

★ Roll Call Number

Agenda Item Number

37

Date August 8, 2011

An Ordinance entitled, "AN ORDINANCE vacating a portion of Glendale Cemetery",

which was considered and voted upon under Roll Call No. 11- 1314 of July 25, 2011; again presented.

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

(Second of three required readings)

(Council Communication No. 11-519)

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

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 a portion of Glendale Cemetery.

WHEREAS, all prior requirements of law pertaining to the vacation of public property have been fully observed; and

WHEREAS, it is desirable that the public property herein described be vacated;

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

Sec. 1. That a portion of Glendale Cemetery, more specifically described as follows, be and is hereby vacated.

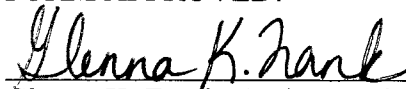
A tract of land in the SE $\frac{1}{4}$ of the NW Fractional $\frac{1}{4}$ of Section 31, Township 79 North, Range 24 West of the 5th P.M., in the City of Des Moines, Polk County, Iowa; Beginning at the Northeast Corner of Lot H in Mesa Park, an Official Plat; thence South 90° (degrees) 00' (minutes) 00" (seconds) East, parallel to the North line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, a distance of 470.41 feet; thence S00°36'35"E, a distance of 86.62 feet; thence S89°23'25"W, a distance of 71.00 feet; thence S00°36'35"E, a distance of 56.00 feet; thence N89°23'25"E, a distance of 71.00 feet; thence S00°36'35"E, a distance of 28.89 feet; thence N90°00'00"W, a distance of 469.70 feet; thence N00°50'54"W, a distance of 171.52 feet to the Point of Beginning; said tract being subject to and together with any and all easements of record. Said tract contains 1.76 acres more or less.

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