F8

STREET VACATION REQUEST

APPLICANT/PROPERTY OWNER : Brainiac Incorporated

ADDRESS : 357 Woodland Drive S.E.
Cedar Rapids, Iowa, 52403

SIGNATURE _____

Chad D. Abernathey, President

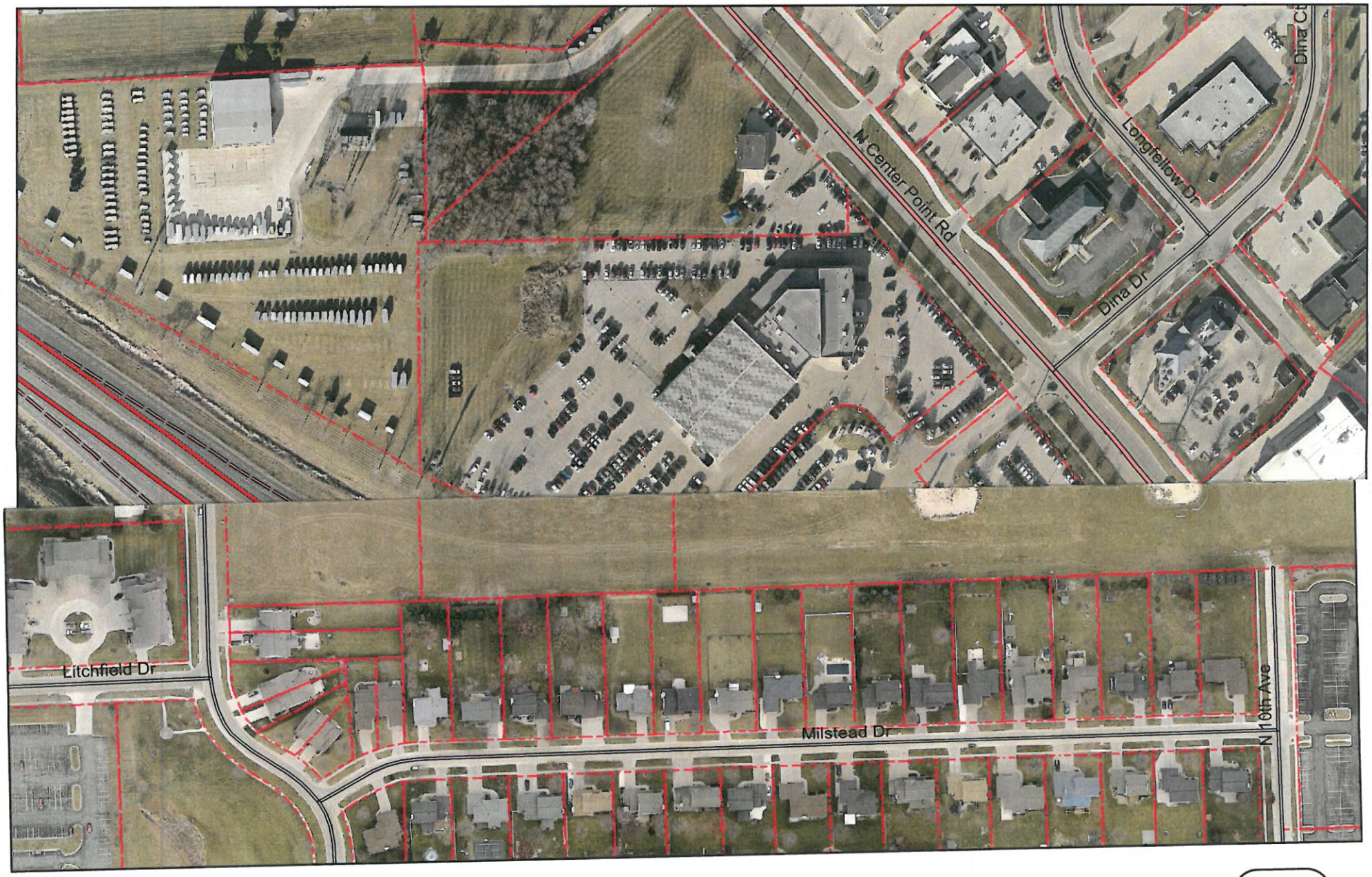
DESCRIPTION OF VACATION : Langston Drive
33-NE SW 32-84-7
Hiawatha North 15th

PURPOSE OF VACATION :

1) improve the medical development plans of the adjacent properties
2) allow increased parking options for new medical development
3) create a safer environment for medical employees and patients
4) improve options to shield and protect the interests of neighboring properties
5) improve traffic flow in and around the project
6) optimize water detention
7) increase green space options
8) optimize light pollution and nuisance sound solutions
9) remove Hiawatha City responsibility for maintenance

PERTINENT POINTS :

1) Brainiac Incorporated is the only property owner on both sides of Langston Drive
2) Brainiac Incorporated is the only beneficiary of Langston Drive
3) Brainiac Incorporated will provide permanent utility easement to the city
4) vacation of Langston Drive will not limit access to adjacent agricultural land
5) aerial view is attached



Hiawatha!™

1 inch = 200 feet

DRAFT

RESOLUTION NO. 16-
City Council

RESOLUTION SETTING A PUBLIC HEARING DATE TO CONSIDER VACATION OF A PORTION OF RIGHT OF WAY
Portion of Langston Drive in Connection with Property Located at 1195 Boyson Road

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA to direct staff to proceed with notification of a public hearing that will be held in the Hiawatha Council Chambers, 101 Emmons Street, before the Hiawatha City Council on Wednesday, June 1, 2016 @ 5:30 P.M., to consider the vacation of a portion of Langston Drive, for the purpose of improving the medical development plans of the adjacent properties, allowing increased parking options for new medical development, creating safer environment for medical employees and patients, improving options to shield and protect the interests of neighboring properties, improving traffic flow, optimizing water detention, increasing green space options, optimizing light pollution and nuisance sound solutions, and removing city responsibility for maintenance, in connection with the Mercy Hospital project located at 1195 Boyson Road, submitted by Brainiac Incorporated.

AYES:
NAYS:
ABSENT:

PASSED AND APPROVED this 18th day of May, 2016.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kari Graber, Deputy Clerk

DRAFT

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HIAWATHA, IOWA, 1996, BY AMENDING CHAPTER 137 VACATION AND DISPOSAL OF STREETS §137.04 FINDINGS REQUIRED

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

SECTION 1. Chapter 137, Section 137.04 Findings Required, of the Code of Ordinances of the City of Hiawatha, Iowa, 1996, is hereby amended as follows:

137.04 FINDINGS REQUIRED. No street, alley, portion thereof or any public grounds shall be vacated unless the Council finds that:

1. Public Use. The street, alley, portion thereof or any public ground proposed to be vacated is not needed for the use of the public, and therefore, its maintenance at public expense is no longer justified.

D. Portion of Langston Drive right of way described as 33-NE SW 32-84-7, Hiawatha North 15th.

SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

PASSED AND APPROVED this 1st day of June, 2016.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kelly Kornegor, City Clerk

DRAFT

I, Kelly Kornegor, City Clerk of the City of Hiawatha, Iowa, do hereby certify that the foregoing ORDINANCE was PASSED and APPROVED by the City Council of the City of Hiawatha, Iowa, on the 1st day of June, 2016, and was posted as Ordinance No. _____ on the _____ day of June, 2016.

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