

Date April 23, 2007

HOLD HEARING FOR THE VACATION OF EAST GRANGER AVENUE RIGHT-OF-WAY FROM SE 34TH STREET TO SE 37TH STREET, SE 34TH STREET RIGHT-OF-WAY FROM EAST GRANGER AVENUE TO VANDALIA ROAD, SE 35TH STREET RIGHT-OF-WAY FROM EAST GRANGER AVENUE TO VANDALIA ROAD, AND SE 37TH STREET RIGHT-OF-WAY FROM VACATED WABASH RAILROAD TO VANDALIA ROAD

WHEREAS, on March 12, 2007, by Roll Call No. 07-451, the City Council adopted a recommendation from the City Plan and Zoning Commission that East Granger Avenue right-of-way from SE 34th Street to SE 37th Street, SE 34th Street right-of-way from East Granger Avenue to Vandalia Road, SE 35th Street right-of-way from East Granger Avenue to Vandalia Road, and SE 37th Street right-of-way from vacated Wabash Railroad to Vandalia Road, hereinafter more fully described, be vacated pursuant to the Second Amendment of the SE AgriBusiness Urban Renewal Plan; and

WHEREAS, on April 9, 2007, by Roll Call No. 07- 638, it was duly resolved by the City Council that the proposed vacation of such rights-of-way be set down for hearing on April 23, 2007, at 5:00 p.m., in the Council Chamber; and

WHEREAS, due notice of said proposal to vacate public rights-of-way was given as provided by law, setting forth the time and place for hearing on said proposal; and

WHEREAS, in accordance with said notice, those interested in said proposed vacation, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

1. Upon due consideration of the facts and statements of interested persons, the objections to said proposed vacation of public rights-of-way, as described below, are hereby overruled and the hearing is closed.

2. There is no public need for the rights-of-way proposed to be vacated and the public would not be inconvenienced by reason of the vacation of East Granger Avenue from SE 34th Street to SE 37th Street, SE 34th Street from East Granger Avenue to Vandalia Road, SE 35th Street from East Granger Avenue to Vandalia Road, and SE 37th Street from vacated Wabash Railroad to Vandalia Road, more specifically described as follows:

Lot B (now known as Southeast 37th Street), Lot E (now known as East Granger Avenue, also known as Granger Avenue and formerly known as Edison Avenue), all in Vandalia Acres, an Official Plat; and Lot A (now known as Southeast 34th Street), Lot B (now known as Southeast 35th Street), and part of Lot D (now known as East Granger Avenue and also known as Granger Avenue) from the northerly extension of

★ Roll Call Number

Agenda Item Number

56

Vacation Ordinance: Page 2

Date April 23, 2007

the West line of said Lot A to the northerly extension of the East line of said Lot B, all in Vandalia Acres Plat No. 2, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato

Ann DiDonato
Assistant City Attorney

pm

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

MOTION CARRIED

APPROVED

Mayor

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