



To: Mayor and City Council

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From: Diane Voss, City Clerk

Date: May 19, 2016

Subject: Resolution No. 16-238 Adopted May 10, 2016 Setting Date of Public Hearing

On May 10, 2016, Resolution No. 16-238 was adopted, which set the date of public hearing on vacating an alley between North Dakota Avenue and Delaware Avenue between Toronto Street and Reliable Street.

While working on this issue, Eric Cowles learned that some portions of the alley had actually been purchased by adjacent property owners years ago. However, a check of City Ordinances with the limited information that was available did not reveal that the alley had ever been vacated. The Story County Recorder's Office did not locate any recording of an alley being vacated at that location. Nothing showed up on the County's GIS to indicate that the alley had ever been vacated. The process to vacate the alley was then put on the City Council Agenda for May 10.

Believing that it would have been impossible for anyone to purchase a portion of the alley prior to it being vacated, Eric continued to research the property through old plat maps. It was found that on November 8, 1978, the vacation of an alley in Block 8 of the Original Town of Ontario was approved by the City Council. That alley is believed to be the one that is the subject of Resolution No. 16-238.

Since the alley has already been vacated, Resolution No. 16-238 needs to be rescinded.

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