

RESOLUTION NO. _____-2025

RESOLUTION SCHEDULING PUBLIC HEARING ON PROPOSED VACATION AND TRANSFER OF THAT PORTION OF 1ST AVE SE AND 2ND AVE SE LYING SOUTH OF 11TH STREET SE

WHEREAS, the City received an application from County Line Fiber, LLC dated February 17, 2025 requesting that the City consider the vacation and transfer of previously dedicated City right of way, described as all that portion of 1st Ave. SE and 2nd Ave. SE lying south of 11th Street SE, in the City of Oelwein, Iowa, and to thereafter transfer said vacated right of way to County Line Fiber, LLC, owner of all adjacent property, both to the east and west of the right of way proposed to be vacated, and

WHEREAS, the City Council finds, as required by Iowa Code § 354.23, that the area proposed to be vacated and transferred is of no benefit to the public, and further finds that the property should be considered for vacation and transfer to County Line Fiber, LLC in return for payment to the City in the amount of \$1,500.00, and

WHEREAS, the City Council finds that before City right of way may be vacated and/or transferred that a public hearing must be scheduled and held with notice of said public hearing to be published at least four (4) but not more than twenty (20) days in advance of the public hearing in accordance with Iowa Code §§ 364.7 and 362.3.

NOW, THEREFORE, BE IT RESOLVED that a public hearing on the proposed Vacation and Transfer of the previously dedicated street right of way shall be held on March 10, 2025 at 6:00 p.m. during the regular City Council meeting of the City of Oelwein, Iowa, held in the City Council chambers located at 20 2nd Avenue SW, Oelwein, IA, at which time the City Council will consider written comments, if any, received in advance of the public hearing and any oral comments received during the public hearing, before considering a Resolution approving the vacation and transfer of said City of Oelwein ROW, and directs the City Clerk to cause notice of said public hearing, in the form substantially consistent with that attached hereto, to be published once, not less than four (4) nor more than twenty (20) days prior to the public hearing date in accordance with Iowa Code §§364,7 and 362.3.

Passed and approved this 24th day of February, 2025.

Brett DeVore, Mayor

Attest:

Dylan Mulfinger, City Administrator

Recorded February 25, 2025.

It was moved by _____ and seconded by _____ that the Resolution as read be adopted, and upon roll call there were:

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Ricchio
Weber
Lenz
Cantrell
Seeders
Payne

CITY OF OELWEIN

NOTICE OF PUBLIC HEARING ON PROPOSED VACATION AND TRANSFER OF THAT PORTION OF 1ST AVE SE AND 2ND AVE SE LYING SOUTH OF 11TH STREET SE

Notice is hereby given that the City of Oelwein proposes to vacate previously dedicated City right of way described as that portion of 1st Ave. SE and 2nd Ave. SE lying south of 11th Street SE, and to thereafter transfer said vacated ROW to the adjacent property owner, County Line Fiber, LLC, in return for payment in the total amount of \$1,500.00.

Public Hearing on the proposed Vacation and Transfer of said right of way has been scheduled for 6:00 p.m. on March 10, 2025 during the regular City Council meeting of the City of Oelwein, to be held in the City Council Chambers located at 20 2nd Avenue SW, Oelwein, IA. After acceptance of public comment, if any, and closing of the public hearing, the City Council will consider a Resolution approving the vacation and transfer of the property as proposed.

Any person may appear at the Public Hearing to comment on the proposed vacation and transfer and/or may submit written comments in advance of the Public Hearing by delivery of same to the City Clerk's Office, at Oelwein City Hall, 20 2nd Avenue SW, Oelwein, IA during regular business hours, by mailing to the City of Oelwein at the same address, or by email to the City Clerk's Office at brigdon@cityofuelwein.org, on or before the date and time of the Public Hearing.

Barbara Rigdon, City Clerk , City of Oelwein, Iowa