



**Roll Call Number**

**Agenda Item Number**

49A

**Date** June 27, 2022

An Ordinance entitled, "AN ORDINANCE vacating the east-west alley right-of-way located south of and adjoining 2601 East Market 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/ Mackenzie L. Moreno  
Mackenzie L. Moreno  
Assistant City Attorney

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

MOTION CARRIED APPROVED

**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.

\_\_\_\_\_ Mayor

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

49A

Prepared by: Mackenzie L. Moreno, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50309 (515) 283-4535  
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 located south of and adjoining 2601 East Market 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 segment of east-west alley right-of-way located south of and adjoining 2601 East Market Street, more specifically described as follows, be and is hereby vacated:

ALL OF THE EAST/WEST ALLEY RIGHT OF WAY LYING SOUTH OF AND ADJOINING LOTS 4, 5 AND 6, BLOCK 3, ESHBAUGHS AND WESTS ADDITION TO THE TOWN OF CHESTERFIELD, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.06 ACRES (2,436 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 black ink, appearing to read 'Mackenzie L. Moreno', written over a horizontal line.

Mackenzie L. Moreno  
Assistant City Attorney

**SE 26th St**

**EXHIBIT A**

**E Market St**

Vac SE 26th St

2601  
E Market St

**BLOCK 3**

WEST LINE  
OF LOT 6

LOT 6

LOT 5

LOT 4

EAST LINE  
OF LOT 4

ALLEY

ALLEY

**ESHBAUGHS AND WESTS ADDITION  
TO THE TOWN OF CHESTERFIELD**

**Legend**

 AREA TO BE VACATED

  
NORTH

**E Elm St**