



Roll Call Number

Agenda Item Number

45

Date April 9, 2018

An Ordinance entitled, "AN ORDINANCE vacating portions of the north/south alley lying east of and adjoining 121 12th Street",

which was considered and voted upon for the first time under Roll Call No. 18- 0385 of March 8, 2018, and considered and voted upon for the second time under Roll Call No. 18- 0496 of March 19, 2018, again presented.

Moved by \_\_\_\_\_ that this ordinance do now pass.

ORDINANCE NO. \_\_\_\_\_

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
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

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18-0385

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 portions of the north/south alley lying east of and adjoining 121 12<sup>th</sup> 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 portions of the north/south alley lying east of and adjoining 121 12<sup>th</sup> Street, more specifically described as follows, be and is hereby vacated:

Electrical Door Swing:

That part of the Vacated Public Alley right-of-way lying East of and adjoining Lot 3 in Block 23 of KEENE & POINDEXTER'S ADDITION TO FORT DES MOINES, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, being more particularly described as follows:

Commencing at the Southeast corner of said Lot 3 in Block 23 of KEENE & POINDEXTER'S ADDITION TO FORT DES MOINES; thence North 15°25'43" West, 15.50 feet along the East line of said Lot 3 to the Point of Beginning; thence continuing North 15°25'43" West, 4.00 feet along the East line of said Lot 3; thence North 74°34'17" East, 3.50 feet; thence South 15°25'43" East, 4.00 feet; thence South 74°34'17" West, 3.50 feet to the point of beginning.

Containing 14.00 square feet.

18-0385  
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Transformer Gate Door Swing:

That part of the Vacated Public Alley right-of-way lying East of and adjoining Lot 3 in Block 23 of KEENE & POINDEXTER'S ADDITION TO FORT DES MOINES, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, being more particularly described as follows:

Commencing at the Southeast corner of said Lot 3 in Block 23 of KEENE & POINDEXTER'S ADDITION TO FORT DES MOINES; thence North 15°25'43" West, 2.92 feet along the East line of said Lot 3 to the Point of Beginning; thence continuing North 15°25'43" West, 12.00 feet along the East line of said Lot 3; thence North 74°34'17" East, 5.50 feet; thence South 15°25'43" East, 12.00 feet; thence South 74°34'17" West, 5.50 feet to the point of beginning.

Containing 66.00 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