

The City of Emmetsburg, Iowa

(ORDINANCE NO. 327

to

(Dated June 2, 1980

The Public

(Filed July 18, 1980

(Misc. Record 10, page 403

AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF  
EIGHTH STREET IN THE CITY OF EMMETSBURG, IOWA:

Be It Enacted by the Council of the City of Emmetsburg, Iowa:

Section 1. Purpose. The purpose of this Ordinance is to vacate the described street and thereby relieve the City of Emmetsburg, Iowa, of the responsibility for its' maintenance and supervision.

Section 2. Facts found. The Council of the City of Emmetsburg, Iowa hereby makes the following findings:

1. The described street 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 reasonable access to their property.

3. Notice of the intended vacation, including the date on which the Council will first consider the vacating ordinance was published and posted not more than twenty (20) days nor less than four (4) days prior to the date set for the hearing, hearing date is hereby set for 7:30 PM on June 2, 1980, at the City Hall in Emmetsburg, Iowa, at which time written and oral objections by interested persons shall be considered.

Section 3. Vacation. Beginning at Northwest corner of lot Five (5), Block Nine (9), thence North to Southeast corner of Lot 1, Block 10; thence East to the Chicago, Rock Island and Pacific Railroad right of way; thence South to a line East extended from the North boundary of said Lot 5; thence West to the point of beginning, all in Burnham's Addition to Emmetsburg, Iowa, 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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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. 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 and approved by the council this 2nd day of June, 1980.

/s/ CARROLL CURRAN  
Mayor

Attest:  
RosaLinda Argabright  
City Clerk

Seal of City of Emmetsburg, Iowa affixed.