

TITLE IV STREETS PARKS AND SIDEWALKS

ARTICLE II VACATION AND DISPOSAL

4-2.1 POWER TO VACATE. When in the judgment of the council it would be in the best interest of the city to vacate a street or alley, or portion thereof, they may do so in accordance with the provisions of this article.

4-2.2 Any proposal to vacate a street or alley shall be referred by the council to the street committee for its study and recommendation prior to further consideration by the council. The street committee shall submit a written report including recommendations to the council within 30 days of the date the proposed vacation was referred to it.

4-2.3 NOTICE OF VACATION HEARING. The council shall cause to be published a notice of public hearing at which time the proposal to vacate shall be considered. In addition to published notice, notice shall be posted at least twice on each block along the street or alley proposed to be vacated not more than 25 days nor less than 10 days prior to the date set for the hearing.

4-2.4 FINDINGS REQUIRED. No street or alley, or portion thereof, shall be vacated unless the council finds that:

1. Public Use. The street or alley proposed to be vacated is not needed for the use of the public, and, therefore, its maintenance at public expense is no longer justified.

2. Abutting Property. The proposed vacation will not deny owners of property abutting on the street or alley reasonable access to their property.

4-2.5 DISPOSAL OF STREETS OR ALLEYS. When in the judgment of the council it would be in the best interest of the

city to dispose of a vacated street or alley, or portion thereof, they may do so by resolution following notice and hearing.

- 4-2.6 DISPOSAL BY GIFT LIMITED. The city may not dispose of a vacated street or alley, or portion thereof, or any real property, by gift except to a governmental body for a public purpose.

NOTE: Alley running East/West in Block 5 of Original Plat vacated by Ordinance No. 1986-7 passed October 7, 1986. Alley conveyed to adjoining property owners.