

Date August 24, 2015

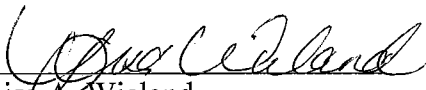
An Ordinance entitled, "AN ORDINANCE vacating a portion of the East Market Street right-of-way adjoining 111 SE 7th Street and repealing Ordinance No. 15,389",

presented.

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

FORM APPROVED:

(First of three required readings)


 Lisa A. Wieland
 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.

_____ City Clerk

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Prepared by: Lisa A. Wieland, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50309 (515) 283-4124
Return to: City Clerk's Office, 400 Robert D. Ray Drive, Des Moines, Iowa 50309

ORDINANCE NO. _____

AN ORDINANCE vacating a portion of the East Market Street right-of-way adjoining 111 SE 7th Street and repealing Ordinance No. 15,389.

WHEREAS, all prior requirements of law pertaining to the vacation of public right-of-way have been fully observed; and

WHEREAS, by Ordinance No. 15,389, passed July 27, 2015, after notice and public hearing, the City Council intended to vacate the portion of East Market Street right-of-way adjoining 111 SE 7th Street as described below, but said Ordinance contained an error by referring to SE Market Street right-of-way; 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 East Market Street right-of-way adjoining 111 SE 7th Street, more specifically described as follows, be and is hereby vacated:

THE NORTH 35 FEET OF EAST MARKET STREET RIGHT OF WAY LYING SOUTH OF AND ADJOINING EAST 60 FEET OF THE WEST 90 FEET OF BLOCK 19, TOWN OF DE MOINE, 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 Ordinance No. 15,389, passed July 27, 2015, is hereby repealed. This Ordinance is intended to replace Ordinance No. 15,389.

Sec. 4. 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. 5. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:



Lisa A. Wieland, Assistant City Attorney