



Roll Call Number

Agenda Item Number

66A

Date May 18, 2009

An Ordinance entitled, "AN ORDINANCE vacating segments of undeveloped SE 24th Court and C B & Q Street 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

Glenna K. Frank
Assistant City Attorney

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

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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 segments of undeveloped SE 24th Court and C B & Q Street 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 segments of undeveloped SE 24th Court and C B & Q Street right-of-way, more specifically described as follows, be and is hereby vacated.

All that part of Southeast 24th Court lying South of the South right-of-way line of Chicago, Burlington & Quincy Railroad in the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 12, Township 78 North, Range 24 West of the 5th P.M., and lying North of the westerly extension of the South right-of-way line of C B & Q Street (Old Bennett Road)

And

All that part of C B & Q Street right-of-way (Old Bennett Road) lying East of the Southerly extension of the East right-of-way line of Southeast 24th Court and lying West of the South right-of-way line of Chicago, Burlington & Quincy Railroad, all now included in and forming 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

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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.

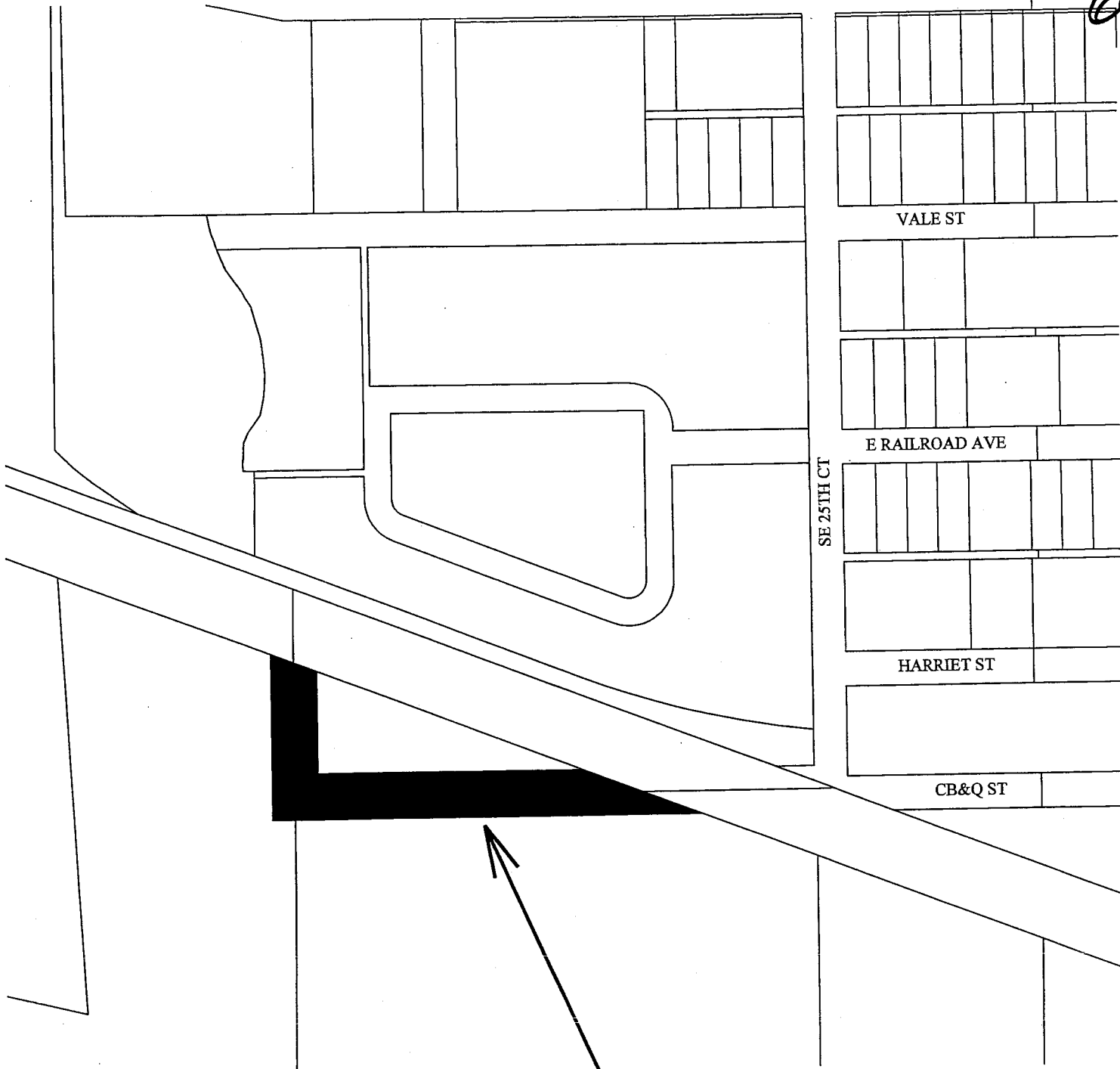
FORM APPROVED:

Glenna K. Frank

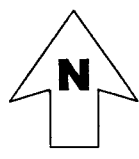
Glenna K. Frank

Assistant City Attorney

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PROJECT LOCATION



DISPOSITION -
SEGMENTS OF UNDEVELOPED PORTIONS
OF SE 24TH COURT AND C.B.&Q. STREET
TO THE WRA