

Whereupon, Council member Weland motioned that the following Resolution be approved.

**RESOLUTION 2022-90**

**A RESOLUTION TO SET A DATE FOR PUBLIC HEARING FOR THE VACATION AND CONVEYANCE OF PUBLIC RIGHTS-OF-WAY**

**WHEREAS**, on August 1, 2022, the City Council received a request to vacate and convey three public rights-of-way measuring approximately 80' x 300' between Block 2 and Block 3, Porter's 1st Addition, Wright County, Iowa, more formally known as Montgomery Street; measuring approximately 33' x 160 south of Block 3 of Porter's 1st Addition; and measuring approximately 20' x 300' west of Block 3 of Porter's 1st Addition; and,

**WHEREAS**, Alwyn and Jenny Van Jaarsveld, the owners of the real property which abuts said public rights-of-way, submitted the request to vacate and convey the public rights-of-way; and,

**WHEREAS**, the Planning and Zoning Commission shall meet to determine current or future public need or benefit for the public rights-of-way proposed to be vacated and conveyed, its maintenance at public expense, and if the proposed vacation and conveyance will not deny owners of property abutting the public rights-of-way reasonable access to their property; and,

**WHEREAS**, it is in the best interest of the City to set a hearing for the vacation and conveyance of the aforementioned rights-of-way and to provide an opportunity for further consideration of the public and the Planning & Zoning Commission; and,

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Eagle Grove, Iowa:

1. That the City Council shall require a recommendation from the Eagle Grove Planning & Zoning Commission prior to the consideration of an ordinance to permanently vacate the aforementioned public rights-of-way.
2. That the City Council of the City of Eagle Grove shall consider adoption of an ordinance permanently vacating the North-South portion of Montgomery Street north of N. 10<sup>th</sup> Street between Blocks 2 and 3 of Porter's 1st Addition, the East-West portion east of the intersection of Montgomery Street and N. 10<sup>th</sup> Street south of Block 3 of Porter's 1st Addition, and the North-South alley west of Block 3 of Porter's 1st Addition, all in Eagle Grove, Wright County, Iowa.
3. NOTICE IS FURTHER GIVEN, that the City Council will consider the adoption of the proposed vacation ordinance and approval of the proposed conveyance after a public hearing to be held at seven (7:00) p.m. in the Council Chambers in City Hall located at 210 East Broadway Street, Eagle Grove, Iowa on Monday, October 3, 2022.

The motion was seconded by Council member Pamperin and after due consideration thereof, the roll was called and the following Council Members voted:

AYES: Pamperin, Weland, Lorenzer, + Limerick

NAYS:

Whereupon, the Mayor declared said Resolution duly PASSED and APPROVED on this 1<sup>st</sup> day of August, 2022.

Sandra McGrath

Sandra McGrath, Mayor

ATTEST

Bryce Davis

Bryce Davis, City Administrator/Clerk