



City Hall, 215 Sycamore St.  
Muscatine, IA 52761-3840  
(563) 262-4141  
Fax (563) 262-4142

COMMUNITY DEVELOPMENT

MEMORANDUM

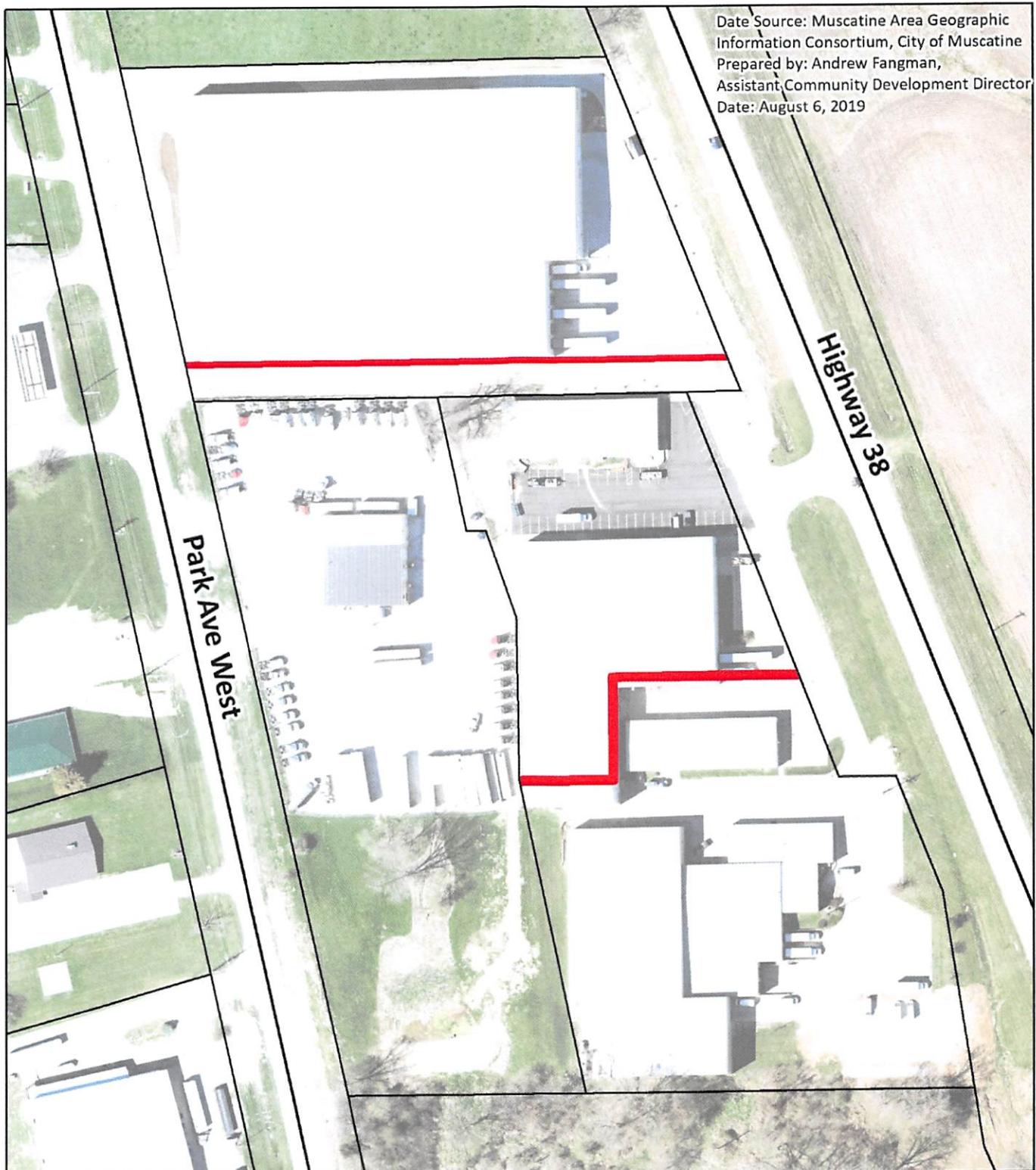
Planning,  
Zoning,  
Building Safety,  
Construction Inspection Services,  
Public Health,  
Housing Inspections,  
Code Enforcement

