

★ Roll Call Number

Agenda Item Number  
51A

Date December 21, 2020

An Ordinance entitled, "AN ORDINANCE repealing Ordinance No. 14,925 and vacating approximately 357.5 square feet of Des Moines Street right-of-way located north of and adjoining 519 Des Moines 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				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

**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.

MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

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 repealing Ordinance No. 14,925 and vacating approximately 357.5 square feet of Des Moines Street right-of-way located north of and adjoining 519 Des Moines 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. Ordinance No. 14,925 is hereby repealed.

Sec. 2. That a portion approximately 357.5 square feet of Des Moines Street right-of-way located north of and adjoining 519 Des Moines Street, more specifically described as follows, be and is hereby vacated:

***-EXCEPT*** THE SUBSURFACE AREA BELOW GRADE-, THE SOUTH 6.5 FEET OF DES MOINES STREET RIGHT OF WAY LYING NORTH OF AND ADJOINING THE WEST 55.0 FEET OF THE EAST 65.0 FEET OF BLOCK 17, EAST 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 357.5 SQUARE FEET.

Sec. 3. 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. 4. 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. 5. 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

**EXHIBIT A**

**Des Moines St**

**E 6th St**

SOUTH ROW OF  
DES MOINES ST

55 FT

6.5 FT

65 FT

WEST LINE  
OF BLOCK 17

NORTH LINE  
OF BLOCK 17

519  
*Des Moines St*

**BLOCK 17**

**EAST FORT DES MOINES**

**LOT 1**

**LOT 2**



**Legend**



CORRECTED VACATION AREA