

ORDINANCE NO.

ORDINANCE for Case No. ROW16-05: Request of Juan Goitia for the right-of-way vacation (abandonment) of 2,250 square feet, more or less, of East 10th Street that lies north of the sidewalk and property at 1002 Bridge Avenue. [5th Ward]

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1. The following described unit of Scott County, Iowa real estate is hereby vacated (abandoned). The property has the following legal description:

Part of the Northwest Quarter of the Southeast Quarter Section 25 Township 78 North Range 3 East of the 5th P.M. more particularly described as follows:

Beginning at the southeast corner of Lot 1 of Block 7 of Part of G.C. Churchill's Re-Survey of Churchill's Addition to the City of Davenport, Scott County, Iowa, said corner also being the northwest corner of the intersection of Bridge Avenue and East 10th Street; thence South along the west line of Bridge Avenue as extended a distance of 15.00 feet; thence West parallel to and 15.00 feet distant from the south line of said Lot 1 of Block 7 a distance of 150.00 feet; thence North 15.00 feet to the southwest corner of said Lot 1 of Block 7; thence East along the south line of said Lot 1 of Block 7 also being the north line of East 10th Street a distance of 150 feet to the point of beginning. Said tract contains 2,250 square feet, more or less.

The City Plan and Zoning Commission forwards Case No. ROW16-05 to the City Council with a recommendation for approval subject to the following conditions:

1. That a utility easement be retained over the vacated area to maintain, operate, remove, repair, replace, construct, reconstruct or relocate utility services;
2. That the vacated area be no more than 15-feet in depth along the south property line of 1002 Bridge Avenue.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

Frank Klipsch
Mayor

Attest: _____

Jackie Holecek, CMC
Deputy City Clerk

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