

★ Roll Call Number

Agenda Item Number

49A

Date August 9, 2010

An Ordinance entitled, "AN ORDINANCE vacating that portion of 13<sup>th</sup> Street right-of-way lying north of Keosauqua Way and south of previously vacated 13<sup>th</sup> 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        |      |      |      |        |
| 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

49A

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 that portion of 13<sup>th</sup> Street right-of-way lying north of Keosauqua Way and south of previously vacated 13<sup>th</sup> 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:

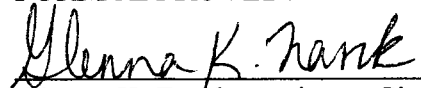
Section 1. That portion of 13<sup>th</sup> Street right-of-way lying north of Keosauqua Way and south of previously vacated 13<sup>th</sup> Street right-of-way, more specifically described as follows, be and is hereby vacated.

ALL THAT PART OF 13<sup>TH</sup> STREET RIGHT-OF-WAY, AS PRESENTLY ESTABLISHED, LYING NORTH OF KEOSAUQUA WAY, AS PRESENTLY ESTABLISHED, AND LYING WEST OF LOT 7, BLOCK 7 OF GRASS ROOTS 1, AN OFFICIAL PLAT, AND LYING SOUTH OF THAT PART OF 13<sup>TH</sup> STREET RIGHT-OF-WAY PREVIOUSLY VACATED BY THE CITY OF DES MOINES UNDER ORDINANCE NO. 14,841 AND RECORDED IN THE OFFICE OF THE POLK COUNTY RECORDER UNDER BOOK 13017, PAGES 88 THROUGH 92, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

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:

  
\_\_\_\_\_  
Glenna K. Frank, Assistant City Attorney