

★ Roll Call Number

Agenda Item Number

44A

Date August 7, 2006

An Ordinance entitled, "AN ORDINANCE permanently vacating the public use of Hawthorne North Softball Field, located on the south side of Maury Street between SE 10th and SE 11th",

presented.

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

FORM APPROVED:

(First of three required readings)

Ann DiDonato
Ann DiDonato
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
MAHAFFEY				
KIERNAN				
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

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

ORDINANCE NO. _____

AN ORDINANCE permanently vacating the public use of Hawthorne North Softball Field, located on the south side of Maury Street between SE 10th and SE 11th.

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 public use of Hawthorne North Softball Field, located on the south side of Maury Street between SE 10th and SE 11th, more specifically described as follows, be and is hereby vacated.

Lots 1 thru 10, Block 5, Allen's Second Addition, an Official Plat, and the vacated North/South alley lying East of and adjoining Lots 1 thru 5, of said Block 5, Allen's Second Addition, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

(Alley Vacated by Ordinance No. 5327, passed August 31, 1951.)


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.

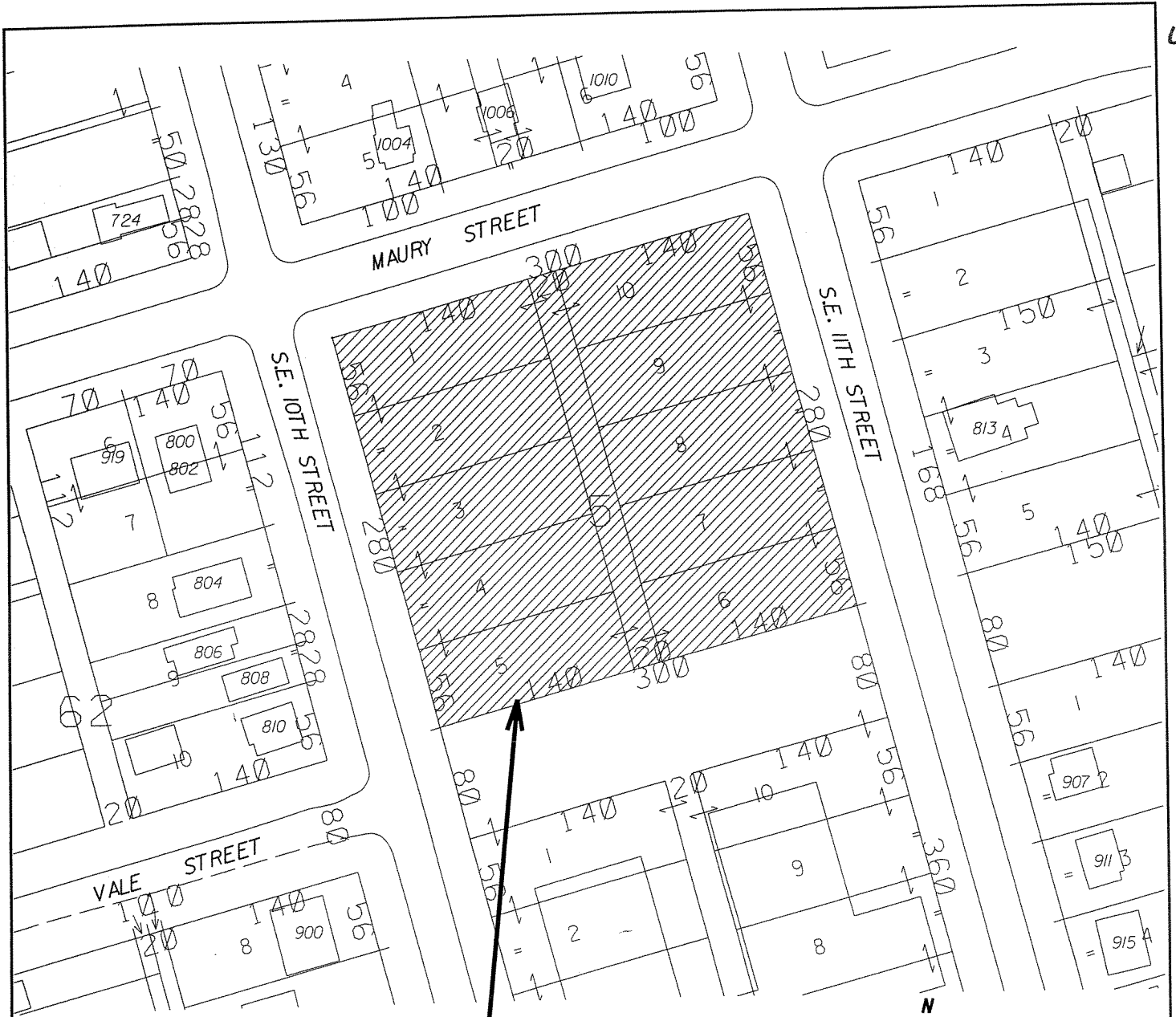
DESCRIPTION APPROVED
[Signature]
7/19/05 10:49

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

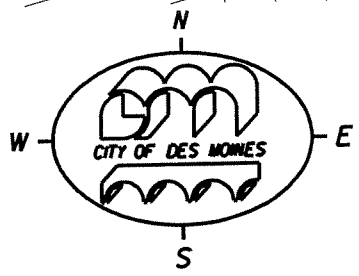
FORM APPROVED:



Ann DiDonato
Assistant City Attorney



**PROPERTY
LOCATION**



**PROPERTY DISPOSITION
PARCEL #105
HAWTHORNE PARK NORTH
ACTIVITY I.D. 34-2005-040**