

★ Roll Call Number

Agenda Item Number

43A

Date October 7, 2013

An Ordinance entitled, "AN ORDINANCE vacating an additional portion of Court Avenue adjoining the Court Avenue Brewing Co., restaurant at 309 Court Avenue for use as a sidewalk cafe",

presented.

MOVED by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)

Roger K. Brown

Roger K. Brown

Assistant City Attorney

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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: Roger K. Brown, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA
50309 Phone: 515/283-4541

Return Address: City Clerk - City Hall, 400 Robert D. Ray Drive, Des Moines, IA 50309

Taxpayer: No change

Title of Document: Ordinance No. _____

Grantor/Grantee Name: City of Des Moines, Iowa

Legal Description: See below on this page.

ORDINANCE NO. _____

AN ORDINANCE vacating an additional portion of Court Avenue adjoining the Court Avenue Brewing Co., restaurant at 309 Court Avenue for use as a sidewalk cafe.

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, as follows:

Section 1. That a portion of the Court Avenue right-of-way adjoining the Court Avenue Brewing Co., restaurant at 309 Court Avenue, more specifically described as follows, be and is hereby vacated:

The North 9.5 feet of the Court Avenue right-of-way lying southerly of and adjoining the westerly 30.3 feet of Lot 7, Block 24, Town of Fort Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

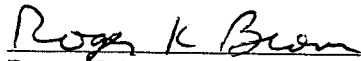
Sec. 2. The City of Des Moines hereby reserves an easement upon the property described above for the continued use and maintenance of any utilities now in place, with the right of entry for servicing same.

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:



Roger K. Brown

Assistant City Attorney

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