

★ Roll Call Number

Agenda Item Number

49

Date November 4, 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 for the first time under Roll Call No. 19-1542 of September 23, 2019, and considered and voted upon for the second time under Roll Call No. 19-1625 of October 14, 2019, 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, P Kay Cmelik 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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~~19-1542~~
~~19-1625~~
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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 9th Street and 10th 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 9th Street and 10th 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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19-1425

Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

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FORM APPROVED:



Lisa A. Wieland
Assistant City Attorney