

★ **Roll Call Number**

**Agenda Item Number**

48A

Date March 25, 2013

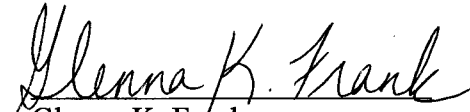
An Ordinance entitled, "AN ORDINANCE vacating a portion of the north/south and east/west alley right-of-way south of University Avenue between 6<sup>th</sup> Avenue and 7<sup>th</sup> Street",

presented.

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

FORM APPROVED:

(First of three required readings)

  
 Glenna K. Frank  
 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

48A

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

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE vacating a portion of the north/south and east/west alley right-of-way south of University Avenue between 6<sup>th</sup> Avenue and 7<sup>th</sup> 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 the north/south and east/west alley right-of-way south of University Avenue between 6<sup>th</sup> Avenue and 7<sup>th</sup> Street, more specifically described as follows, be and is hereby vacated.

THE 15.00 FOOT NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING BETWEEN LOTS 1 AND 2 AND 45 AND 46 OF GRAND PARK, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPT THE NORTH 4.50 FEET THEREOF.

AND

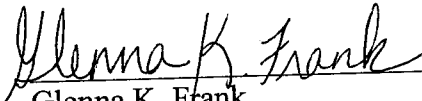
THE 10.00 FOOT EAST/WEST ALLEY RIGHT-OF-WAY LYING NORTH OF AND ADJOINING LOTS 12, 13 AND 14 OF SAUCERMAN'S SUBDIVISION OF THE NORTH 2 ACRES OF LOT 1 OF THE OFFICIAL PLAT OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M., AND OF LOT 7 ULRICH'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPT THE EAST 15.85 FEET THEREOF. (CONTAINING 2924 SQUARE FEET, 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