



**Roll Call Number**

**Agenda Item Number**

40A

**Date** May 5, 2008

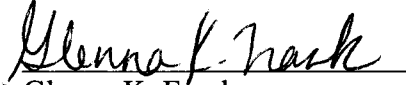
An Ordinance entitled, "AN ORDINANCE vacating the North/South alley right-of-way between 22<sup>nd</sup> Street and 23<sup>rd</sup> Street from Olive Avenue to the Interstate 235 right-of-way",

presented.

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

FORM APPROVED:

(First of three required readings)

  
Glenna K. Frank  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
<b>TOTAL</b>				

**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.

MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

40A

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

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE vacating the North/South alley right-of-way between 22<sup>nd</sup> Street and 23<sup>rd</sup> Street from Olive Avenue to the Interstate 235 right-of-way.

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 North/South alley right-of-way between 22<sup>nd</sup> Street and 23<sup>rd</sup> Street from Olive Avenue to the Interstate 235 right-of-way, more specifically described as follows, be and is hereby vacated.

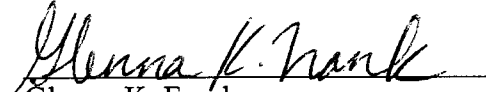
All that part of the North/South alley right-of-way lying North of the easterly extension of the North right of way line of Olive Avenue and lying South of the easterly extension of the North line of the South 30.0 feet of Lot 39, Ira W. Andersons Cottage Grove Addition, an Official Plat. All now included 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.

