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**Date** ..... October 21, 2013 .....

**SET HEARING FOR VACATION OF A SEGMENT OF SOUTHEAST 4<sup>TH</sup> STREET  
ADJOINING 626 SOUTHEAST 4<sup>TH</sup> STREET TO ALLOW FOR CONSTRUCTION OF THE  
SOUTHEAST 4<sup>TH</sup> AND SHAW STREETS STORM WATER PUMP STATION PROJECT**

**WHEREAS**, the Engineering Department of the City of Des Moines has requested vacation of a segment of Southeast 4<sup>th</sup> Street adjoining 626 Southeast 4<sup>th</sup> Street to allow for construction of the Southeast 4<sup>th</sup> and Shaw Streets Storm Water Pump Station Project; and

**WHEREAS**, on October 7, 2013, by Roll Call No. 13-1552, the City Council of the City of Des Moines received a recommendation from the City Plan and Zoning Commission that the requested vacation of a segment of Southeast 4<sup>th</sup> Street running 100 feet north of Shaw Street, east of and adjoining property located at 626 Southeast 4<sup>th</sup> Street, be approved; and

**WHEREAS**, there is no known current or anticipated public need or benefit for the right-of-way proposed to be vacated and the City will not be inconvenienced by the vacation of said right-of-way.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Des Moines, Iowa, as follows:

1. That the City Council of the City of Des Moines shall consider adoption of an ordinance permanently vacating a segment of Southeast 4<sup>th</sup> Street running 100 feet north of Shaw Street, east of and adjoining property locally known as 626 Southeast 4<sup>th</sup> Street, more specifically described as follows, to allow for construction of the Southeast 4<sup>th</sup> and Shaw Streets Storm Water Pump Station Project:

ALL THAT PART OF SOUTHEAST 4<sup>TH</sup> STREET RIGHT-OF-WAY EAST OF AND ADJOINING LOTS 13 AND 14 IN BLOCK 80, TOWN OF DE MOINE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

2. That the meeting of the City Council at which the adoption of said ordinance is to be considered shall be on November 4, 2013, said meeting to be held at 5:00 p.m., in the Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

3. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.

★ **Roll Call Number**

**Agenda Item Number**

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Date October 21, 2013

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Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

Glenna K. Frank  
 Glenna K. Frank, Assistant City Attorney

*pen*

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

MOTION CARRIED APPROVED  
 \_\_\_\_\_ Mayor

**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.

\_\_\_\_\_ City Clerk

E Martin Luther King Jr Pkwy

Allen St

SE 4th St

SE 2nd St

Scott Ave

**PROJECT  
LOCATION**

Des Moines River

**Legend**  
■ PROJECT LOCATION

