

**AN ORDINANCE PROVIDING FOR THE VACATION OF THAT PART OF THE 10 FEET WIDE UNNAMED STREET ADJOINING LOT 10 OF MAYNE'S SUBDIVISION OF ORIGINAL BLOCKS 77, 78 & 79 AND PART OF SECTION 35, TOWNSHIP 69 NORTH, RANGE 10 WEST IN THE CITY OF KEOSAUQUA, VAN BUREN COUNTY, IOWA**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KEOSAUQUA, IOWA:**

Section 1. Purpose. The purpose of this ordinance is to vacate a street as hereinafter described and thereby relieve the City of Keosauqua, Iowa of the responsibility for its maintenance and supervision.

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

1. The described portion of the street is not needed for the use of the public, and therefore, its maintenance at public expense is no longer justified.
2. Vacation will not deny owners of property abutting on the street reasonable access to their property.
3. Notice of the intended vacation, including the date on which the council would first consider the vacating ordinance, was published in a newspaper of general circulation not more than twenty (20) days, nor less than four (4) days prior to the date set for the hearing.

Section 3. Vacation. The following-described property:

That part of the 10 feet wide unnamed Street adjoining Lot 10 of Mayne's Subdivision of Original Blocks 77, 78 & 79 and part of Section 35, Township 69 North, Range 10 West in the City of Keosauqua, Van Buren County, Iowa.

Subject to easements of record and franchises; and reserving to the City of Keosauqua, Iowa, or its assignees, a perpetual easement over, across and through said real estate for the construction, repair and maintenance of water, sewer and other utility lines and appurtenances,

is hereby declared vacated.

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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Severability Clause. In the event 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.

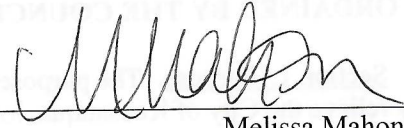
Section 6. When Effective. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

**Ordinance 185-Continued**

**PASSED and APPROVED** by the City Council this 13th day of February, 2024.

1<sup>st</sup> Reading – Ayes-Jones, Harlan, Allen, McEntee, Lazenby. Nays - None

Waived 2<sup>nd</sup> & 3<sup>rd</sup> Readings - Ayes-Jones, Harlan, Allen, McEntee, Lazenby. Nays - None



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Melissa Mahon, Mayor

ATTEST:



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Missy Harward, City Clerk