



Roll Call Number

Agenda Item Number

43A

Date February 25, 2019

An Ordinance entitled, "AN ORDINANCE vacating a portion of East Shawnee Avenue right-of-way adjoining 4101 Amherst Street",

presented.

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

FORM APPROVED:

(First of three required readings)

[Signature]
Lisa A. Wieland
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and TOTAL.

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.

MOTION CARRIED APPROVED

Mayor

City Clerk

43A

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 East Shawnee Avenue right-of-way adjoining 4101 Amherst 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 a portion of East Shawnee Avenue right-of-way adjoining 4101 Amherst Street, more specifically described as follows, be and is hereby vacated:

All that part of East Shawnee Avenue Right-of-Way, lying South of Lot 13 in Block 1 in Official Plat of the NE1/4 of the SW1/4 of Section 23, Township 79 North, Range 24 West of the 5th P.M., except the East 830.4 feet of the S1/2 thereof, now included in and forming a part of the City of Des Moines, Polk County, Iowa, more particularly described as follows:

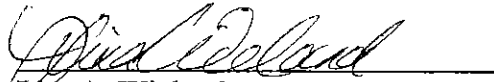
Commencing at the Southeast Corner of said Lot 13; thence South 89°55'05" West, along the South line of said Lot 13, a distance of 18.87 feet, to the Point of Beginning; thence South 00°07'52" East, a distance of 6.00 feet; thence South 89°55'05" West, a distance of 28.00 feet; thence North 00°07'52" West, a distance of 6.00 feet, to a point on the South line of said Lot 13; thence North 89°55'05" East, along the South line of said Lot 13, a distance of 28.00 feet to the Point of Beginning, and containing 168 square feet of land, more or less.

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:

A handwritten signature in cursive script, appearing to read "Lisa A. Wieland", is written over a horizontal line.

Lisa A. Wieland

Assistant City Attorney