



Roll Call Number

Agenda Item Number

47

Date October 14, 2019

An Ordinance entitled, "AN ORDINANCE vacating the east-west alley right-of-way adjoining and immediately north of 901 Walnut Street, between 9th Street and 10th Street",

which was considered and voted upon under Roll Call No. 19- of September 23, 2019; 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				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, Laura Baumgartner, Acting 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.

Acting City Clerk



Roll Call Number

19-1542

47

Agenda Item Number

58A

Date September 23, 2019

An Ordinance entitled, "AN ORDINANCE vacating the east-west alley right-of-way adjoining and immediately north of 901 Walnut Street, between 9th Street and 10th Street",

presented.

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

FORM APPROVED:

(First of three required readings)

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 (7).

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.

J. M. Frankin Cownie Mayor

Diane Rauh City Clerk

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19-1542

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 east-west alley right-of-way adjoining and immediately north of 901 Walnut Street, between 9<sup>th</sup> Street and 10<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 the east-west alley right-of-way adjoining and immediately north of 901 Walnut Street, between 9<sup>th</sup> Street and 10<sup>th</sup> Street, more specifically described as follows, be and is hereby vacated:

ALL OF THE EAST/WEST ALLEY IN BLOCK 5, WEST FORT DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.11 ACRES (4,660 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.

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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