

Ordinance No. 1109

**AN ORDINANCE PROVIDING FOR THE VACATION OF A CERTAIN ALLEY
IN BLOCK TWO (2) OF ORIGINAL PLAT
IN THE CITY OF FAIRFIELD, JEFFERSON COUNTY, IOWA
DESCRIBED AS:**

East-West Alley at the West one-half (½) of Block 2 of Original Plat (Between Lots 5 and 6 and Lots 4 and 3), 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 alleyway 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:

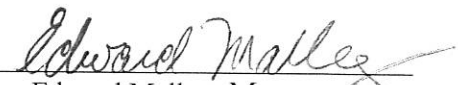
1. The described alley is not needed for the use of the public, and, therefore, its maintenance at public expense would not be justified.
2. The vacation will not deny owners of property adjacent to the alley being vacated, reasonable access to their property.
3. Notice of the intended vacation, including 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 alley 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.

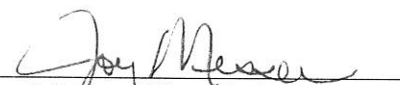
SECTION 3. Vacation. The above described alley (Alley platted as East-West Alley at the West one-half (½) of Block 2 of Original Plat (Between Lots 5 and 6 and Lots 4 and 3), City of Fairfield, Jefferson County, Iowa, subject to continued right of access by adjacent neighbors for ingress and egress to their adjacent property from the vacated alley tract) IS 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 28th day of October, 2013, and approved this 28th day of October, 2013.


Edward Malloy, Mayor

Attest: 
Joy Messer, City Clerk

The above Ordinance No. 1109 having come before the City Council of Fairfield, Iowa on the 28th day of October 2013, having been moved by Councilperson Hamilton and seconded by Councilperson Hammes 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>	_____	_____	_____