

★ Roll Call Number

Agenda Item Number

46A

March 26, 2007

Date

An Ordinance entitled, "AN ORDINANCE vacating the West 16.5 feet of South Union adjoining 5 Park Avenue",

presented.

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

FORM APPROVED:

(First of three required readings)

Ann DiDonato
Ann DiDonato
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

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.

City Clerk

MOTION CARRIED

APPROVED

Mayor

40A

Prepared by: Ann DiDonato, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50320 (515) 283-4130

ORDINANCE NO. _____

AN ORDINANCE vacating the West 16.5 feet of South Union adjoining 5 Park Avenue.

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:

Section 1. That the West 16.5 feet of South Union adjoining 5 Park Avenue, more specifically described as follows, be and is hereby vacated.

Except the South 15.0 feet, the West 16.5 feet of the East 33.5 feet of Lot 1, Smith and McClurg's Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Sec. 2. The City of Des Moines hereby reserves an easement upon the property described above for the continued use and maintenance of any utilities now in place, with the right of entry for servicing same.

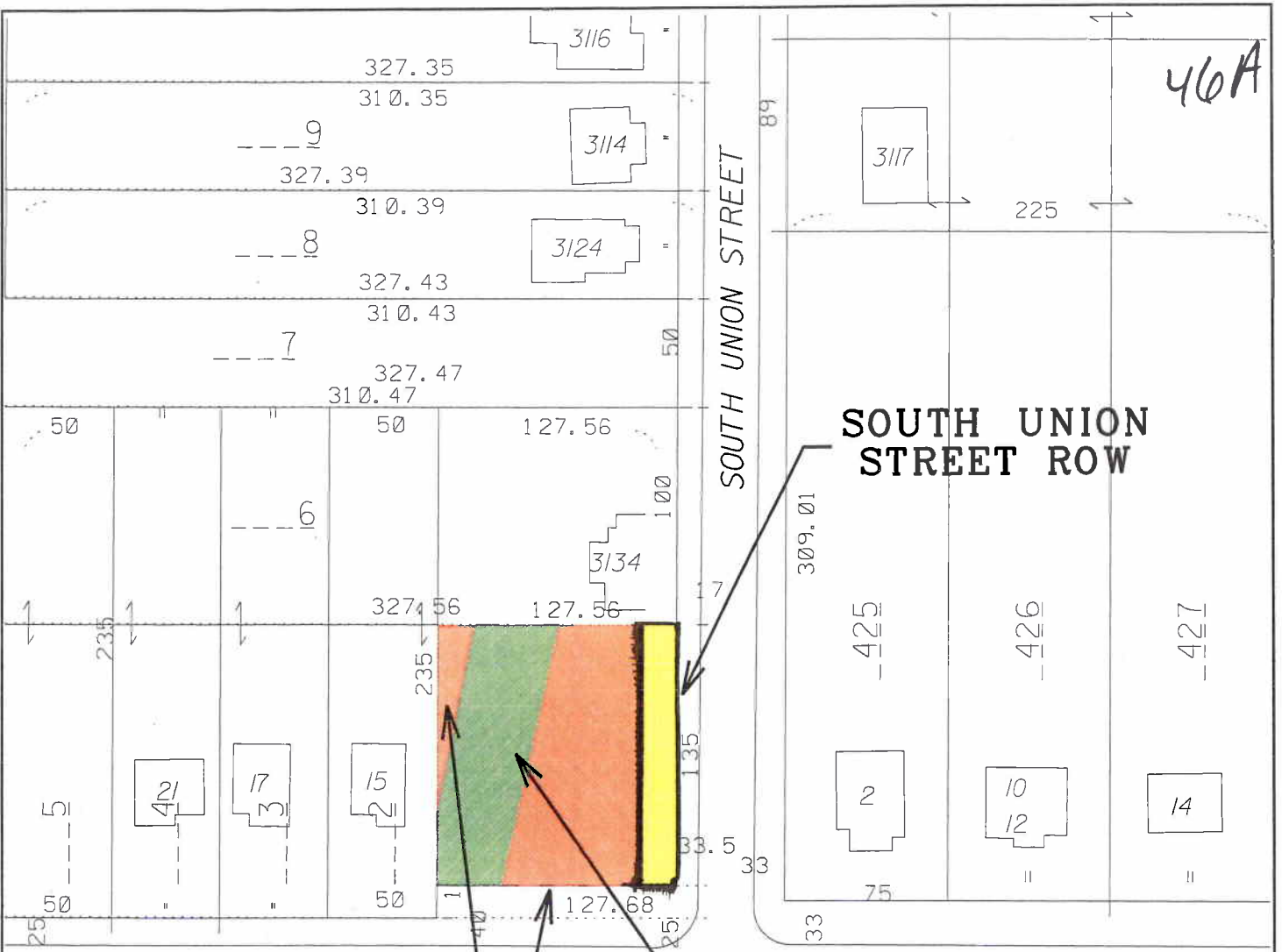
Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the office of the Recorder of Polk County, Iowa.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Ann DiDonato
Ann DiDonato
Assistant City Attorney

DESCRIPTION APPROVED
3/6/07 13:07



46A

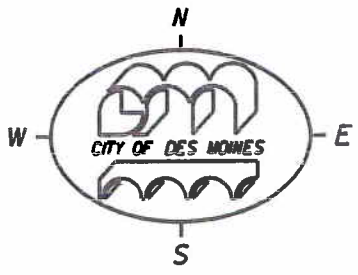
SOUTH UNION STREET

SOUTH UNION STREET ROW

PARK AVENUE

TEMPORARY EASEMENT

PERMANENT EASEMENT



CRAWFORD CREEK WATERSHED
PARK AND SOUTH UNION
ACTIVITY I.D. 34-2007-041