

★ **Roll Call Number**

Agenda Item Number

33A

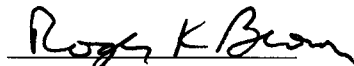
Date March 22, 2010

An Ordinance entitled, "AN ORDINANCE vacating a portion of the Des Moines Street right-of-way adjoining 519 Des Moines Street for use as a sidewalk cafe,"

is presented.

MOVED by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:



Roger K. Brown

Assistant City Attorney

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(First of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED			APPROVED	

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

Prepared by: Roger K. Brown, Assistant City Attorney, 400 Robert Ray Dr., Des Moines, IA
50309 515/283-4541
 Return Address: City Clerk - City Hall, 400 Robert Ray Dr., Des Moines, IA 50309
 Taxpayer: No change
 Title of Document: Ordinance No. _____
 Grantor/Grantee: City of Des Moines, Iowa
 Legal Description: See below on this page.

ORDINANCE NO. _____

AN ORDINANCE vacating a portion of the Des Moines Street right-of-way adjoining 519 Des Moines Street for use as a sidewalk cafe.

WHEREAS, all prior requirements of law pertaining to the vacation of public right-of-way have been fully observed; and

WHEREAS, it is desirable that the public right-of-way herein described be vacated; NOW, THEREFORE,

BE IT ORDAINED by the City Council of the City of Des Moines, Iowa, as follows:

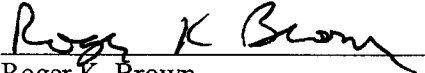
Section 1. The portion of the 3rd Street right-of-way adjoining 519 Des Moines Street, more specifically described as follows, be and are hereby vacated.

Except the subsurface area below grade, the South 6.5 ft of the Des Moines Street right-of-way lying North of and adjoining the West 55.0 feet of the East 65.0 feet of Lot 1, Block 17, East Fort Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (containing 357.5 sq. ft).

Sec. 2. The City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the office of the Recorder of Polk County, Iowa.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:



Roger K. Brown

Assistant City Attorney

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