

Date October 14, 2019


An Ordinance entitled, "AN ORDINANCE vacating certain air space within a 4-foot by 4-foot segment of the east-west alley right-of-way located south of and adjoining 319 7th Street",

presented.

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

FORM APPROVED:

(First of three required readings)


 Lisa A. Wieland
 Assistant City Attorney

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

63A

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 certain air space within a 4-foot by 4-foot segment of the east-west alley right-of-way located south of and adjoining 319 7th 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 certain air space within a 4-foot by 4-foot segment of the east-west alley right-of-way located south of and adjoining 319 7th Street, more specifically described as follows, be and is hereby vacated:

That part of the Alley right-of-way lying South of and adjoining the West Half of Lot 2 in Block 12 in 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 Southwest corner of said Lot 2; thence North 74°(degrees) 30'(minutes) 00"(seconds) East (assumed for this description only), 62.10 feet along the South line of said Lot 2 to the Point of Beginning; thence continuing North 74°30'00" East, 4.00 feet along the South line of said Lot 2; thence South 15°30'00" East, 4.00 feet; thence South 74°30'00" West, 4.00 feet; thence North 15°30'00" West, 4.00 feet to the point of beginning.

Lying between elevations 47.50 feet and 65.00 feet, City of Des Moines Vertical Datum (reference ground level elevation of 36.63 feet, City of Des Moines Vertical Datum). Horizontally containing 16.00 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:

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

Lisa A. Wieland
Assistant City Attorney