

★ Roll Call Number

Agenda Item Number

44A

Date October 22, 2007

An Ordinance entitled, "AN ORDINANCE vacating a portion of SE 1st Street right-of-way adjoining 1306 SE 1st 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
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

44A

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 portion of SE 1st Street right-of-way adjoining 1306 SE 1st 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 a portion of SE 1st Street right-of-way adjoining 1306 SE 1st Street, more specifically described as follows, be and is hereby vacated.

All that part of Lots 6, 7 and 8, Block 19, South Fort Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, more particularly described as follows:

Beginning at the Southeast corner of Lot 6 in said Block 19; thence North 75°(Degrees) 05(Minutes) 44"(Seconds) West, along the South line of said Lot 6, a distance of 7.00 feet; thence North 17°30'00" East, 68.50 feet to a point on the northerly line of said Lot 6 which is 7.00 feet westerly of the Northeast corner of said Lot 6; thence North 11°42'43" East, 68.64 feet to a point on the northerly line of said Lot 7 which is 14.00 feet westerly of the Northeast corner of said Lot 7; thence North 02°29'42" West, 71.57 feet to a point on the Northerly line of said Lot 8 which is 38.50 feet westerly of the Northeast corner of said Lot 8; thence South 75°24'18" East, along the North line of said Lot 8, a distance of 10.00 feet; thence South 00°10'19" East, 70.75 feet; thence South 13°22'53" West, 68.58 feet; thence South 15°49'37" West, 68.45 feet to the Point of Beginning. Said parcel contains by survey 1403 sq ft.

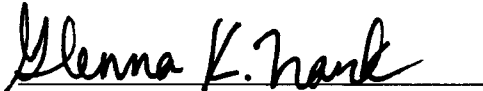
DESCRIPTION APPROVED
[Signature]
10/28/03 12:52

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.

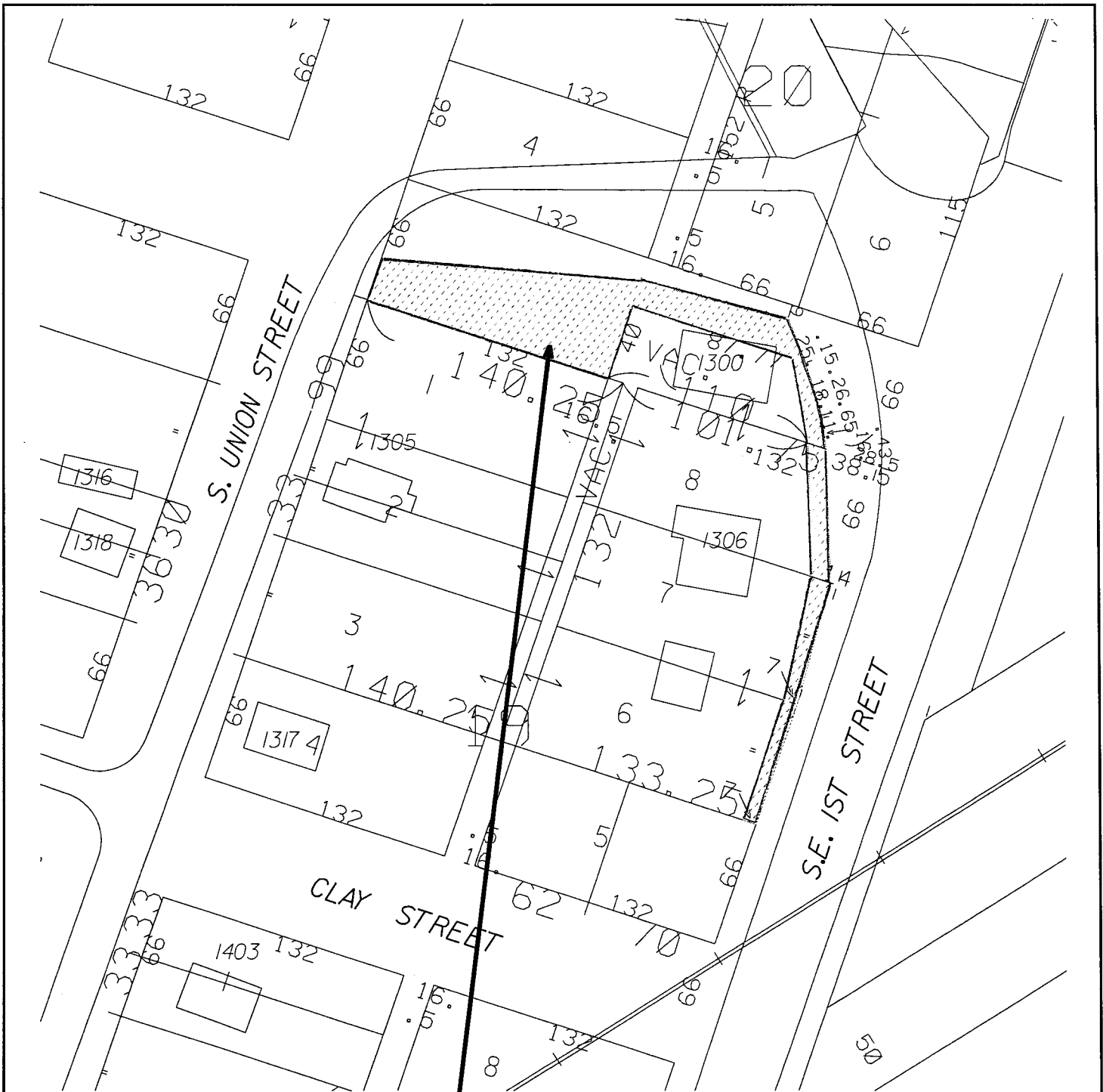
Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the office of the Recorder of Polk County, Iowa.

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

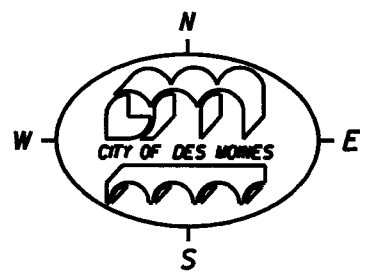
FORM APPROVED:

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



**PROJECT
LOCATION**



**GENERAL DISPOSITION
1306 DIAMOND VIEW, LLC
ACTIVITY I.D. 34-2008-012**