



Roll Call Number

Agenda Item Number

50A

Date August 11, 2008

An Ordinance entitled, "AN ORDINANCE vacating Hazelwood Drive right-of-way south of Franklin Avenue adjoining 1819 43rd Street",

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				

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

50A

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 Hazelwood Drive right-of-way south of Franklin Avenue adjoining 1819 43rd 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 vacating Hazelwood Drive right-of-way south of Franklin Avenue adjoining 1819 43rd Street, more specifically described as follows, be and is hereby vacated.

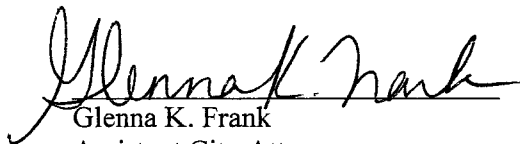
All that part of Lot D (Hazelwood Drive right-of-way) lying West of and adjoining Lots 22, 23, 24 and 25; and, the East 5.0 feet of Lots 26 and 27; and, except the North 118.0 feet, the East 5.0 feet of Lot 28, all in Hazelwood, an Official Plat, all now included in and forming a part of the City of 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:


Glenna K. Frank
Assistant City Attorney

DESCRIPTION APPROVED
