



Roll Call Number

Agenda Item Number

49A

Date August 11, 2008

An Ordinance entitled, "AN ORDINANCE vacating a segment of east/west alley between Walnut Street and Mulberry Street from 12th Street to the north/south alley". .

presented.

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

FORM APPROVED:

(First of three required readings)

Glenna K. Frank
Assistant City Attorney

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

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 a segment of east/west alley between Walnut Street and Mulberry Street from 12th Street to the north/south alley.

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 east/west alley between Walnut Street and Mulberry Street from 12th Street to the north/south alley, more specifically described as follows, be and is hereby vacated.

DESCRIPTION APPROVED
[Signature]
7/10/08

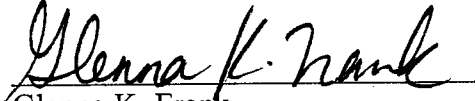
All of the Re-Dedicated East/West alley right-of-way by Roll Call 01-3305, November 5, 2001, lying North of and adjoining Lots 7 and 8, Block 29, Keene & Poindexter's Addition to Fort Des Moines, an Official Plat, Except the South 0.42 Feet of the East/West alley lying North of and adjoining said Lots 7 and 8, Vacated by Ordinance 10,070, February 1, 1982, Repealed by Ordinance 10,145, June 21, 1982 all now included in and forming a part of the City of Des Moines, Polk County, Iowa.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 black ink that reads "Glenna K. Frank". The signature is written in a cursive style and is positioned above a horizontal line.

Glenna K. Frank
Assistant City Attorney