

Fairfield Ordinance No. 1101

AN ORDINANCE PROVIDING FOR THE VACATION OF THE WEST SIX (6) FEET OF NORTH 10TH STREET RIGHT OF WAY ADJACENT TO 1000 WEST BRIGGS IN THE CITY OF FAIRFIELD, JEFFERSON COUNTY, IOWA

DESCRIBED AS: SUNSET ADDITION, LOT 1 OF BLOCK 5 AND THE EAST HALF (1/2) OF LOT 2 OF BLOCK 5

AND ALSO ADJACENT TO 1001 WEST BROADWAY DESCRIBED AS: SUNSET ADDITION, LOT 5 OF BLOCK 5 IN THE CITY OF FAIRFIELD, JEFFERSON COUNTY, IOWA.

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

SECTION 1. Purpose. The purpose of this ordinance is to vacate the west six (6) feet of the described street right of way and thereby relieve the City of Fairfield, Iowa, of the responsibility for its maintenance and supervision.

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

1. The described street right of way is not needed for the use of the public, and, therefore, its maintenance at public expense is no longer justified.

2. The vacation will not deny owners of property, abutting on the street right of way, reasonable access to their property.

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 along the described street not more than twenty days nor less than four days prior to the date set for the hearing, and published notice consistent therewith has occurred.

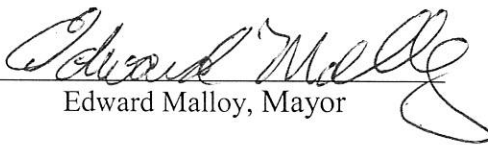
SECTION 3. Vacation. The west six (6) feet of North 10th Street Right of Way adjacent to 1000 West Briggs described as: Sunset Addition, Lot 1 of Block 5 and the east half (1/2) of lot 2 of Block 5; and also adjacent to 1001 West Broadway described as: Sunset Addition, lot 8 of Block 5 in the City of Fairfield, Jefferson County, Iowa ARE HEREBY DECLARED VACATED.

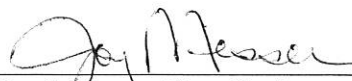
SECTION 4. Repealer. All ordinances or parts of this ordinance in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. 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 part thereof not adjudged invalid or unconstitutional.

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

Passed by the Council the 22nd day of April, 2013, and approved this 22nd day of April, 2013.


Edward Malloy, Mayor

Attest: 
Joy Messer, City Clerk

Passed this 22nd day of April 2013, and approved for signature this 22nd day of April 2013.

The above Ordinance No. 1101 having come before the City Council of Fairfield, Iowa on the 22nd day of April 2013, having been moved by Councilperson Hamilton and seconded by Councilperson Rasmussen is adopted by the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Boyer	<u> X </u>	_____	_____	_____
Halley	<u> X </u>	_____	_____	_____
Hamilton	<u> X </u>	_____	_____	_____
Rasmussen	<u> X </u>	_____	_____	_____
Revolinski	<u> X </u>	_____	_____	_____
Ledger-Kalen	<u> X </u>	_____	_____	_____
Hammes	<u> X </u>	_____	_____	_____