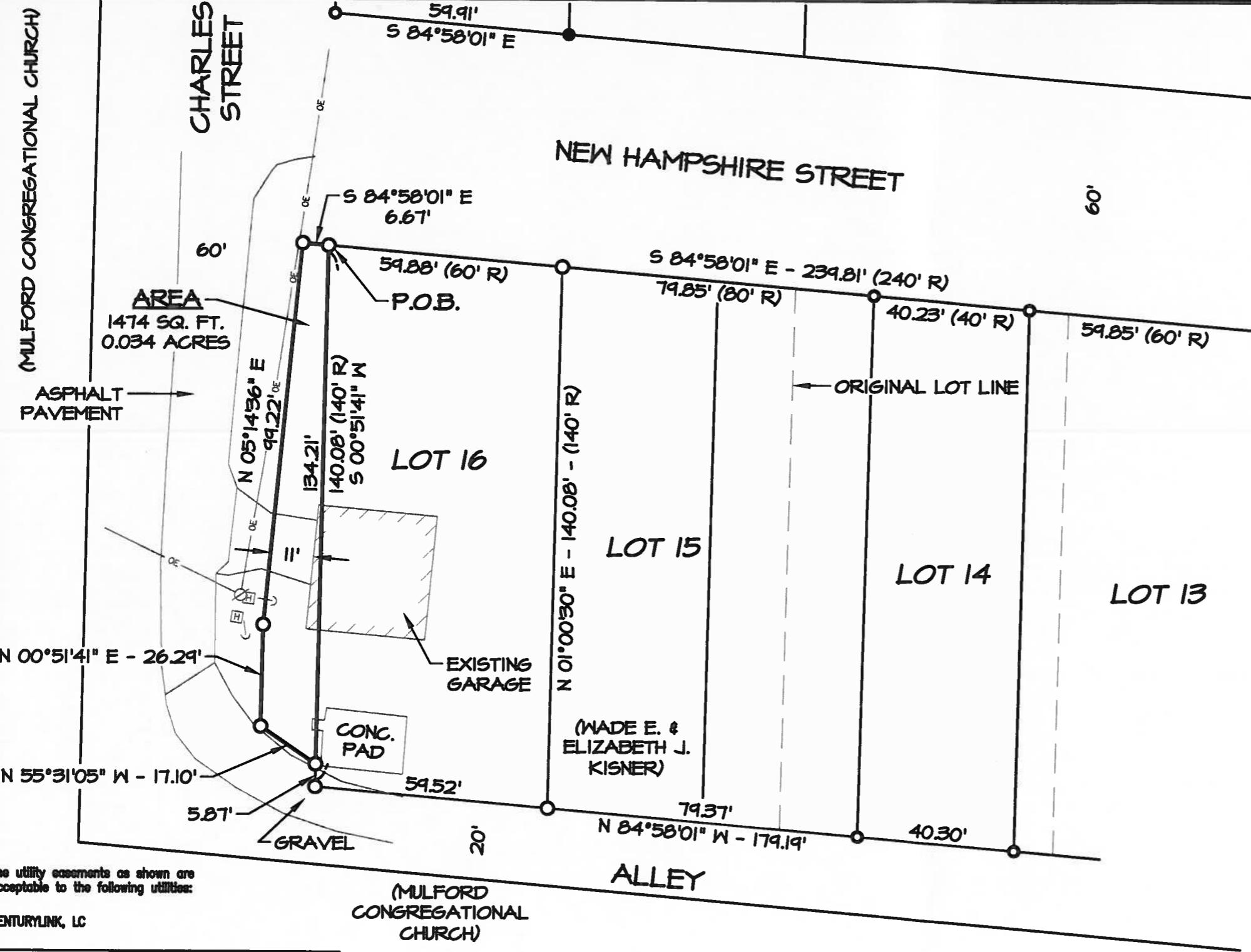
BACKGROUND: Gary Whitacre of Martin & Whitacre Surveyors & Engineers Inc., acting on behalf of Jimmy Truitt has submitted a right-of-way vacation plat that vacates a 1,474 square feet unimproved portion of the Charles Street right-of-way located adjacent 2218 New Hampshire Street. The intent is to accommodate an existing garage that was mistakenly constructed in small portion of the unimproved portion of the Charles Street right-of-way. The current garage was constructed as a replacement for a garage that was destroyed by a tornado in 2007. The permit for the initial garage was issued in error. The current garage was constructed on the slab of the previous garage, without initially obtaining a building permit. When a building permit was applied for, post construction, it was discovered that garage extends into the Charles Street right-of-way

RECOMMENDATION/RATIONALE: Staff recommends approval of the proposed right-of-way vacation vacation.

BACKUP INFORMATION:

1. Plat





BASIS OF BEARINGS
IOWA STATE PLANE
COORDINATE SYSTEM
SOUTH ZONE



LAND DESCRIPTION -

A PART OF CHARLES STREET ADJACENT TO LOT 16 IN BLOCK 2 OF GARDEN ADDITION TO THE CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA. BEGINNING AT THE NORTHWEST CORNER OF LOT 16; THENCE SOUTH 00°51'41" WEST 134.21 FEET ALONG THE WEST LINE OF LOT 16; THENCE NORTH 55°31'05" WEST 17.10 FEET; THENCE NORTH 00°51'41" EAST 26.29 FEET; THENCE NORTH 05°14'36" EAST 99.22 FEET; THENCE SOUTH 84°58'01" EAST 6.67 FEET TO THE POINT OF BEGINNING. CONTAINING 1474 SQUARE FEET.

PROPRIETOR: CITY OF MUSCATINE, IOWA

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 Land Surveyor under the laws of the State of Iowa.

Gary W. Whitacre

Date _____ Reg. No. 10316

My license renewal date is December 31, 2013

Pages or sheets covered by this seal: 1



**Martin & Whitacre
Surveyors & Engineers, Inc.**

P.O. BOX 413 (563)263-7691 MUSCATINE, IOWA

JIMMY TRUITT VACATION PLAT OF
PART OF CHARLES STREET IN GARDEN ADD., MUSCATINE, IA

FILE GARDEN ADDITION	BOOK CITY 44	SCALE 1"-30'	DRN JWC	CHK'D GWN	DATE 8/21/13	JOB NO. 7674.13
REV. 0	7674 SURVEY DWG	SHEET 1 OF 1				