

★ Roll Call Number

Agenda Item Number

49A

Date May 21, 2007

An Ordinance entitled, "AN ORDINANCE vacating an excess portion of Cottage Grove Avenue right-of-way lying East of 24th Street and between Cottage Grove Avenue and I-235",

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				

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

49A

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

ORDINANCE NO. _____

AN ORDINANCE vacating an excess portion of Cottage Grove Avenue right-of-way lying East of 24th Street and between Cottage Grove Avenue and I-235.

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 an excess portion of Cottage Grove Avenue right-of-way lying East of 24th Street and between Cottage Grove Avenue and I-235, more specifically described as follows, be and is hereby vacated.

DESCRIPTION REVIEWED
Ann DiDonato
5/16/07 07:30

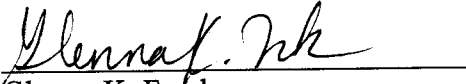
Cottage Grove Avenue right-of-way described as follows: Beginning at the Northeast Corner of Lot 1 of Ira W. Anderson's Cottage Grove Addition, an Official Plat; thence South 00°(degrees) 12'(minutes) West, 9.6 feet along the easterly line of said Lot 1; thence North 44°25' West, 13.4 feet to the North line of said Lot 1; thence East 9.4 feet along said North line to the Point of Beginning; and the West 15.0 feet of the North 120.0 feet of former Western Avenue lying East of and adjoining Lots 1 and 2 of said Ira W. Anderson's 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.

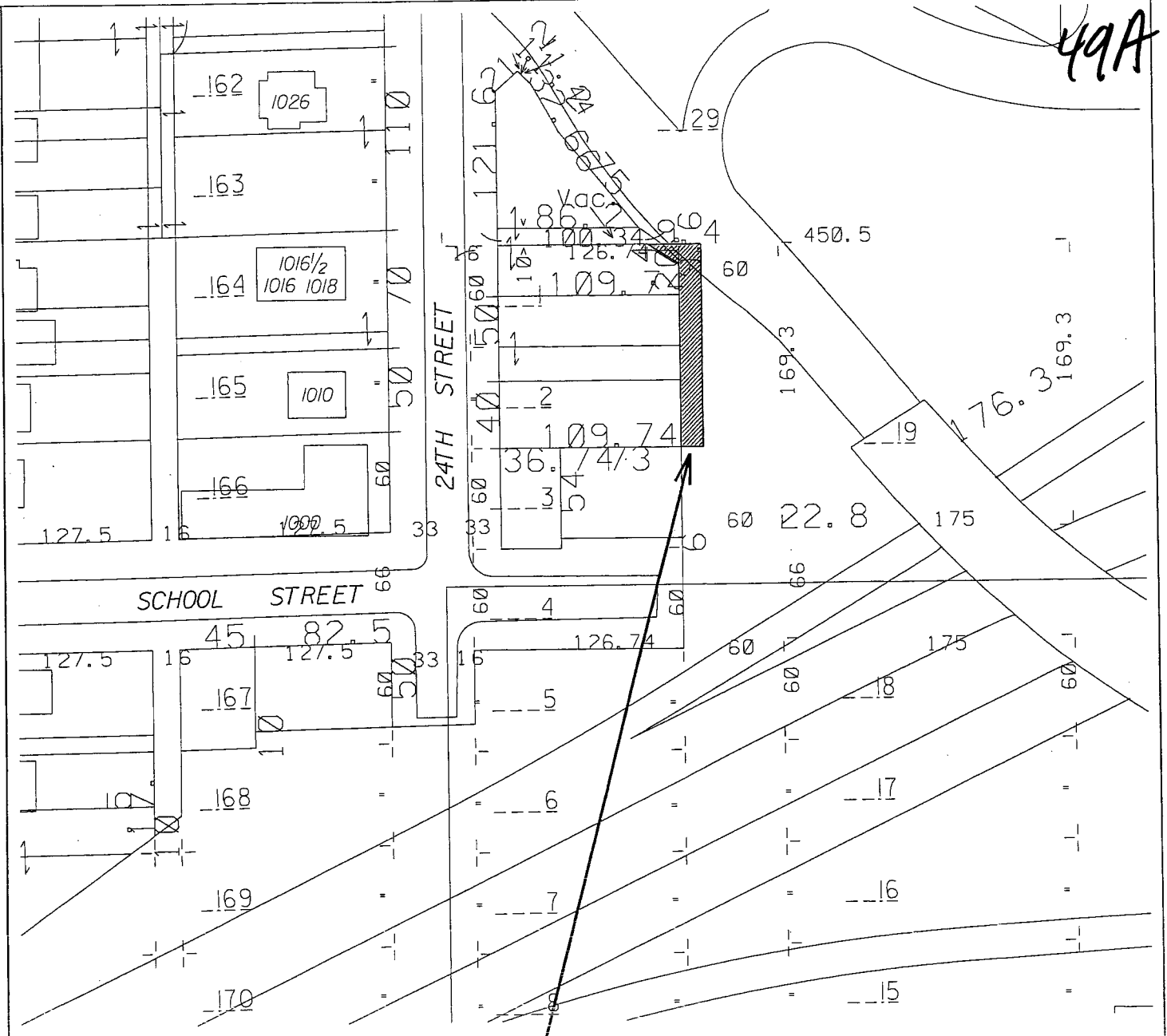
FORM APPROVED:

A handwritten signature in cursive script, appearing to read "Glenna K. Frank", is written over a horizontal line.

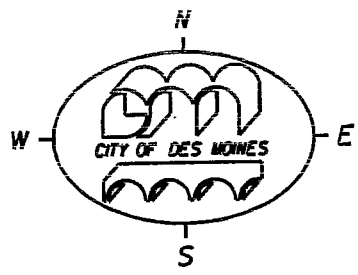
Glenna K. Frank
Assistant City Attorney

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49A



PROPERTY
LOCATION



PROPERTY DISPOSITION