

ORDINANCE NO. 11-21-2022 #02(617)

AN ORDINANCE VACATING A PUBLIC UTILITY EASEMENT IN THE CITY OF ALTOONA, IOWA

BE IT ENACTED by the City Council of the City of Altoona, Iowa:

**SECTION 1. FACTS.** The following described easement shall be vacated:

THE WEST 10.00 FEET OF LOTS 9,10, 11, AND 12; EXCEPT THE SOUTH 20.00 FEET OF THE NORTH 25.00 FEET OF SAID LOT 12  
AND EXCEPT THE NORTH 10.00 FEET OF THE SOUTH 15.00 FEET OF LOT 9, I-80 BUSINESS PARK PLAT 1, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF ALTOONA, POLK COUNTY, IOWA.

This easement area does not serve any remaining public need and will not deny the public reasonable access.

**SECTION 2.** Said public utility easement is vacated as a public way.

**SECTION 3. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**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 from and after its final passage, approval and publication as provided by law.

Passed by the Council the 21<sup>st</sup> day of November, 2022, and approved this 21<sup>st</sup> day of November, 2022.



Dean O'Connor, Mayor

Attest:



Randy Pierce, City Clerk

**Council Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Boka</b>	✓			
<b>Burns-Thompson</b>			✓	
<b>Duer</b>	✓			
<b>Dunwoody</b>	✓			
<b>Willey</b>	✓			