

★ Roll Call Number

Agenda Item Number

53A

Date September 25, 2006

An Ordinance entitled, "AN ORDINANCE vacating a dead-end segment of Hawthorne Street right-of-way south of Indianola Road",

presented.

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

FORM APPROVED:

(First of three required readings)

Ann DiDonato
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, HENSLEY, KIERNAN, MAHAFFEY, VLASSIS, and 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

S3A

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

ORDINANCE NO. _____

AN ORDINANCE vacating a dead-end segment of Hawthorne Street right-of-way south of Indianola Road.

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 dead-end segment of Hawthorn Street right-of-way south of Indianola Road, more specifically described as follows, be and is hereby vacated.

All that part of Hawthorne Street right-of-way lying South of the southerly right-of-way line of Indianola Avenue and North of a line drawn 16.0 feet northerly from (measured along the easterly line of Hawthorne Street, vacated by Ordinance No. 5354, December 10, 1951) and parallel to the northerly line of Lot 41, all in First Plat of Clifton Heights, 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.

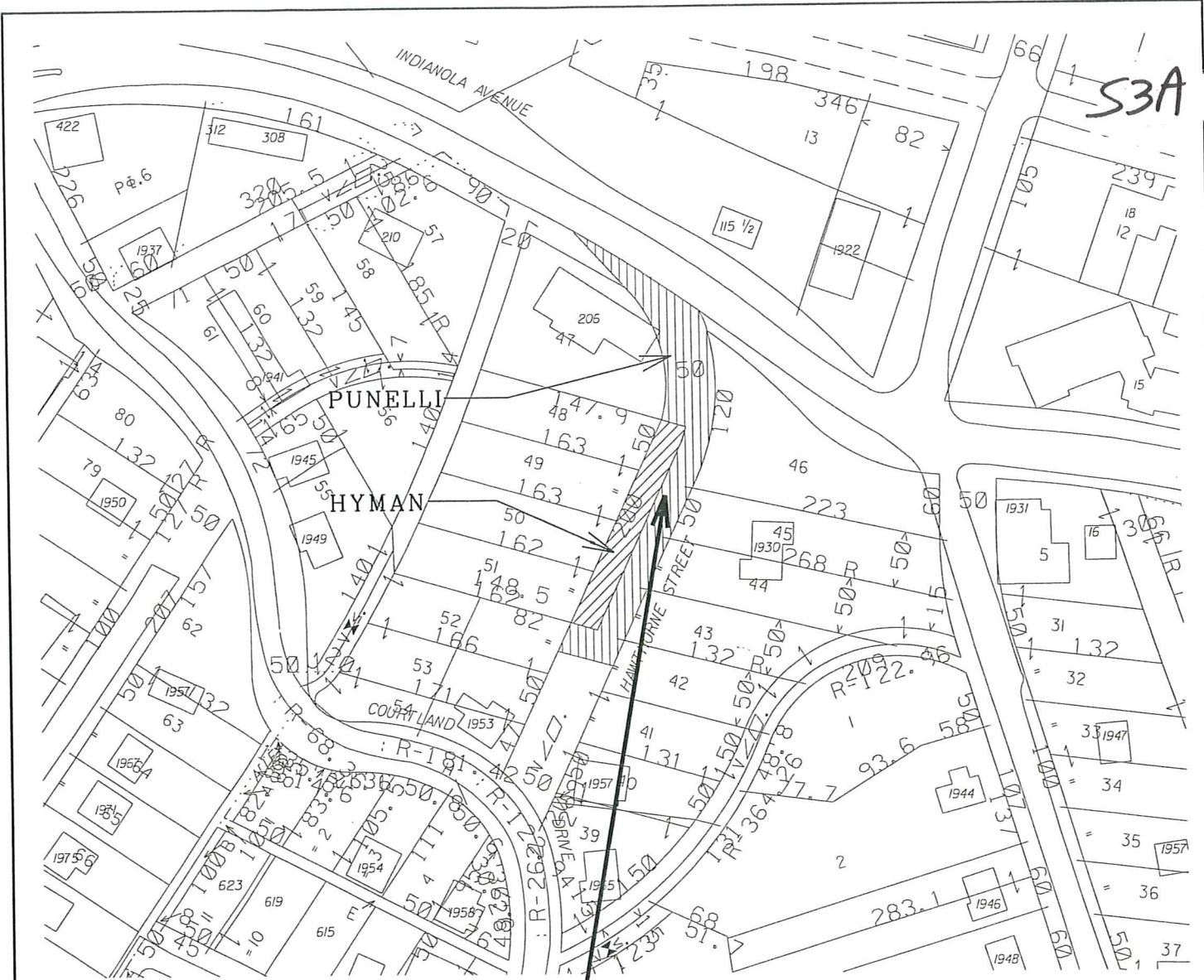
Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the office of the Recorder of Polk County, Iowa.

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

FORM APPROVED:

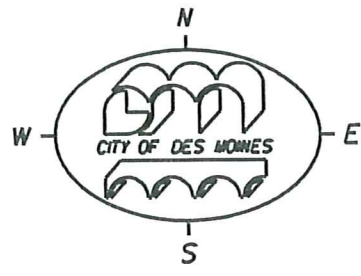
Ann DiDonato
Ann DiDonato
Assistant City Attorney

DESCRIPTION REVIEWED
1-2-307



S3A

**PROPERTY
LOCATION**



**PROPERTY DISPOSITION
HAWTHORNE SOUTH FROM INDIANOLA RD
ACTIVITY I.D. 34-2006-054**