

★ Roll Call Number

Agenda Item Number

51

Date August 20, 2007

An Ordinance entitled, "AN ORDINANCE vacating and abandoning public road easements for portions of East Madison Avenue, Northeast 50<sup>th</sup> Street and Seneca Avenue, located within the property at 4995 Northeast 39<sup>th</sup> Avenue",

which was considered and voted upon for the first time under Roll Call No. 07- 1453 of July 23, 2007, and considered and voted upon for the second time under Roll Call No. 07- 1542 of August 6, 2007, again presented.

Moved by \_\_\_\_\_ that this ordinance do now pass.

ORDINANCE NO. \_\_\_\_\_

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLISSIS				
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.

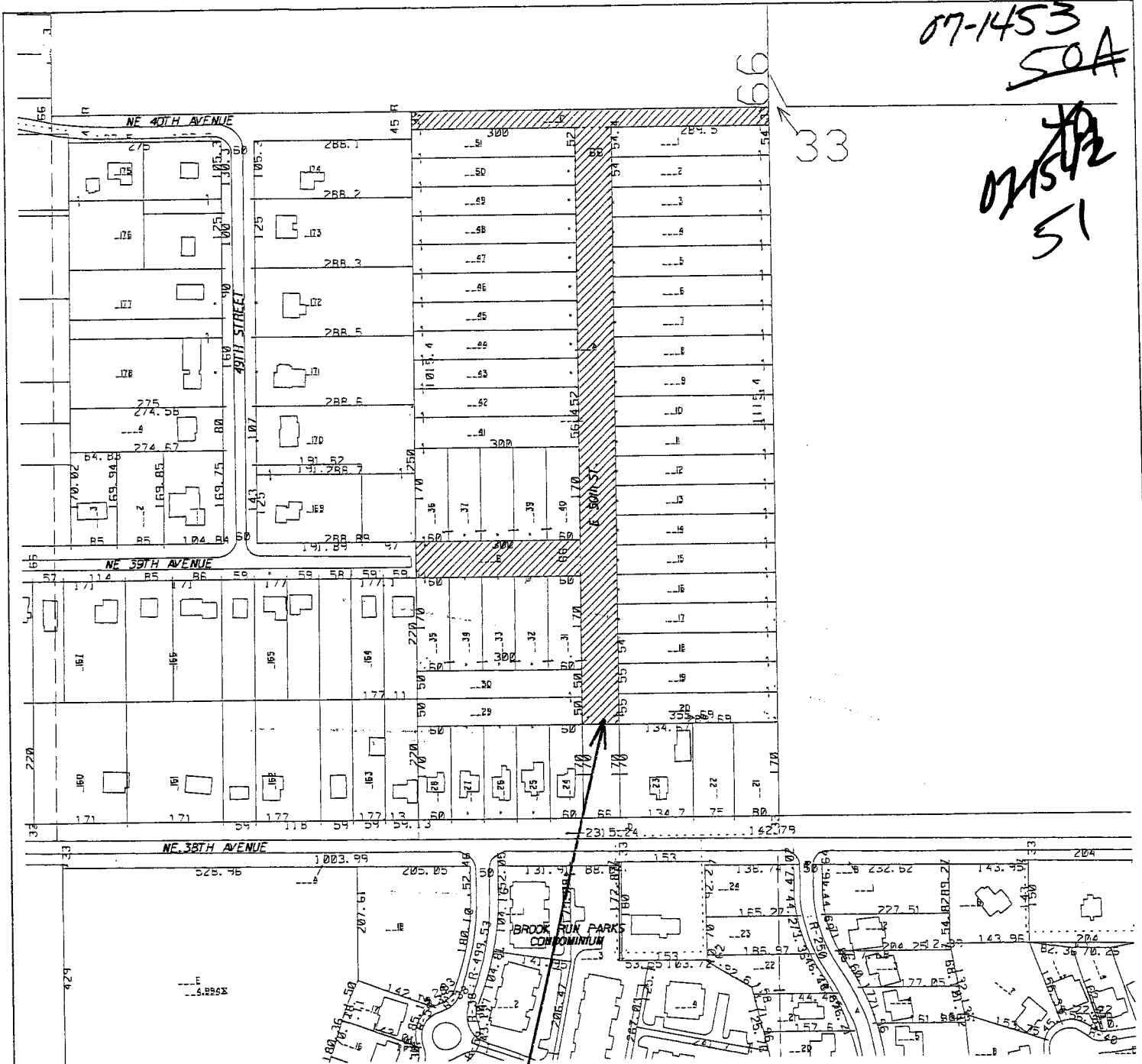
\_\_\_\_\_  
City Clerk

MOTION CARRIED

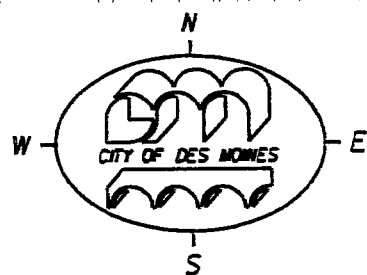
APPROVED

\_\_\_\_\_  
Mayor

07-1453  
SOA  
07/15/12  
51



PROPERTY  
LOCATION



PROPERTY DISPOSITION  
VACATE & ABANDON PUBLIC  
ROAD EASEMENTS  
ACTIVITY I.D. 34-2007-052

07-1453  
SOA  
51 4907-154

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

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE vacating and abandoning public road easements for portions of East Madison Avenue, Northeast 50<sup>th</sup> Street and Seneca Avenue, located within the property at 4995 Northeast 39<sup>th</sup> 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 and abandoned;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. That public road easements for portions of East Madison Avenue, Northeast 50<sup>th</sup> Street and Seneca Avenue, located within the property at 4995 Northeast 39<sup>th</sup> Avenue, more specifically described as follows, be and is hereby vacated and abandoned.

Lot A (except the South 170.0 feet) and Lots B and C, in Capitol Heights Plat 3, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

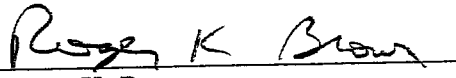
Sec. 2. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the office of the Recorder of Polk County, Iowa.

DESCRIPTION REVIEWED  
*[Signature]*  
6/22/07 11:26

51

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:



Roger K. Brown  
Assistant City Attorney

G:\USERS\CRNoah\RKB\Havel Trust.o.doc