

**ORDINANCE NO. 176**

**AN ORDINANCE PROVIDING FOR THE VACATION THAT PORTION OF MULBERRY STREET LYING SOUTHEAST OF IOWA HIGHWAY 1/BROAD STREET AND ALLEY RUNNING THROUGH BLOCK 94 OF THE SECOND ADDITION TO KEOSAUQUA, VAN BUREN COUNTY, IOWA**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KEOSAUQUA, 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 Keosauqua, Iowa of the responsibility for its maintenance and supervision.

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

That portion of Mulberry Street that lies Southeast of the IA 1/Broad Street ROW of the Second Addition to Keosauqua, Van Buren County, Iowa.

And

The alley running through Block 94 of the Second Addition to Keosauqua, Van Buren County, Iowa.

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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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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.

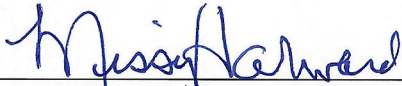
Section 6. When Effective. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

**PASSED and APPROVED** by the City Council this 10<sup>th</sup> day of May, 2022.



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Melissa Mahon, Mayor

Attest:



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Missy Harward, City Clerk