

CITY OF ELDORA, HARDIN COUNTY, IOWA

ORDINANCE NO. 890

ORDINANCE VACATING THE ALLEY BETWEEN 11<sup>th</sup> STREET AND 12<sup>th</sup> STREET IN BLOCK 21 OF THE ORIGINAL TOWN PLAT, CITY OF ELDORA, HARDIN COUNTY, IOWA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELDORA, HARDIN COUNTY, IOWA.

SECTION 1. Purpose. The purpose of this ordinance is to vacate the alley between 11<sup>th</sup> Street and 12<sup>th</sup> Street in Block 21 of the Original Plat of the City of Eldora, Hardin County, Iowa, pursuant to Iowa Code Section 354.23, as follows:

The South one-half (4 feet) of said alley is hereby transferred to the following adjacent property owners:

Susan K. Dickerson Commencing at the Northwest Corner of Lot 5 as the point of beginning, thence North four (4) feet, thence East 64 Feet, thence South four (4) feet, thence West 64 feet to the point of beginning.

Andrew L. Cable Commencing at the Northwest Corner of Lot 5 thence 64 feet to the as a point of beginning, thence North four (4) feet, thence East 64 Feet, thence South four (4) feet, thence West 64 feet to the point of beginning.

Scott Bumsted and Marla Bumsted Commencing at the Northwest Corner of Lot 7 as a point of beginning, thence North four (4) feet, thence East 64 Feet, thence South four (4) feet, thence West 64 feet to the point of beginning.

AND, the North one-half (4 feet) of said alley is hereby transferred to the following adjacent property owners:

HF9 Commencing at the Southwest Corner of Lot 3 as the point of beginning, thence South four (4) feet, thence East 64 Feet, thence North four (4) feet, thence West 64 feet to the point of beginning.

Shawn Weatherly and Terry L. Weatherly Commencing at the Southwest Corner of Lot 3, thence 64 feet East to the point of beginning, thence South four (4) feet, thence East 64 Feet, thence North four (4) feet, thence West 64 feet to the point of beginning.

Kevin J. Shillinglaw Commencing at the Southwest Corner of Lot 2 as the point of beginning, thence South four (4) feet, thence East 64 Feet, thence North four (4) feet, thence West 64 feet to the point of beginning.

Gina D. Pippert Commencing at the Southwest Corner of Lot1 as the point of beginning, thence South four (4) feet, thence East 64 Feet, thence North four (4) feet, thence West 64 feet to the point of beginning.

SECTION 2. Vacation. That all of the east/west running alley (between 11<sup>th</sup> Street and 12<sup>th</sup> Street in Block 21 of the Original Plat of the City of Eldora, Hardin County, Iowa) is vacated.

SECTION 3. Ownership retained. The City hereby retains ownership of and all easements for utility purposes and rights of ingress and egress if currently existing.

SECTION 4. Repealer Clause. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. Severability Clause. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional by a court of competent jurisdiction, 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 13. Effective Date. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved by the Council on the 11<sup>th</sup> day of October, 2022.

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David W. Dunn, Mayor

ATTEST:

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Chandra Kyte, City Clerk

Introduced: September 13, 2022  
Passed 1<sup>st</sup> Consideration: September 13, 2022  
Passed 2<sup>nd</sup> Consideration: October 11, 2022  
Passed 3<sup>rd</sup> Consideration: October 11, 2022  
Passed & Adopted: October 11, 2022