



City Hall, 215 Sycamore St.  
Muscatine, IA 52761-3840  
(563) 262-4141  
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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:** Gregg Mandsager, City Administrator

**From:** Steven Boka, Director of Community Development

**Date:** August 26, 2011

**Re:** Vacation of Access Easement – 2307 Grandview Avenue

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**INTRODUCTION:** As a part of the review and approval of the Chin Subdivision in 1987, the city required the final plat to include an access easement intended to serve all lots within the subdivision via a single entry point from Grandview Avenue.

**BACKGROUND:** Since the Chin Subdivision was platted in 1987, the property has developed without the use of the access easement. Recently, the owner of Lot 3 acquired Lot 4 and would like to eliminate the access easement crossing Lot 4 so it can be used for existing and future commercial use(s). The remaining 2 vacant lots are held under single ownership and will continue to be served by the access easement crossing Lot 3. The Planning Commission reviewed the request during their August 9, 2011 meeting and has recommended approval.

**RECOMMENDATION/RATIONALE:** Since the entire subdivision will continue to be served by existing street openings or the remaining access easement, the access easement crossing Lot 4 is no longer needed. A reservation for all other existing easements of record will be maintained. Therefore, following the public hearing, it is recommended that City Council approve the attached resolution approving the vacation of the access easement on Lot 4 of the Chin Subdivision.

**BACKUP INFORMATION:**

1. Resolution
2. Vacation Plat

Prepared by Steven Boka, 215 Sycamore St, Muscatine, IA, 52761 (563) 262-4141

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

**A RESOLUTION CONCERNING THE VACATION OF AN  
EXISTING ACCESS EASEMENT LOCATED ON LOT 4 OF THE  
CHIN SUBDIVISION IN THE CITY OF MUSCATINE, IOWA**

**WHEREAS**, a resolution was adopted by the City Council of Muscatine, Iowa, on August 18, 2011 providing for the proposed vacation of all right, title and interest of the City of Muscatine, Iowa, in and to the access easement located on Lot 4 of the Chin Subdivision in the City of Muscatine, Iowa; and

**WHEREAS**, the resolution provided that notice of intention to vacate the access easement should be given by publication of a Public Notice in the Muscatine Journal prior to the meeting of the City Council to be held on September 1, 2011, and the notice was duly published in the newspaper as required by law; and

**WHEREAS**, the resolution provided for a public hearing on the proposed vacation, and such hearing has been held:

**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 access easement:

A STRIP OF LAND 35 FEET WIDE BEING A PART OF CHIN SUBDIVISION IN THE CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA.

COMMENCING AT THE SOUTHEAST CORNER OF LOT 4 OF THE CHIN SUBDIVISION; THENCE NORTH 35°11'57" WEST 30.01 FEET ALONG THE EAST LINE OF LOT 4 TO THE POINT OF BEGINNING AND THE BEGINNING OF A 5629.58 FOOT RADIUS NONTANGENT CURVE CONCAVE NORTHWESTERLY WHOSE 290.10 FOOT CHORD BEARS SOUTH 57°23'16" WEST; THENCE SOUTHWESTERLY AN ARC DISTANCE OF 290.13 FEET TO THE WEST SIDE OF LOT 4; THENCE NORTH 00°44'24" WEST 40.63 FEET ALONG THE WEST LINE OF LOT 4 TO THE BEGINNING OF A 5594.58 FOOT RADIUS NONTANGENT CURVE CONCAVE NORTHWESTERLY WHOSE 267.07 FOOT CHORD BEARS NORTH 57°17'10" EAST; THENCE NORTHEASTERLY AN ARC DISTANCE OF 267.10 FEET TO THE EAST LINE OF SAID LOT 4; THENCE SOUTH 35°11'57" EAST 35.01 FEET ALONG THE EAST LINE OF SAID LOT 4 TO THE POINT OF BEGINNING, CONTAINING 0.224 ACRES.

