

ORDINANCE NO. 545

AN ORDINANCE VACATING PART OF ADAMS STREET
AND ALLEY IN BLOCK 6 IN THE ORIGINAL TOWN OF JEFFERSON, IOWA

WHEREAS, by Resolution No. 22-13 adopted by the City Council of Jefferson on May 28, 2013, it was proposed that the portions of the street and alley described below be vacated; and

WHEREAS, notice of a public hearing on this proposal has been published as required by law; and

WHEREAS, that public hearing has been held at the time and place as specified in the notice and any and all objections or other comments relating to that proposal have been heard; and

WHEREAS, it is deemed to be in the best interests of the City of Jefferson, Iowa, that the portions of the street and alley described below be vacated as proposed.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF JEFFERSON, IOWA, as follows:

SECTION 1. Vacation. The following described portions of street and alley are hereby vacated:

That part of Adams Street lying between Outlot 6 and Block 6 in the Original Town (now City) of Jefferson, also known as that part of Adams Street lying between the east line of Vine Street and the west line of Wilson Avenue, in Jefferson; and the north-south alley located in Block 6 in the Original Town (now City) of Jefferson; all in Greene County, Iowa,

subject to the easements set forth below.

SECTION 2. Easements. This vacation is subject to all existing franchises, easements, licenses and permits, whether or not of record, and there shall be reserved unto the City of Jefferson and its franchisees an easement for purposes of the presence, operation, maintenance, repair and replacement of all existing utilities over, under and through such street and alley, with right of entry for servicing the same, until such time as the City and each such franchisee shall release its rights.

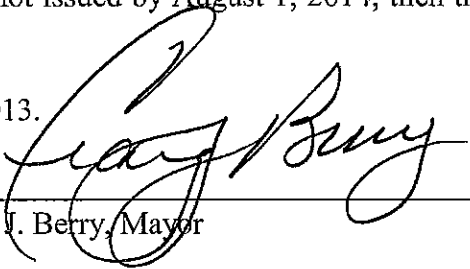
SECTION 3. Repealer. Any and all resolutions and ordinances, or parts thereof, in conflict with this ordinance are, to the extent of such conflict, hereby repealed.

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.

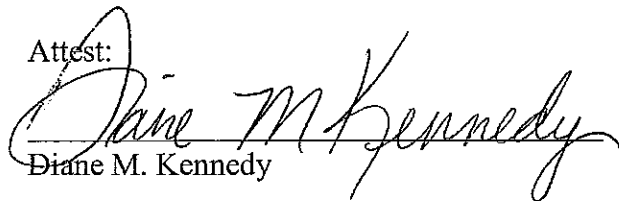
SECTION 5. When effective. This ordinance shall be effective on the date that the City of

Jefferson issues to Hy-Vee, Inc. either a building permit or a demolition permit, whichever is earlier, in connection with the construction of the Hy-Vee store in Jefferson described in Hy-Vee's press release dated March 7, 2013. If either of such permits is not issued by August 1, 2014, then this ordinance shall not become effective.

Passed by the Council and approved on July 16, 2013.

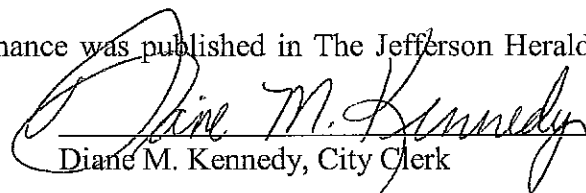


Craig J. Berry, Mayor

Attest:


Diane M. Kennedy

I hereby certify that the foregoing ordinance was published in The Jefferson Herald on
July 25, 2013


Diane M. Kennedy, City Clerk