

★ Roll Call Number

Agenda Item Number

70A

Date June 14, 2010

An Ordinance entitled, "AN ORDINANCE vacating a portion of Locust Street adjoining 1408 Locust Street for use as a sidewalk cafe",

is presented.

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

FORM APPROVED:

Roger K. Brown
Roger K. Brown
Assistant City Attorney

(First of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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.

MOTION CARRIED APPROVED

Mayor

City Clerk

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Prepared by: Roger K. Brown, Assistant City Attorney, 400 Robert Ray Dr., Des Moines, IA 50309
515/283-4541
Return Address: City Clerk - City Hall, 400 Robert Ray Dr., Des Moines, IA 50309
Taxpayer: No change
Title of Document: Ordinance No. _____
Grantor/Grantee Name: City of Des Moines, Iowa
Legal Description: See below on this page.

ORDINANCE NO. _____

AN ORDINANCE vacating a portion of Locust Street adjoining 1408 Locust Street for use as a sidewalk cafe.

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, as follows:

Section 1. That a portion of Locust Street adjoining 1408 Locust Street, more specifically described as follows, be and is hereby vacated:

The South 4.49 feet of Locust Street right-of-way as presently established, lying North of and adjoining the West 25.50 feet of Lot 2 and lying North of and adjoining all of Lot 3, in Block 2, of J.C. Savery's Park Addition, an Official Plat, all now include in and forming a part of the City of Des Moines, 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

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ORDINANCE NO. _____

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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:

Roger K. Brown

Roger K. Brown
Assistant City Attorney