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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
From: Andrew Fangman, City Planner
Date: July 19, 2018
Re: Resolution Setting a Public Hearing on a Proposed Utility Easement Vacation – Lots 4B & 4C Sunrise Subdivision and Lot 1 of University Subdivision

INTRODUCTION: A request to vacate certain utility easements has been submitted on behalf of University Storage LLC

BACKGROUND: University Storage LLC has submitted an easement vacation plat that vacates the following described utility easements: the Easterly 125 feet of the 7.5' wide utility easement running along the North boundary line of Lot 48 of Sunrise Subdivision in; the Easterly 183 feet of the 15' wide utility easement running along the South boundary line of Lot 4C of Sunrise Subdivision; and the Easterly 273.72 feet of the 15' wide utility easement running along the South boundary line of Lot I of University Development Subdivision. University Storage intends to install additional 5' x 5' storage units along the South line of Lot 1 with plans for similar development of the other two lots in the future

RECOMMENDATION/RATIONALE Prior to City Council action of the request, a public hearing is required. It is recommended that the attached resolution setting a public hearing, for 7:00 p.m. on Thursday, August 2, 2018, regarding the proposed vacation of certain utility easements.

Legend

- Subject Parcels
- Parcel Lines

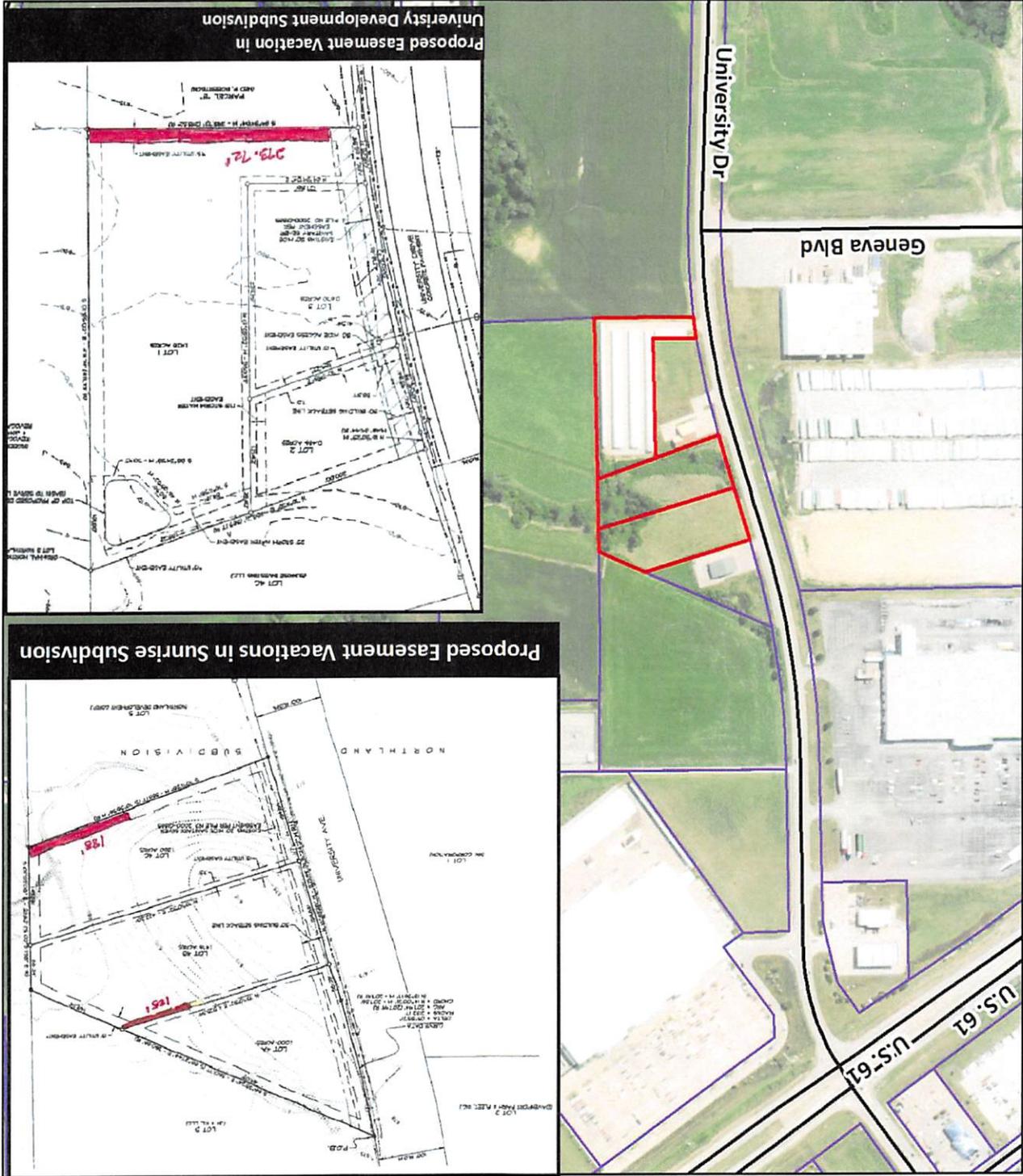


EXHIBIT A

PUBLIC NOTICE

TO THE CITIZENS OF MUSCATINE, IOWA:

You are notified that the City of Muscatine, Iowa, proposes to vacate the following public utility easements in the City of Muscatine, Muscatine County, Iowa:

Three public utility easements: (A) the Westerly 110 feet of the Easterly 125 feet of the 7.5' wide utility easement running along the North boundary line of Lot 4B; (B) the Westerly 168 feet of the Easterly 183 feet of the 15' wide utility easement running along the South boundary line of Lot 4C, both in Sunrise Subdivision in the City of Muscatine, Iowa; and (C) the Westerly 258.72 feet of the Easterly 273.72 feet of the 15' wide utility easement running along the South boundary line of Lot 1 of University Development Subdivision in the City of Muscatine, Iowa.

