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Date January 26, 2015

SET HEARING FOR VACATION OF SW MCKINLEY AVENUE FROM SW 46TH STREET TO SW 56TH STREET

WHEREAS, the City of Des Moines Engineering Department initiated a request for vacation of all of the SW McKinley Avenue right-of-way between SW 46th Street and SW 56th Street; and

WHEREAS, on January 15, 2015, the City of Des Moines Plan and Zoning Commission voted to recommend approval the proposal to vacate the right-of-way identified above; and

WHEREAS, there is no known current or future 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, subject to reservation of easements for any existing utilities currently located within the 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 all of the SW McKinley Avenue right-of-way between SW 46th Street and SW 56th Street, legally described as follows:

A PORTION OF THE SOUTHWEST MCKINLEY AVENUE RIGHT OF WAY LYING IN SECTIONS 24 AND 25, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

ALL OF THE SOUTHWEST MCKINLEY AVENUE RIGHT OF WAY LYING BETWEEN THE SOUTHERLY EXTENSION OF THE WEST RIGHT OF WAY LINE OF SOUTHWEST 46TH STREET AND THE SOUTHERLY EXTENSION OF THE EAST RIGHT OF WAY LINE OF SOUTHWEST 56TH STREET.

2. That the meeting of the City Council at which the proposed vacation of said right-of-way and adoption of said ordinance are to be considered shall be on February 9, 2015, said hearing to be held at 5:00 p.m., in the City 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, not less than four nor more than twenty days before said meeting, in accordance with Section 362.3 of the Iowa Code.

★ Roll Call Number

Agenda Item Number

22B

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Date January 26, 2015

Moved by _____ to adopt.

APPROVED AS TO FORM:

Cori Kuhn Coleman, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				
MOTION CARRIED	APPROVED			
_____ Mayor				

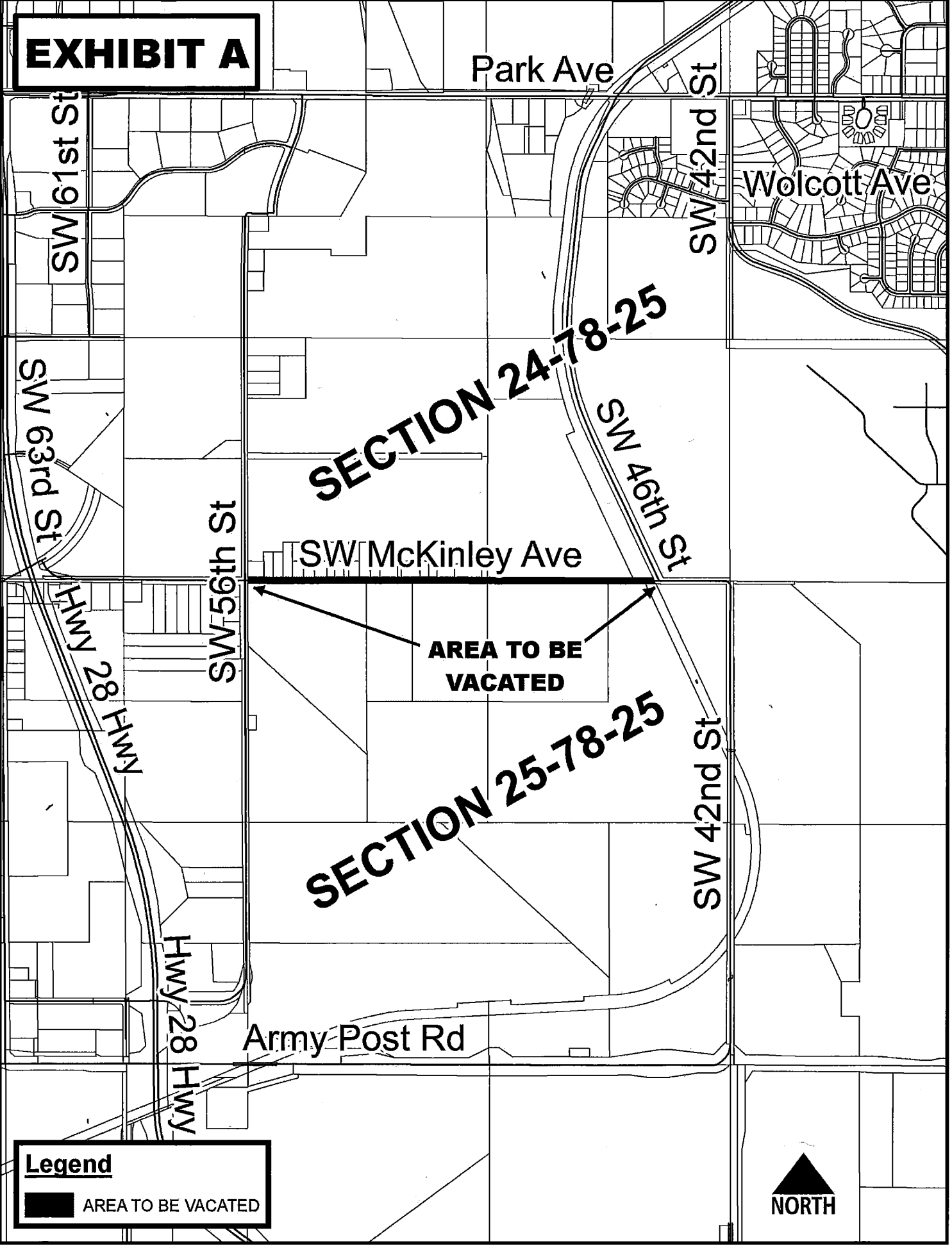
CERTIFICATE

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.

Clerk City

EXHIBIT A



Park Ave

SW 42nd St

Wolcott Ave

SECTION 24-78-25

SW 46th St

SW McKinley Ave

AREA TO BE VACATED

SECTION 25-78-25

SW 42nd St

Army Post Rd

Legend

■ AREA TO BE VACATED



NORTH