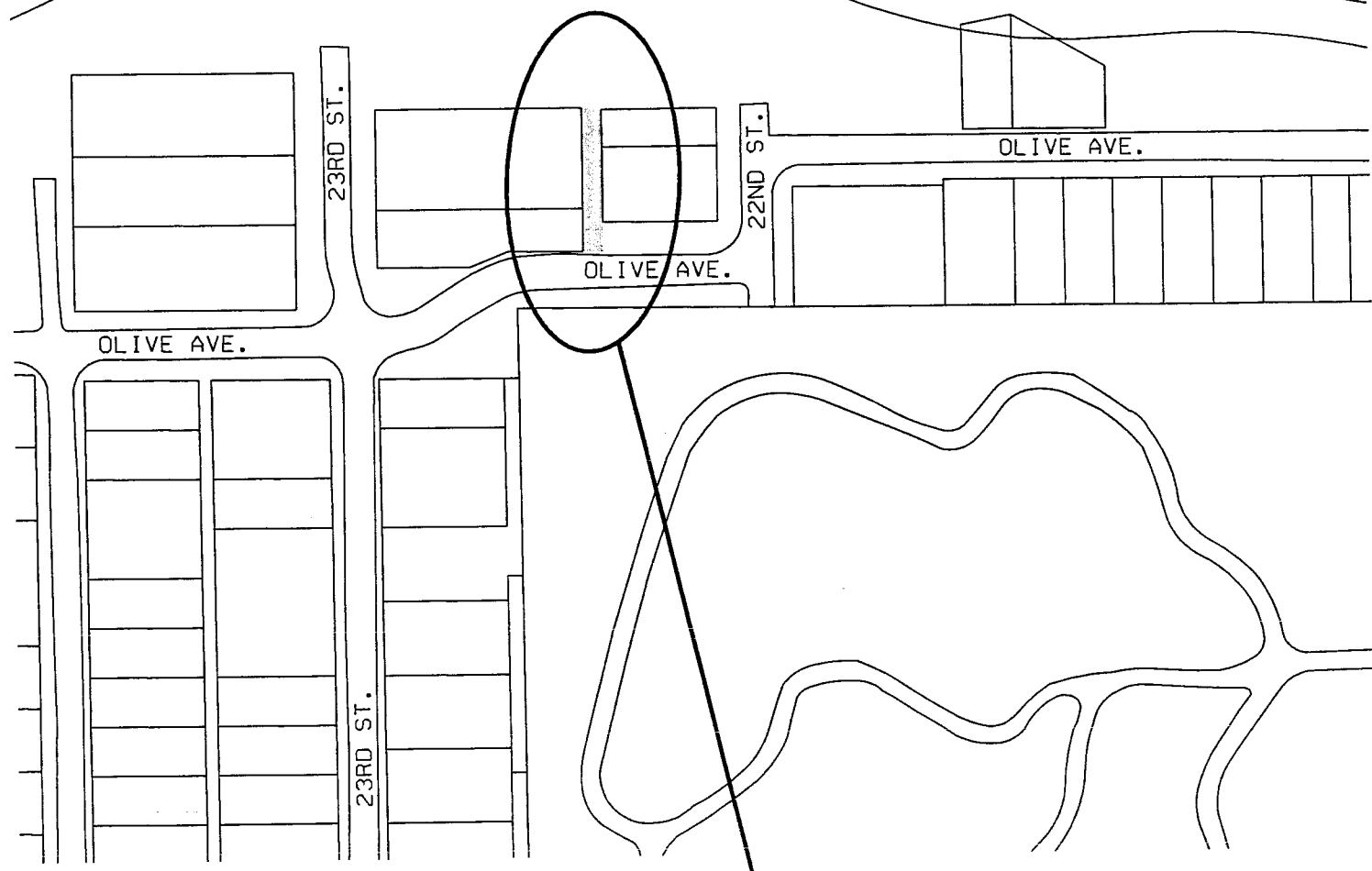
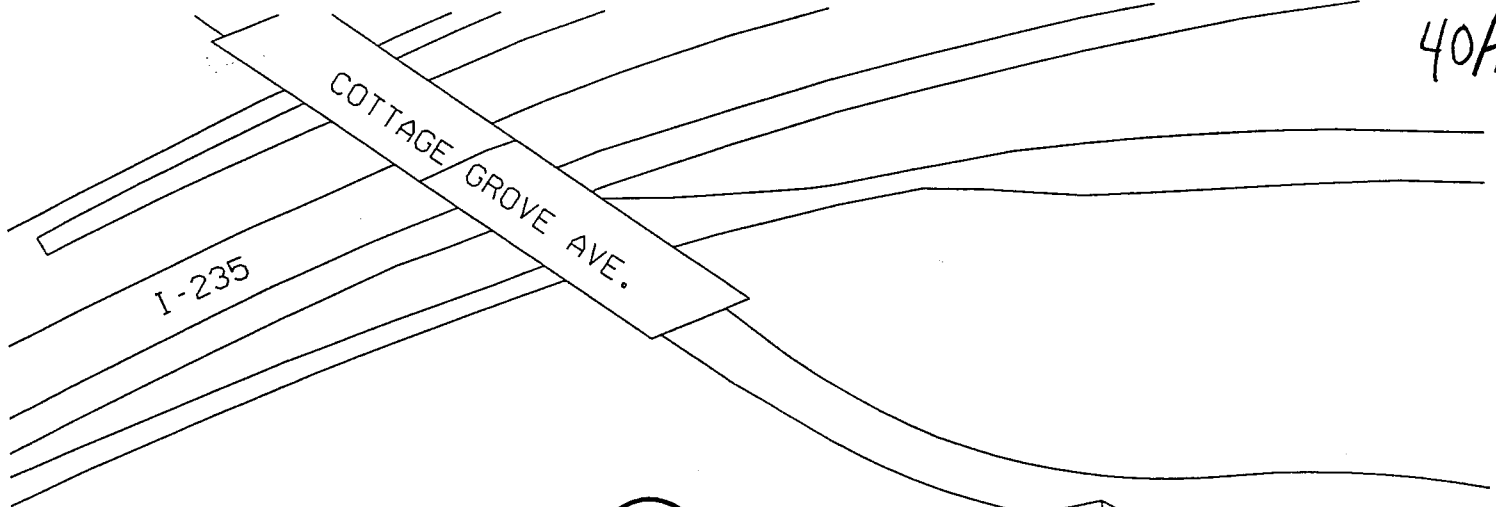
Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the office of the Recorder of Polk County, Iowa.

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

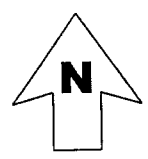
FORM APPROVED:

  
Glenna K. Frank  
Assistant City Attorney

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PROJECT LOCATION



ALLEY RIGHT-OF-WAY  
VACATION  
34-2007-053