



**Roll Call Number**

**Agenda Item Number**

63A

**Date** August 10, 2009

An Ordinance entitled, "AN ORDINANCE vacating a segment of the East/West alley right-of-way running west of Martin Luther King Jr. Parkway between Washington Avenue and Mondamin Avenue",

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				
<b>TOTAL</b>				

**CERTIFICATE**

LAURA BAUMGARTNER  
I, Chief Deputy 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

\_\_\_\_\_  
Chief Deputy  
City Clerk

63A

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 a segment of the East/West alley right-of-way running west of Martin Luther King Jr. Parkway between Washington Avenue and Mondamin Avenue.

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 segment of the East/West alley right-of-way running west of Martin Luther King Jr. Parkway between Washington Avenue and Mondamin Avenue, more specifically described as follows, be and is hereby vacated.

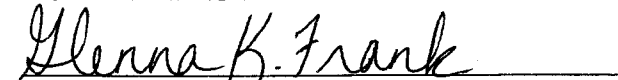
All that part of the East/West alley right-of-way lying East of the northerly extension of the East line of Lot 10, Block 1, Shepherdson's Addition to the City of Des Moines, an Official Plat, and lying West of the West right-of-way line of Martin Luther King Jr. Parkway (aka Harding Road) as it now exists, and lying North of and adjoining Lots 1 thru 9, of said Block 1, 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.

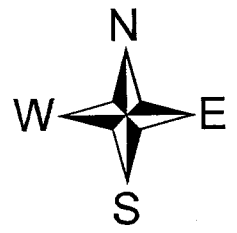
Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

A handwritten signature in cursive script that reads "Glenna K. Frank". The signature is written over a horizontal line.

Glenna K. Frank  
Assistant City Attorney

63A



# EAST/WEST ALLEY VACATION AND CONVEYENCE