



Roll Call Number

Agenda Item Number

38A

Date May 23, 2022

An Ordinance entitled, "AN ORDINANCE vacating a portion of the east-west ally right-of-way located south of and adjoining 1819 43rd Street",

presented.

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

FORM APPROVED:

(First of three required readings)

/s/ Lisa A. Wieland
Lisa A. Wieland
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

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.

_____ Mayor

_____ City Clerk

38A

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 a portion of the east-west ally right-of-way located south of and adjoining 1819 43rd 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 a portion of the east-west ally right-of-way located south of and adjoining 1819 43rd Street, more specifically described as follows, be and is hereby vacated:

LOT B, HAZELWOOD, AN OFFICIAL PLAT, -EXCEPT THE SOUTH HALF (S 1/2) OF SAID LOT B LYING WEST OF THE NORTHERLY EXTENSION OF EAST LINE OF THE WEST HALF (W 1/2) OF LOT 13 IN FLEETWOOD, AN OFFICIAL PLAT-,

AND

ALL THAT PART OF LOT A IN SAID HAZEL WOOD LYING SOUTH OF THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT B AND LYING NORTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF THE NORTH HALF (N 1/2) OF SAID LOT B,

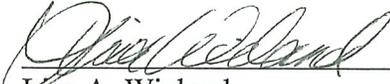
ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 1,734 SQUARE FEET.

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:



Lisa A. Wieland

Assistant City Attorney