

**ORDINANCE NUMBER 654-10**

**AN ORDINANCE VACATING PORTIONS OF 12<sup>TH</sup> STREET AND 13<sup>TH</sup> STREET**

**WHEREAS**, it is in the best interest of the town of Fowler and its citizens to vacate portions of 12<sup>th</sup> Street and 13<sup>th</sup> Street to allow Fowler School District R-4-J (“School District”) to construct a new sports field; and

**WHEREAS**, on June 10, 2010 the Planning Commission conducted a hearing on the sub-division application filed by the School District including the request for vacation of portions of 12<sup>th</sup> Street and 13<sup>th</sup> Street; and

**WHEREAS**, no negative comment was received on any portion of the application including the requested vacation of portions of 12<sup>th</sup> Street and 13<sup>th</sup> Street, and

**WHEREAS**, the School District needs to receive title to portions of 12<sup>th</sup> Street and 13<sup>th</sup> Street in order to construct the sports field.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN OF FOWLER BOARD OF TRUSTEES as follows.**

1. That portion of 12<sup>th</sup> Street to be vacated is more specifically described in Exhibit “A” attached hereto and incorporated in this Ordinance as though fully set forth herein.
2. That portion of 13<sup>th</sup> Street (“13<sup>th</sup> Street”) to be vacated is more specifically described in Exhibit “B” attached hereto and incorporated in this Ordinance as though fully set forth herein.
3. The town of Fowler Board of Trustees hereby finds and declares that those portions of 12<sup>th</sup> Street and 13<sup>th</sup> Street as set forth in Exhibits A and B are not required as rights of way for the town of Fowler now or in the future and that they constitute surplus property.
4. The Fowler Board of Trustees hereby vacates those portions of 12<sup>th</sup> Street and 13<sup>th</sup> Street as set forth in Exhibits A and B.
5. The Fowler Board of Trustees approves the transfer of those portions of 12<sup>th</sup> Street and 13<sup>th</sup> Street as set forth in Exhibits A and B to Fowler School District R-4-J and authorizes the mayor to sign quit claim deeds on behalf of the Fowler Board of Trustees effecting the transfer.

**INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED THIS 26TH DAY OF JULY, 2010.**

**TOWN OF FOWER**

Patrick Christensen, Jr.  
Mayor

**ATTEST:**

Shawn Pagnotta  
Town Clerk