

Purpose:

To provide a standard method for vacating alleys or public streets in the City of Center Point, Iowa.

Policy Statement

Alleys and public streets are established because of plans to use it for public access and/or utility infrastructure (e.g., water, sewer, electric, natural gas, or telephone). The City Council will vacate such property to return it to the tax rolls when it is not needed for current municipal operations, and no future need is foreseeable.

Procedure

This process applies mainly to requests from abutting property owners. Modifications may apply for development projects.

1. Pre-Application Meeting (Optional)

- a. Meet with Public Works staff to discuss City policies, requirements, and procedures.

2. Submit Application with the City Clerk, including:

- a. Completed application form.
- b. Identification of the area to vacate, requesting owner(s), reasons, and non-participating abutting owners.
- c. Non-refundable \$100 application fee (payable to City of Center Point). Applicants cover City costs (e.g., legal and filing fees).

3. Property Valuation and Sale

- a. Fair market value is based on adjacent land's assessed value per square foot (excluding buildings).
- b. City conveys by Quit Claim Deed (no abstract/title provided); minimum price is 35% of fair market value.
- c. Property is typically split equally between abutting owners. Full sale to one owner requires notarized waiver from the other.
- d. An alley may be vacated in whole, where such alley intersects another public alley within the same block, the vacation can terminate at the line of intersection.

4. Utility Easements

- a. City and utilities reserve existing easements and rights for future installations.
- b. City obtains written approval/denial from affected utilities.

VACATION OF ALLEYS OR
PUBLIC STREET POLICY

5. **City Attorney Review**

- a. Council can direct a review for legal compliance and reports findings to Council.

6. **City Council Action**

- a. Council will set Public Hearing for the vacation and sale of property.
- b. Council will hold Public Hearing then upon receipts of all documents a resolution vacates and sell property, with $\frac{3}{4}$ approval.
- c. Council may direct City Attorney to prepare vacation resolution with specified terms/conditions.
- d. Upon receipt of all documents/fees, City Staff/Attorney will create the Quit Claim Deed, staff will record the deed, and the fees will be passed onto the purchaser.