

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE VACATION OF ALL THAT PORTION OF SOUTH STREET FROM THE WESTERN BOUNDARY OF DRAKE STREET TO THE EASTERN BOUNDARY OF THE NORFOLK SOUTHERN RAILWAY COMPANY RIGHT-OF-WAY, ALL IN DRAKE'S FIRST ADDITION TO THE CITY OF BLOOMFIELD, IOWA

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BLOOMFIELD, IOWA:

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

Section 2. Facts Found. The council of the City of Bloomfield, 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 street:

All that portion of South Street from the Western boundary of Drake Street to the Eastern boundary of the Norfolk Southern Railway Company Right-of-Way, all in Drake's First Addition to the City of Bloomfield, Iowa,

subject to easements of record and franchises; and reserving to the City of Bloomfield, 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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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.

PASSED and APPROVED by the City Council this ____ day of _____, 2022.

Chris Miller, Mayor

Attest:

Sandy Jones, City Clerk