



Roll Call Number

Agenda Item Number

43A

Date April 8, 2019

An Ordinance entitled, "AN ORDINANCE vacating the north-south alley right-of-way located west of and adjoining 1014 through 1036 Southeast 9th Street",

presented.

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

FORM APPROVED:

(First of three required readings)

Ann DiDonato
Assistant City Attorney

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.

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

MOTION CARRIED APPROVED

Mayor

City Clerk

43A

Prepared by: Ann DiDonato, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50309 (515) 283-4130
Return to: City Clerk's Office, 400 Robert D. Ray Drive, Des Moines, Iowa 50309

ORDINANCE NO. _____

AN ORDINANCE vacating the north-south alley right-of-way located west of and adjoining 1014 through 1036 Southeast 9th 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 the north-south alley right-of-way located west of and adjoining 1014 through 1036 Southeast 9th Street, more specifically described as follows, be and is hereby vacated.

ALL OF THE NORTH/SOUTH ALLEY RIGHT OF WAY IN BLOCK 74, TOWN OF DE MOINE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

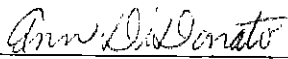
BEGINNING AT THE NORTHWEST CORNER OF LOT 7 IN SAID BLOCK 74; THENCE SOUTH ALONG THE WESTERLY LINES OF LOTS 7 THROUGH 11 OF SAID BLOCK 74 TO THE SOUTHWEST CORNER OF SAID LOT 11; THENCE WEST ALONG A STRAIGHT LINE TO THE SOUTHEAST CORNER OF LOT 12 IN SAID BLOCK 74; THENCE NORTH ALONG THE EASTERLY LINES OF LOTS 12 THROUGH 15 OF SAID BLOCK 74 TO THE NORTHEAST CORNER OF SAID LOT 15; THENCE NORTHEASTERLY ALONG A STRAIGHT LINE TO THE POINT OF BEGINNING, AND CONTAINING APPROXIMATELY 4,498 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:



Ann DiDonato
Assistant City Attorney

EXHIBIT A

E Railroad Ave

SE 8th St

SE 9th St

BLOCK 74

TOWN OF DE MOINES

LOT 15 NE CORNER OF LOT 15

EASTERLY LINE OF LOTS 12-15

LOT 14

LOT 13

PT LOT 12

SE CORNER OF LOT 12

NW CORNER OF LOT 7

LOT 8

LOT 9

LOT 10

SW CORNER OF LOT 11

LOT 11

N S ALLEY


LOT 7

WESTERLY LINE OF LOTS 7-11

DES MOINES RIVER



Legend

 AREA TO BE VACATED