**To:** Mayor and City Council Members  
**Cc:** Gregg Mandsager, City Administrator  
**From:** Andrew Fangman, Assistant Community Development Director  
**Date:** September 5, 2019  
**Re:** Utility Easement Vacation – (PZVE-9) 3702 Park Avenue West & 3811 Park Avenue West

**INTRODUCTION:** A request to vacate certain utility easements has been submitted by White Distribution & Supply.

**BACKGROUND:** White Distribution & Supply has submitted a utility easement vacation plat, that would if approved by City Council, would vacate a 10' wide utility easement at 3702 Park Avenue West and a 6' wide easement at 3811 Park Avenue West, as illustrated in the attached map and plat. The intent is to vacate unused and unneeded utility easements that encroach on existing buildings

**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, September 19, 2019, regarding the proposed vacation of certain utility easements.



**PZVE-9 Proposed Vacation of Certain Utility Easements at  
3811 & 3702 Park Avenue West**



Utility Easements Proposed for Vacation

Parcel Lines

0 50 100 200 300 400  
Feet



R2W

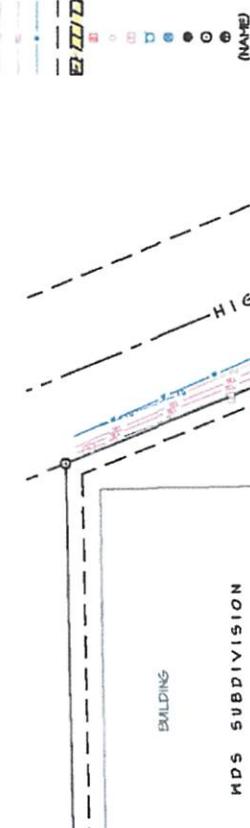
# EASEMENT VACATION PLAT



BASIS OF BEARINGS  
IOWA STATE PLANE  
COORDINATE SYSTEM  
SOUTH ZONE

## LEGEND

BUILDING LINE	■
UNDERGROUND ELECTRIC	■
UNDERGROUND FIBER OPTIC	■
UNDERGROUND TELEPHONE	■
MATER. MAIN	■
EASEMENTS TO REMAIN	—
EASEMENTS TO BE VACATED	EZ
ELECTRICAL RISER	■
TELEPHONE RISER	□
TELEPHONE VAULT	□
MATER. HYDRANT	□
MATER. VALVE	□
FOUND 1/4" REBAR	●
FOUND REBAR MCAP	○
FOUND T-BAR	■
ADJACENT PROPERTY OWNERS)	(NAME)

6' WIDE EASEMENT  
RECORDED AT  
BOOK 266, PAGE 627

ZELI

UTILITY NOTE  
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR NAMES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMprise ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLY FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES BUT HAS SHOWN THEIR EXISTENCE AS LOCATED BY THE RESPECTIVE UTILITY COMPANIES AND AVAILABLE DRAWINGS.

10' WIDE EASEMENT  
RECORDED AT  
BOOK 270,  
PAGE 718  
4 RIAN ADDITION BOOK D, PAGE 571  
10' WIDE EASEMENT  
ENCROACHING  
INTO BUILDINGS  
TO BE VACATED  
AS SHOWN

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 control. I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Gary B. Whitacre

Date, No. 10216

My Surveyor renewal date is December 31, 2019

Pages or sheets covered by this seal: 1

The utility statements as shown are acceptable to the following utility:  
CENTRALIAN, LC

INTERSTATE POWER AND LIGHT, AN ALUMINUM ENERGY COMPANY	Date
MUSCATINE POWER & WATER	Date
Interconnection & Distribution	Date
Water Production & Distribution	Date
Communications	Date

