

★ Roll Call Number

Agenda Item Number

57 A

Date July 27, 2009

An Ordinance entitled, "AN ORDINANCE vacating a subsurface portion of the Grand Avenue right-of-way between 12th Street and vacated 13th Street,"

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

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(First of three required readings)

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: 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

Title of Document: Ordinance No. \_\_\_\_\_

Grantor/Grantee: City of Des Moines, Iowa

Legal Description: See below on this page.

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

AN ORDINANCE vacating a subsurface portion of the Grand Avenue right-of-way between 12th Street and vacated 13th Street.

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,

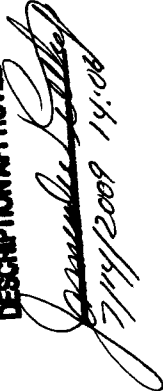
BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. That a portion of the Grand Avenue right-of-way between 12th Street and vacated 13th Street, more specifically described as follows, be and is hereby vacated.

All that area below the public sidewalk under a portion of Lot 49, in Fourteenth Street Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, more specifically described below:

Commencing at the southeast corner of said Lot 49; thence North 15° (degrees) 03' (minutes) 34" (seconds) West along the easterly line of said Lot 49, a distance of 4.00 feet; thence South 74°07'17" West along the northerly right-of-way line of Grand Avenue, 12.60 feet to the Point of Beginning; thence South 15°52'43" East, 4.00 feet to a point on the southerly line of said Lot 49; thence South 74°07'17" West along said southerly line, 9.75 feet to the southeasterly corner of an existing subsurface footing easement as shown on a survey recorded in Book 12642 Pages 892 and 893; thence North 15°57'07" West along the easterly line of said subsurface footing easement, 4.00 feet to a point on said northerly right-of-way line; thence North 74°07'17" East along said northerly right-of-way line, 9.76 feet to the Point of Beginning and containing 39 S.F.


DESCRIPTION APPROVED



Sec. 2. 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. 3. 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

Assistant City Attorney

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