

RESOLUTION NO. 1388

RESOLUTION ORDERING THE CONSTRUCTION OF CERTAIN SIDEWALKS LOCATED AT 620 S. DOWNEY STREET, WEST BRANCH, IOWA.

WHEREAS, Section 384.38 of the Iowa Code and Section 136.06 of the Code of Ordinances of the City of West Branch, the City Council may order the construction of sidewalks within the City; and

WHEREAS, if the property owner does not construct said sidewalk as ordered by the City Council, Section 136.05 of the Code of Ordinances, the City may perform the sidewalk construction and assess the costs back against the property owner; and

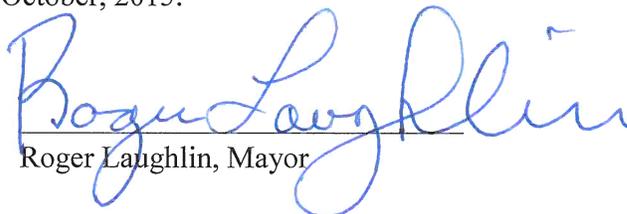
WHEREAS, the City Council has heretofore decided that the property generally referred to as Kum & Go, located at 620 S. Downey Street (the "Property"), needs to construct a sidewalk to complete a sidewalk section that will be constructed by the City near the Property; and

WHEREAS, it is now necessary for the City Council to order the construction of said sidewalk via Resolution of the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Cedar County, Iowa, that the owners of the Property are required to construct a 10-foot wide sidewalk along its S. Downey Street frontage in accordance with City specifications and at a location and elevation approved by the City of West Branch and the Iowa Department of Transportation in the *Public Improvements for S. Downey Street & Tidewater Drive, West Branch Iowa Project* plans.

BE IT FURTHER RESOLVED, that the sidewalk shall be constructed at the Property no later than April 1, 2016, and if not, the City Administrator is hereby directed to proceed with said construction and assess the costs of the same against the Property.

Passed and approved this 5<sup>th</sup> day of October, 2015.

  
Roger Laughlin, Mayor

ATTEST:

  
Matt Muckler, City Administrator/Clerk