



Roll Call Number

Agenda Item Number

46A

Date January 28, 2013

An Ordinance entitled, "AN ORDINANCE permanently vacating a portion of Southeast 18th Street right-of-way adjoining 410 SE 18th 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				
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

46A

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

ORDINANCE NO. _____

AN ORDINANCE permanently vacating a portion of Southeast 18th Street right-of-way adjoining 410 SE 18th 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:

Sec. 1. That a portion of Southeast 18th Street right-of-way adjoining 410 SE 18th Street, more specifically described as follows, be and is hereby vacated.

A PORTION OF SOUTHEAST 18TH STREET RIGHT OF WAY ADJOINING LOT 3 OF THE OFFICIAL PLAT OF LOT 45, BROOKS & COS 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, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 3; THENCE NORTH 00°(DEGREES) 08'(MINUTES) 48"(SECONDS) WEST, 183.75 FEET ON THE WEST RIGHT OF WAY LINE OF SOUTHEAST 18TH STREET; THENCE SOUTH 43°34'03" EAST, 37.37 FEET; THENCE SOUTH 00°08'48" EAST, 157.56 FEET; THENCE NORTH 89°37'10" WEST, 25.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.10 ACRES MORE OR LESS.

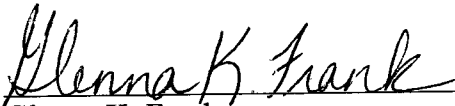
Sec. 2. The City of Des Moines hereby reserves an easement upon the property described above for the continued use and maintenance of any utilities now in place, with the right of entry for servicing same.

46A

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