

ORDINANCE NO. 872

AN ORDINANCE PROVIDING FOR THE VACATION OF RIGHT-OF-WAY
LOCATED THAT PART OF 16TH AVENUE SW IN THE CITY OF
DYERSVILLE, DUBUQUE COUNTY, IOWA

Be It Enacted by the Council of the City of Dyersville, Iowa:

SECTION 1. Purpose. The purpose of this ordinance is to vacate part of 16th Avenue SE right-of-way shown on the attached Exhibit A and thereby relieve the City of Dyersville, Iowa, of the responsibility for its maintenance and supervision.

SECTION 2. Facts Found. The council of the City of Dyersville, Iowa, hereby makes the following findings:

1. The described right-of-way is not needed for the use of the public, and, therefore, its maintenance at public expense is no longer justified.
2. The vacation will not deny owners of property abutting on the street reasonable access to their property.
3. Notice of the intended vacation, including the date on which the council will first consider the vacating ordinance, has been not more than twenty days nor less than four days prior to the date set for the hearing.

SECTION 3. Vacation. That certain real property legally described as: Lot 1A of Dyersville Mall in the City of Dyersville, Dubuque County, Iowa, is declared vacated. The vacated property remains subject to easements of record. All costs associated with this vacation of right of way and transfer of the above-described property, including surveying, platting, and transfer costs, if any, shall be borne by the party acquiring the property from the City of Dyersville.

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

Passed by the Council this 3rd day of November 2025.

Jeff Jacque, Mayor

ATTEST: _____

Trica L. Maiers, City Clerk