

ORDINANCE NO. 1081
AN ORDINANCE PROVIDING FOR THE VACATING OF A
RAILROAD CROSSING ON NORTH 3RD STREET IN THE CITY
OF FAIRFIELD, JEFFERSON COUNTY, IOWA.

BE IT ORDAINED by the City Council of the city of Fairfield, Iowa:

SECTION I. PURPOSE

The purpose of this ordinance is to vacate a railroad crossing on North 3rd Street.

SECTION II. FACTS FOUND

The Council of the City of Fairfield, Iowa, hereby makes the following findings:

1. The described crossing is not needed for the public use, and its maintenance and any public expense are no longer justified.
2. The vacation crossing will not deny owners of property abutting this area reasonable access to their property.
3. Notice of intended vacation has been published according to law and a hearing held thereon.

SECTION III. VACATION

That railroad crossing is hereby vacated subject to any utility easement conditions.

SECTION IV. REPEALER

All ordinance or parts of this ordinance in conflict with the provisions of this ordinance are hereby repealed.

SECTION V. SEVERABILITY CLAUSE

If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or any part thereof not adjudged invalid or unconstitutional.

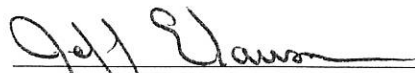
SECTION VI. WHEN EFFECTIVE

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

PASSED and APPROVED by the City Council of the city of Fairfield, Iowa on this 27th day of February, 2012.


Edward Malloy, Mayor

Attest:


Jeff Clawson, City Administrator

The foregoing ordinance was adopted by the City Council of the City of Fairfield, Iowa at its regular meeting held on the 27TH day of February, AD, 2012 upon a motion by Councilperson Halley and seconded by Councilperson Hammes.

The vote on the foregoing ordinance was as follows:

	AYES	NAYS	ABSTAIN	ABSENT
Boyer	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Hamilton	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Rasmussen	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Halley	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Revolinski	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Hammes	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Silvers	<u> X </u>	<u> </u>	<u> </u>	<u> </u>