

★ Roll Call Number

Agenda Item Number

48A

Date June 27, 2011

An Ordinance entitled, "AN ORDINANCE vacating two segments of the north/south alleys between 13th Street and 15th Street from Locust Street to the east/west 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

Glenna K. Frank
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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

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Prepared by: Glenna K. Frank, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50309 (515) 283-4530

ORDINANCE NO. _____

AN ORDINANCE vacating two segments of the north/south alleys between 13th Street and 15th Street from Locust Street to the east/west 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:

Sec. 1. That two segments of the north/south alleys between 13th Street and 15th Street from Locust Street to the east/west alley, more specifically described as follows, be and is hereby vacated.

ALL THAT PART OF THE 16 ½ FOOT NORTH-SOUTH ALLEY EXTENDING FROM THE SOUTH RIGHT-OF-WAY LINE OF LOCUST STREET, AS PRESENTLY ESTABLISHED, TO THE EAST-WEST ALLEY SOUTH OF LOCUST STREET, MORE PARTICULARLY DESCRIBED AS: THE EASTERLY 16 ½ FEET OF LOT 2 OF J.C. SAVERY'S PARK ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

ALL THAT PART OF THE 16 FOOT NORTH-SOUTH ALLEY EXTENDING FROM THE SOUTH RIGHT-OF-WAY LINE OF LOCUST STREET, AS PRESENTLY ESTABLISHED, TO THE EAST-WEST ALLEY SOUTH OF LOCUST STREET, MORE PARTICULARLY DESCRIBED AS: THE 16 FOOT ALLEY LYING WESTERLY OF AND ADJOINING THE WESTERLY LINE OF LOT 12 OF ALLEN'S ADDITION TO THE CITY OF DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

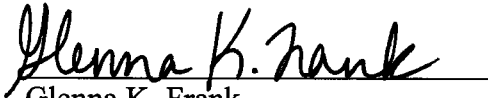
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Sec. 2. The City of Des Moines hereby reserves an easement upon the property described above for the continued use and maintenance of any utilities now in place, with the right of entry for servicing same.

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