

★ **Roll Call Number**

Agenda Item Number

50A

Date September 28, 2015


An Ordinance entitled, "AN ORDINANCE vacating various street and alley rights-of-way between Jackson Avenue and Dunham Avenue and between Indianola Avenue and South Union Street",

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

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.

 Mayor

 City Clerk

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 various street and alley rights-of-way between Jackson Avenue and Dunham Avenue and between Indianola Avenue and South Union 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 various street and alley rights-of-way between Jackson Avenue and Dunham Avenue and between Indianola Avenue and South Union Street, more specifically described as follows, be and is hereby vacated:

ALL THAT PART OF GRANGER AVENUE RIGHT-OF-WAY LYING BETWEEN THE WEST RIGHT-OF-WAY LINE OF SOUTH UNION STREET AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF INDIANOLA AVENUE AS CURRENTLY ESTABLISHED (SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF INDIANOLA AVENUE AS RECORDED IN BOOK 10252 PAGE 873 AT THE POLK COUNTY RECORDER'S OFFICE), ALL IN VAN'S ADDITION TO SOUTH DES MOINES, AN OFFICIAL PLAT; AND

ALL THAT PART OF SOUTHWEST 1ST STREET RIGHT-OF-WAY LYING BETWEEN THE WESTERLY EXTENTION OF THE NORTH LINE OF LOT 1 IN BLOCK 9 OF SAID VAN'S ADDITION TO SOUTH DES MOINES AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF INDIANOLA AVENUE AS CURRENTLY ESTABLISHED (SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF INDIANOLA AVENUE AS RECORDED IN BOOK 10252 PAGE 873 AT THE POLK COUNTY RECORDER'S OFFICE); AND

ALL THAT PART OF SOUTHWEST 1ST STREET RIGHT-OF-WAY LYING BETWEEN THE SOUTH RIGHT-OF-WAY LINE OF JACKSON AVENUE AND THE WESTERLY EXTENTION OF THE SOUTH LINE OF LOT 2 IN BLOCK 15 OF SOUTH FORT DES MOINES, AN OFFICIAL PLAT; AND

THE SOUTH 82 FEET OF THE NORTH/SOUTH ALLEY RIGHT OF WAY IN BLOCK 10, VAN'S ADDITION TO SOUTH DES MOINES, AN OFFICIAL PLAT; AND

-EXCEPT THE SOUTH 121 FEET-, ALL OF THE NORTH/SOUTH ALLEY RIGHT OF WAY IN BLOCK 9, VAN'S ADDITION TO SOUTH DES MOINES, AN OFFICIAL PLAT; AND

ALL OF THE NORTH/SOUTH ALLEY RIGHT OF WAY IN BLOCK 15, SOUTH FORT DES MOINES, AN OFFICIAL PLAT;

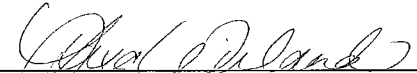
ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; CONTAINING 48,956 SQUARE FEET.

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:



Lisa A. Wieland
Assistant City Attorney