

## **Ordinance No. 1078**

### **AN ORDINANCE PROVIDING FOR THE VACATION OF CERTAIN ALLEYS IN BLOCK FIVE (5) HENN CO. SUBDIVISION IN THE CITY OF FAIRFIELD, JEFFERSON COUNTY, IOWA DESCRIBED AS:**

**Alleys platted as running North and South between lots 11 and 12 of Block 5 and  
alleys platted as running East to West between lots 20, 21, 22, 23 and 24 and  
lots 13, 12, 11, 10 and 9 of Block 5, Henn Co. Subdivision in the City of Fairfield,  
Jefferson County Iowa.**

Be It Enacted by the Council of the City of Fairfield, Iowa:

SECTION 1. Purpose. The purpose of this ordinance is to vacate the described alleyways and thereby relieve the City of Fairfield, Iowa, of the responsibility for its maintenance and supervision and to correct public record to reflect appropriate vacating procedures supportive of prior sales of the alleyways by the City of Fairfield, Iowa.

SECTION 2. Facts Found. The council of the City of Fairfield, Iowa, hereby makes the following findings:

1. The described alleys are not needed for the use of the public, and, therefore, its maintenance at public expense would not be justified. The alleys have been, in fact, treated as vacated for many years and sold previously to the adjacent landowner(s).

2. The vacation will not deny owners of property abutting on the Trail Easement reasonable access to their property and the vacation will remedy a discovered title gap.


3. Notice of the intended vacation, including the date on which the council will first consider the vacating ordinance, has been published and posted at least once on each block, not more than twenty days nor less than four days prior to the date set for the hearing.

SECTION 3. Vacation. The above described alleys (Insert here a description of the property that will be vacated by this ordinance) declared VACATED.

SECTION 4. Repealer. The following (chapters, sections, subsections) of the municipal code (are, is) specifically repealed: (List this only if there is reference to Area Specifically in Municipal Code.

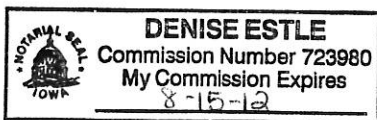
SECTION 6. When Effective. This ordinance shall be in effect after its final passage, approval, and publication as provided by law.

Passed and approved by the Council the 26<sup>th</sup> day of September, 2011.

  
Edward Malloy, Mayor

Attest:   
Joy Messer, City Clerk

On this 26<sup>th</sup> day of September, 2011 before me, the undersigned, a Notary Public in and for Jefferson County, in the State of Iowa, personally appeared Edward Malloy, Mayor and Jeff Clawson, City Administrator to me known to be the identical persons named in and who executed the within and foregoing instrument and Ordinance, executed the within and foregoing instrument and Ordinance, and acknowledged that they executed the same as their voluntary act and deed and by the power of their offices.



  
Notary Public

The foregoing ordinance was adopted by the City Council of the City of Fairfield, Iowa, at its regular meeting held on the 26<sup>th</sup> day of September, AD, 2011 upon a motion by Councilperson Adam and seconded by Councilperson Silvers.

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The foregoing ordinance was adopted by the City Council of the City of Fairfield, Iowa at its regular meeting held on the 26<sup>TH</sup> day of September, AD, 2011 upon a motion by Councilperson Adam and seconded by Councilperson Silvers.

The vote on the foregoing ordinance was as follows:

	AYES	NAYS	ABSTAIN	ABSENT
	_____	_____	_____	_____
Hamilton	_____	_____	_____	__X__
Adam	__X__	_____	_____	_____
Halley	__X__	_____	_____	_____
Revolinski	__X__	_____	_____	_____
Mottet	__X__	_____	_____	_____
Silvers	__X__	_____	_____	_____