F3a

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 FINDINS REQUIRED AND §137.05 DISPOSAL OF VACATED STREETS OR ALLEYS

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

SECTION 1. Chapter 137, Section 137.04 Findings Required and 137.05 Disposal of Vacated Streets or Alleys, of the Code of Ordinances of the City of Hiawatha, Iowa, 1996, are 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.

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

(ADD)

F. Property located at 710 Kainz Drive described as Lot 23, Auditor's Plat No. 372.

137.05 DISPOSAL OF VACATED STREETS OR ALLEYS. When in the judgment of the Council it would be in the best interest of the City to dispose of a vacated street or alley, portion thereof or public ground, the Council may do so in accordance with the provisions of Section 364.7, Code of Iowa.

2. Disposal of Vacated Public Ground. The City of Hiawatha has determined the necessity for the disposal of the following vacated properties:

F. Boyson Road right-of-way identified in Parcel A, Plat of Survey No. 1995 with an address known as 1195 Boyson Road.

(ADD)

G. Lot 23, Auditor's Plat No. 372. with an address known as 710 Kainz Drive.

DRAFT

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 20th day of December, 2017.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kelly Kornegor, City Clerk

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 20th day of December, 2017, and was posted as Ordinance No. _____ on the _____ day of December, 2017.

_____
Kelly Kornegor, City Clerk

DRAFT

RESOLUTION NO. 17-
City Council

RESOLUTION SETTING A PUBLIC HEARING DATE TO CONSIDER AMENDING HIAWATHA CODE OF ORDINANCES CHAPTER 137 VACATION AND DISPOSAL OF STREETS §137.04 FINDINGS REQUIRED AND §137.05 DISPOSAL OF STREETS OR ALLEYS

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, December 20, 2017 at 5:30 P.M., to consider amending Hiawatha Code of Ordinances Chapter 137 Vacation and Disposal of Streets by amending §137.04 Findings Required (1.) Public Use adding (F.) Property located at 710 Kainz Drive described as Lot 23, Auditor's Plat No. 372, and amending §137.05 Disposal of Streets or Alleys (1.) Disposal of Vacated Public Ground by adding (G.) Lot 23, Auditor's Plat No. 372 with an address known as 710 Kainz Drive.

BE IT FURTHER RESOLVED hereby directing staff to proceed with publication of Notice of Bids for sale of property located at 710 Kainz Drive described as Lot 23, Auditor's Plat No. 372.

AYES:
NAYS:
ABSENT:

PASSED AND APPROVED this 15th day of November, 2017.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kelly Kornegor, City Clerk