

**ORDINANCE NO. 651**

**AN ORDINANCE VACATING TEN (10) FEET OF THE CITY RIGHT-OF-WAY OF  
LOCUST STREET, CARTER LAKE, IOWA**

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF CARTER LAKE, IOWA

SECTION 1. The following described City Right of Way in Carter Lake, Iowa, shall be hereby vacated and closed from public use:

The Northerly 10.00 feet of the Locust Street Right of Way, South of and adjacent to the Easterly 200.00 feet of Lot Nine (9), Auditor's Subdivision of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section Twenty-one (21), Township Seventy-five (75) North, Range Forty-four (44) West of the 5<sup>th</sup> Principal Meridian, all being in and forming a part of the City of Carter Lake, Pottawattamie County, Iowa, being more particularly described as follows:

Beginning at the Southeasterly corner of said Lot Nine (9), THENCE South 26°23'15" West, along the Iowa and Nebraska State Line, a distance of 11.01 feet; THENCE North 88°19'46" West, a distance of 195.40 feet; THENCE North 01°40'14" East, a distance of 10.00 feet to a point on the South line of Said Lot 9; THENCE South 88°19'46" East, along the South line of said Lot 9, a distance of 200.00 feet to the POINT OF BEGINNING, containing 1,977 square feet, more or less.

SECTION 2. The Council may by resolution convey the alley described above to abutting property owners in a manner directed by the City Council.

SECTION 3. All ordinances or parts of ordinances in conflict with the provisions of the ordinance are hereby repealed.

SECTION 4. 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. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

PASSED AND APPROVED this 18<sup>th</sup> day of April, 2016

  
GERALD WALTRIP, Mayor

ATTEST:

  
LISA RUEHLE, Deputy City Clerk

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FIRST CONSIDERATION: April 14, 2016

SECOND CONSIDERATION: April 18, 2016 (Under suspension of rules)

THIRD CONSIDERATION: April 18, 2016 (Under suspension of rules)

The undersigned as Deputy City Clerk of Carter Lake, Iowa does hereby certify that on April 19, 2016, I posted true and exact copies of the foregoing ordinance in four public places to-wit: City Hall, Carter Lake Senior Center, Owen Memorial Library, and American National Bank all within the limits of the City of Carter Lake, Iowa.

  
LISA RUEHLE, Deputy City Clerk