SURVEY COMPANY/RETURN-TO:	Martin & Whitacre
Surveyors & Engineers, Inc.	
P.O. BOX 413 MUSCATINE, IOWA 52641	
INFO@MARTIN-WHITACRE.COM	(563)263-7691
SURVEYOR: GARY B. WHITACRE	
PROPRIETORS: MWHITE DISTRIBUTION & SUPPLY, LLC	
REQUESTOR: MWHITE DISTRIBUTION & SUPPLY, LLC	
LOCATION: 3702 PARK AVENUE W IN MUSCATINE, IOWA	
BURSEY TYPE: VACATION PLAT	
FILE #:	BOOK #:
1-772-281	1-807
Sheet #:	Scale:
	1"=60'
	1"=644'
	Date:
	06/06/2019
	Job No.:
	600618



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

**A RESOLUTION SETTING THE TIME AND PLACE TO  
CONDUCT A PUBLIC HEARING ON A REQUEST THE REQUEST TO  
VACATE CERTAIN OF UTILITY EASEMENTS AT 3702 & 3811 PARK  
AVENUE WEST**

**WHEREAS**, a request has been received for the vacation of certain utility easements at 3702 and 3811 Park Avenue West of Sunrise Subdivision described as:

A 6' WIDE EASEMENT AS RECORDED AT BOOK 266, PAGE 627 IN THE OFFICE OF RECORDER, MUSCATINE COUNTY, IOWA EXCEPT FOR THE EASTERLY AND WESTERLY 15' THEREOF:

AND ALSO

A 10' WIDE EASEMENT AS SHOWN ON THE FINAL PLAT OF DONOHOE ADDITION AS RECORDED AT BOOK 303, PAGE 64 AND RUAN ADDITION BOOK 8, PAGE 371 IN THE OFFICE OF RECORDER, MUSCATINE COUNTY, IOWA. SAID EASEMENT IS TO BE VACATED ALONG THE SOUTH LINE OF LOT 3A AND THE WEST AND NORTH LINE OF LOT 3B EXCEPT AS INCLUDED IN OVERLAPPING EASEMENTS.

**WHEREAS** The intent is to vacate unused and unneeded utility easements that encroach on existing buildings; and

**WHEREAS**, a public hearing must be conducted by the City Council of Muscatine on the vacation of this utility easement.

**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, September 19, 2019, 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 5th day of September, 2019.

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

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**Diana L. Broderson, Mayor**

**Attest:**

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**Gregg Mandsager, City Clerk**

## **PUBLIC NOTICE**

**REQUEST THE REQUEST TO VACATE CERTAIN OF UTILITY EASEMENTS AT 3702 AND 3811 PARK AVENUE WEST**

**Public Notice is hereby given that the City Council for the City of Muscatine, Iowa, will conduct a Public Hearing to review a request for the vacation of certain utility easements 3702 AND 3811 Park Avenue West as:**

**A 6' WIDE EASEMENT AS RECORDED AT BOOK 266, PAGE 627 IN THE OFFICE OF RECORDER, MUSCATINE COUNTY, IOWA EXCEPT FOR THE EASTERLY AND WESTERLY 15' THEREOF:**

**AND ALSO**

**A 10' WIDE EASEMENT AS SHOWN ON THE FINAL PLAT OF DONOHOE ADDITION AS RECORDED AT BOOK 303, PAGE 64 AND RUAN ADDITION BOOK 8, PAGE 371 IN THE OFFICE OF RECORDER, MUSCATINE COUNTY, IOWA. SAID EASEMENT IS TO BE VACATED ALONG THE SOUTH LINE OF LOT 3A AND THE WEST AND NORTH LINE OF LOT 3B EXCEPT AS INCLUDED IN OVERLAPPING EASEMENTS.**

**This Public Hearing will be conducted on Thursday, September 19, 2019, at 7:00 p.m. in the City Council Chambers at City Hall, 215 Sycamore Street.**

**All interested persons are invited to attend and comment on the project at that time.**

**Gregg Mandsager, City Clerk**