

**Ordinance No. 1108**

**AN ORDINANCE PROVIDING FOR THE VACATION OF A CERTAIN ALLEYS  
IN BLOCK NINETEEN (19) OF RAILROAD ADDITION  
IN THE CITY OF FAIRFIELD, JEFFERSON COUNTY, IOWA  
DESCRIBED AS:**

East-West Alley and North-South Alley of Block 19 of Railroad Addition, City of Fairfield, Jefferson County, Iowa subject to continued right of access by adjacent neighbors for ingress and egress to their adjacent property from the vacated alley tract.

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 their maintenance and supervision.

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, their maintenance at public expense would not be justified.

2. The vacation will not deny owners of property adjacent to the alleys being vacated, 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 alleys not more than twenty days nor less than four days prior to the date set for the hearing.

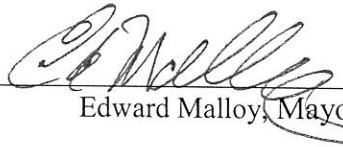
4. The date set for Hearing on this intended alley vacation will be September 23, 2013, at 7:00 p.m. Fairfield City Hall.

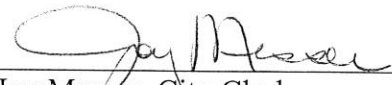
SECTION 3. Vacation. The above described alleys (Alleys platted as East-West Alley and North-South Alley of Block 19 of Railroad Addition, City of Fairfield, Jefferson County, Iowa subject to continued right of access by adjacent neighbors for ingress and egress to their adjacent property from the vacated alleys) ARE HEREBY DECLARED VACATED consistent with the purpose above stated and the facts found.

SECTION 4. 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 5. When Effective. This ordinance shall be in effect after its final passage, approval, and publication as provided by law.

Passed by the Council the 14<sup>th</sup> day of October, 2013, and approved this 14<sup>th</sup> day of October, 2013.

  
Edward Malloy, Mayor

Attest:   
Joy Messer, City Clerk

The above Ordinance No. 1108 having come before the City Council of Fairfield, Iowa on the 14<sup>th</sup> day of October 2013, having been moved by Councilperson Revolinski and seconded by Councilperson Boyer is adopted upon final reading 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>	_____	_____	_____