You are further notified that oral or written statements in support of or opposition to the proposed vacation may be made at a public hearing before the City Council to be held at 7:00 p.m. on August 2, 2018, in the Council Chambers in City Hall, Muscatine, Iowa.

Gregg Mandsager, City Clerk

RESOLUTION NO. _____

**A Resolution Concerning a Proposed
Vacation of Utility Easements**

RECITALS:

A. University Storage, LLC, is the owner of Lots 4B and 4C of the Sunrise Subdivision, and the immediately adjacent Lot 1 of the University Development Subdivision, all in the City of Muscatine, Iowa.

B. The Owner intends to build additional 5' x 5' storage units along the South line of Lot 1, but there is a public utility easement 15 feet wide along the inside boundary of Lot 1.

C. The Owner plans for additional future expansion on lots 4B and 4C, but there are public utility easements 7.5 feet wide along the northern boundary of Lot 4B and 15 feet wide along the southern boundary of Lot 4C.

D. University Storage, LLC, has requested that the City of Muscatine vacate the public utility easements as follows:

1. The Westerly 110 feet of the Easterly 125 feet of the 7.5' wide utility easement running along the North boundary line of Lot 4B of Sunrise Subdivision in the City of Muscatine, Iowa.

2. The Westerly 168 feet of the Easterly 183 feet of the 15' wide utility easement running along the South boundary line of Lot 4C of Sunrise Subdivision in the City of Muscatine, Iowa.

3. The Westerly 258.72 feet of the Easterly 273.72 feet of the 15' wide utility easement running along the South boundary line of Lot 1 of University Development Subdivision in the City of Muscatine, Iowa.

IT IS, THEREFORE, RESOLVED, by the City Council of Muscatine, Iowa, as follows:

1. The City Council will hold a public hearing on the proposed vacation of the utility easements at 7:00 p.m. on August 2, 2018, in the Council Chambers at City Hall, Muscatine, Iowa.

2. Notice of the public hearing and the City's intention to vacate the utility easements will be given by publication of the Public Notice attached as Exhibit A; the notice will be published once in *The Muscatine Journal*, a newspaper printed, published, and of general circulation in the City, not less than 4 or more than 20 days before the meeting of the City Council at which the proposal is to be considered.

PASSED, APPROVED, AND ADOPTED on _____, 2018.

(CITY SEAL)

Diana M. Broderson, Mayor

ATTEST:

Gregg Mandsager, City Clerk