

ORDINANCE 780

AN ORDINANCE PROVIDING FOR THE VACATION OF THE RIGHT OF WAY AT 5th STREET ADJACENT TO THE ORIGINAL TOWN CAMANCHE SOUTH ONE HUNDRED (100) FEET OF LOT FIFTEEN (15), BLOCK THREE (3) IN THE CITY OF CAMANCHE.

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

Section 1. Purpose. The purpose of this ordinance is to vacate the described right of way as more particularly described in the attached Exhibit "A", which is attached hereto and incorporated herein by this reference, and thereby relieve the City of Camanche, Iowa, of the responsibility for its maintenance and supervision of the right of way and enable the City to transfer the right of way to the adjoining property owner, subject to existing easements.

Section 2. Facts Found. The City Council hereby makes the following findings of fact:

- 1) That the described right of way is not needed for the use of the public
- 2) That vacation of said right of way will not deny access to necessary infrastructure of the city or its utility franchise partners unless otherwise specified under easement agreements as deeded
- 3) That the notice of the intended vacation has been published or posted as required by law

Section 3. Vacation. The tract of land previously designated as right of way as described in the attached Exhibit "A" located along the south one hundred (100) feet of Lot fifteen (15), Block three (3), Town of Camanche, Clinton County, Iowa being located upon and a part of the northwest quarter (NW ¼) of the northeast quarter (NE ¼) of section thirty-three (33), township eighty-one (81) north, range six (6), East of the 5th P.M. be and the same is hereby declared vacated.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.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 this ordinance as a whole, or any section, provision, or part thereof not adjudicated invalid or unconstitutional.

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

Passed by the Camanche City Council this 5th day of April, 2022 and approved this 5th day of April, 2022.

Paul E. Varner, Mayor Pro Tem

Attest: Toni L. Schneider, City Clerk

Exhibit A

All or part of the vacated 5th Street adjacent to the south one hundred (100) feet of Lot fifteen (15), Block three (3), Town of Camanche, Clinton County, Iowa being located upon and a part of the northwest quarter (NW ¼) of the northeast quarter (NE ¼) of section thirty-three (33), township eighty-one (81) north, range six (6), East of the 5th P.M.

Certification of Posting

I, Toni L. Schneider, City Clerk do hereby certify that a copy of this ordinance was posted at Clinton National Bank, Camanche City Hall, and the Camanche Public Library on the 5th day of April, 2021, as required by law.

Date

Toni L. Schneider, City Clerk