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

**PASSED, APPROVED AND ADOPTED** this 1st day of September, 2011.

CITY COUNCIL OF THE CITY  
OF MUSCATINE, IOWA

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Richard O'Brien, Mayor

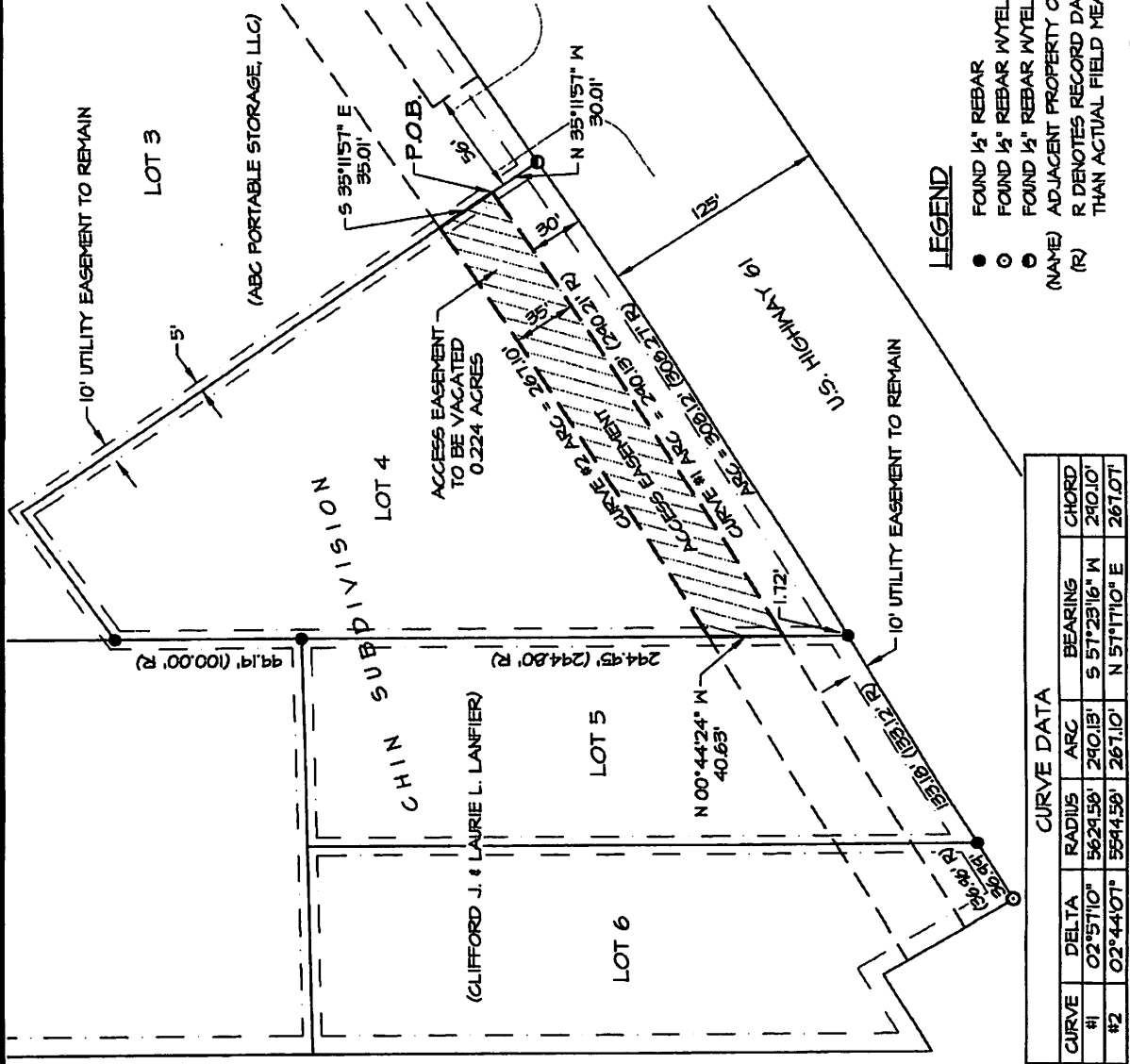
ATTEST:

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Gregg Mandsager, City Clerk



BASIS OF BEARINGS  
IOWA STATE PLANE COORDINATE SYSTEM  
SOUTH ZONE

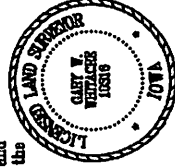


**EASEMENT DESCRIPTION -**

A STRIP OF LAND 36 FEET WIDE BEING A PART OF LOT 4 OF CHIN SUBDIVISION IN THE CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA, COMMENCING AT THE SOUTHEAST CORNER OF LOT 4 OF CHIN SUBDIVISION; THENCE NORTH 87°11'57" WEST ALONG THE EAST LINE OF LOT 4 TO THE POINT OF BEGINNING AND THE BEGINNING OF A 6229.66 FOOT RADIUS NORTWANGENT CURVE CORCAVE NORTHWESTERLY THENCE 200.10 FOOT CHORD BEARS SOUTH 67°25'16" WEST, THENCE SOUTHWESTERLY AN ARC DISTANCE OF 260.18 FEET TO THE WEST LINE OF SAID LOT 4; THENCE NORTH 09°44'24" WEST 40.83 FEET ALONG THE WEST LINE OF LOT 4 TO THE BEGINNING OF A 6594.06 FOOT RADIUS NORTWANGENT CURVE CORCAVE NORTHWESTERLY WHOSE 267.07 FOOT CHORD BEARS NORTH 67°17'10" EAST; THENCE NORTHEASTERLY AN ARC DISTANCE OF 267.10 FEET TO THE EAST LINE OF SAID LOT 4; THENCE SOUTH 87°11'57" EAST 36.01 FEET ALONG THE EAST LINE OF SAID LOT 4 TO THE POINT OF BEGINNING, CONTAINING 0.224 ACRES.

PROPRIETOR: ABC PORTABLE STORAGE, LLC

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, 2011  
Pages or sheets covered by this seal: 1

**Martin & Whitacre  
Surveyors & Engineers, Inc.**  
P.O. BOX 413 (865)263-7691 MUSCATINE, IOWA

<b>ABC PORTABLE STORAGE, LLC</b>			
EASEMENT VACATION PLAT - LOT 4 OF CHIN SUBD, MUSCATINE, IA			
FILE #	BOOK	SCALE	DRN
CHIN SUBD	16024811	1"=60'	PM
REV.	0		
			DATE
			12/20/11
			JOB NO.
			7403.11
			SHEET
			1 OF 1

**LEGEND**

- FOUND 1/2" REBAR
- FOUND 1/2" REBAR W/YELLOW CAP #15401
- FOUND 1/2" REBAR W/YELLOW CAP #7550
- (NAME) ADJACENT PROPERTY OWNER
- (R) DENOTES RECORD DATA IF OTHER THAN ACTUAL FIELD MEASUREMENT

CURVE DATA				
CURVE #	DELTA	RADIUS	ARC BEARING	CHORD
#1	02°57'10"	5624.59'	290.13' S 57°25'16" W	290.10'
#2	02°44'07"	5544.58'	267.10' N 57°17'10" E	267.07'