

**LAURA K. THOMAS**  
Commission Number 718135  
My Commission Expires  
August 26, 2026

ORDINANCE 003-2023

AN ORDINANCE VACATING THAT PORTION OF THE UNDEVELOPED STREET DESCRIBED AS LYING ADJACENT TO THE NORTH PROPERTY LINE OF LOTS 170, 171, 172, 173, 174, 175, AND 176, DELAWARE, IOWA ACCORDING TO PLAT RECORDED IN BOOK 2 L.D., PAGES 488-489

BE IT ENACTED by the City Council of the City of Delaware, Iowa:

SECTION 1. That portion of the undeveloped street lying adjacent to the north property line of Lots 170, 171, 172, 173, 174, 175, and 176, Delaware, Iowa according to plat recorded in Book 2 L.D., Pages 488-489 (locally known as the undeveloped street north of 105 West Main Street), is closed from public use and vacated.

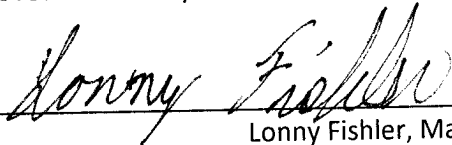
SECTION 2. The City Council may by separate action consider disposition of the undeveloped street described above following Notice and Public Hearing in a manner directed by the City Council.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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 in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the 8<sup>th</sup> day of November, 2023, and approved this 8<sup>th</sup> day of November, 2023.

  
Lonny Fishler, Mayor

ATTEST:

  
Erin Learn, City Clerk


Public Hearing:

1<sup>st</sup> Consideration & Adoption: Waived

2<sup>nd</sup> Consideration & Adoption: Waived

3<sup>rd</sup> Consideration & Final Adoption: November 8, 2023

I, Erin Learn, City Clerk of the City of Delaware, Iowa, do hereby certify that Ordinance 003-2023 was duly posted on the November 8, 2023, as provided by law, a copy of said being hereby attached and by this reference incorporated herein.

  
Erin Learn, City Clerk