Book 2009 Page 3526
Document 2009 3526 Type 06 018 Pages 2
Date 9/10/2009 Time 9:06:09AM
Rec Amt $14.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

ORDINANCE NO. 754
Recorder's Cover Sheet

Preparer Information:
CHG Marc W. Casey, 129 1st Ave E, Dyersville, IA 52040 563-875-7171

Taxpayer Information:
C & G Partnership
1440 Field of Dreams Way
Dyersville, IA 52040

Return Address:
City of Dyersville, Iowa
340 1st Ave E
Dyersville, IA 52040

Grantors:
City of Dyersville, Iowa

Grantees:
C & G Partnership

Legal Description:
See Page 2

Document or instrument number if applicable:

ORDINANCE NO. 754

AN ORDINANCE PROVIDING FOR THE VACATION OF THAT PART OF 12TH AVENUE SW, LOCATED ADJACENT TO LOT 2 OF LAMMERS ACRES IN THE CITY OF DYERSVILLE, IOWA

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

SECTION 1. Purpose. The purpose of this ordinance is to vacate the described street and thereby relieve the City of Dyersville, Iowa, of the responsibility for its maintenance and supervision.

SECTION 2. Facts Found. The council of the City of Dyersville, 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 not justified.

2. The vacation will not deny the 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, has been published not more than twenty days nor less than four days prior to the date set for the hearing.

SECTION 3. Vacation. That part of 12th Avenue SW, located adjacent to Lot 2 of Lammers Acres in the City of Dyersville, Iowa, is declared vacated.

SECTION 4. 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 5. When Effective. This ordinance shall be in effect after its final passage, approval, and publication as provided by law.

Passed by the Council the 31st day of August, 2009, and approved this 31st day of August, 2009.

James A. Heavens
JAMES A. HEAVENS, Mayor

Attest: Tricia L. Maiers
TRICIA L. MAIERS, Clerk