

★ Roll Call Number

Agenda Item Number

39

Date May 23, 2016

An Ordinance entitled, "AN ORDINANCE vacating the segment of Martin Luther King, Jr. Parkway right-of-way adjoining 2120 Ingersoll Avenue",

which was considered and voted upon under Roll Call No. 16- 0798 of May 9, 2016; again presented.

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

(Second of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
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

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 the segment of Martin Luther King, Jr. Parkway right-of-way adjoining 2120 Ingersoll Avenue.

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 the segment of Martin Luther King, Jr. Parkway right-of-way adjoining 2120 Ingersoll Avenue, more specifically described as follows, be and is hereby vacated:

Part of Lot 9 of the Official Plat of The Southwest ¼ of Section 5, Township 78 North, Range 24 West of the 5th P.M., described as follows:

The West 13.75 feet of the North 62.0 feet of the East 100.0 feet of said Lot 9, lying South of and adjoining Ingersoll Avenue, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, and containing 852.5 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. The City of Des Moines further reserves a no-build easement on the property described above.

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