

ORDINANCE NO. 20-09

ORDINANCE VACATING A PORTION OF A STREET LOCATED WITHIN THE  
CORPORATE LIMITS OF THE CITY OF KNOXVILLE, IOWA

BE IT ENACTED by the City Council of the City of Knoxville, Iowa:

SECTION 1. Purpose. The purpose of this Ordinance is to vacate a certain portion of the described street and thereby relieve the City of Knoxville, Iowa, of the responsibility for its maintenance and supervision.

SECTION 2. Facts Found. The Council of the City of Knoxville, 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) The vacation will not deny owners of property abutting on the portion of the street reasonable access to their property.
- 3) Notice of the intended vacation, including the date on which the Council considered the vacating, was published in a paper of general circulation in the City of Knoxville and posted at the Knoxville City Hall no more than twenty (20) days nor less than four (4) days prior to the date set for the hearing.

SECTION 3. Vacation:

The East 25 feet of North Attica Rd. lying West of and adjacent to all that part of Lot 1 in East Knoxville, Iowa (otherwise known as Brown's Addition to the City of Knoxville, Iowa) lying South of the right-of-way of the C. B. & Q. R. R.;

AND

The West 16 feet of North Attica Rd. lying East of and adjacent to part of Lot 13 in Block 3 in Mathew's Addition to the City of Knoxville, Iowa, North side of Robinson Street,

described as follows: Beginning at the Southeast corner of said Lot 13, thence West 85 feet and 7 inches, thence North to the South line of the right-of-way of the C.B. & Q. R. Co., thence in a Southeasterly direction along the South line of said right-of-way to the East line of Lot 13, thence South to the place of beginning.

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 All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.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. Conveyance. After the closing and vacating of a portion of said street, conveyance shall be by Quit Claim Deed reserving easements for the benefit of the City of Knoxville, Iowa, for the maintenance and repair of utilities which may be lying within the above described portion of the vacated street all within the City of Knoxville, Iowa.

SECTION 6. Severability Clause. If any section, provisions 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 7. When Effective. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED by the City Council this 3rd day of August, 2020, and  
APPROVED this 3<sup>rd</sup> day of August, 2020.

ATTEST:

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Brian J. Hatch, MAYOR

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Tricia Kincaid, CITY CLERK