



Roll Call Number

Agenda Item Number

52A

Date October 24, 2022

An Ordinance entitled, "AN ORDINANCE permanently vacating all of the Southeast 2nd Street right-of-way lying south of Scott Avenue and west of and adjoining 303 Scott Avenue, and all of the Southeast 4th Street right-of-way lying south of Scott Avenue and east of and adjoining 303 Scott Avenue",

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, 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

Prepared by: Mackenzie L. Moreno, 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 permanently vacating all of the Southeast 2nd Street right-of-way lying south of Scott Avenue and west of and adjoining 303 Scott Avenue, and all of the Southeast 4th Street right-of-way lying south of Scott Avenue and east of and adjoining 303 Scott Avenue.

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 all of the Southeast 2nd Street right-of-way lying south of Scott Avenue and west of and adjoining 303 Scott Avenue, and all of the Southeast 4th Street right-of-way lying south of Scott Avenue and east of and adjoining 303 Scott Avenue more specifically described as follows, be and is hereby vacated:

ALL OF THE SOUTHEAST 2ND STREET RIGHT OF WAY LYING SOUTH OF THE RIGHT OF WAY LINE OF SCOTT AVENUE AND LYING NORTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 14, BLOCK 80, ALL IN TOWN OF DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.40 ACRES (17,628 SQUARE FEET).

AND

ALL OF THE SOUTHEAST 4th STREET RIGHT OF WAY LYING SOUTH OF THE RIGHT OF WAY LINE OF SCOTT AVENUE AND LYING NORTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 12, BLOCK 80, ALL IN TOWN OF DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF CITY OF DES MOINES, POLK

COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.35 ACRES
(15,215 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.

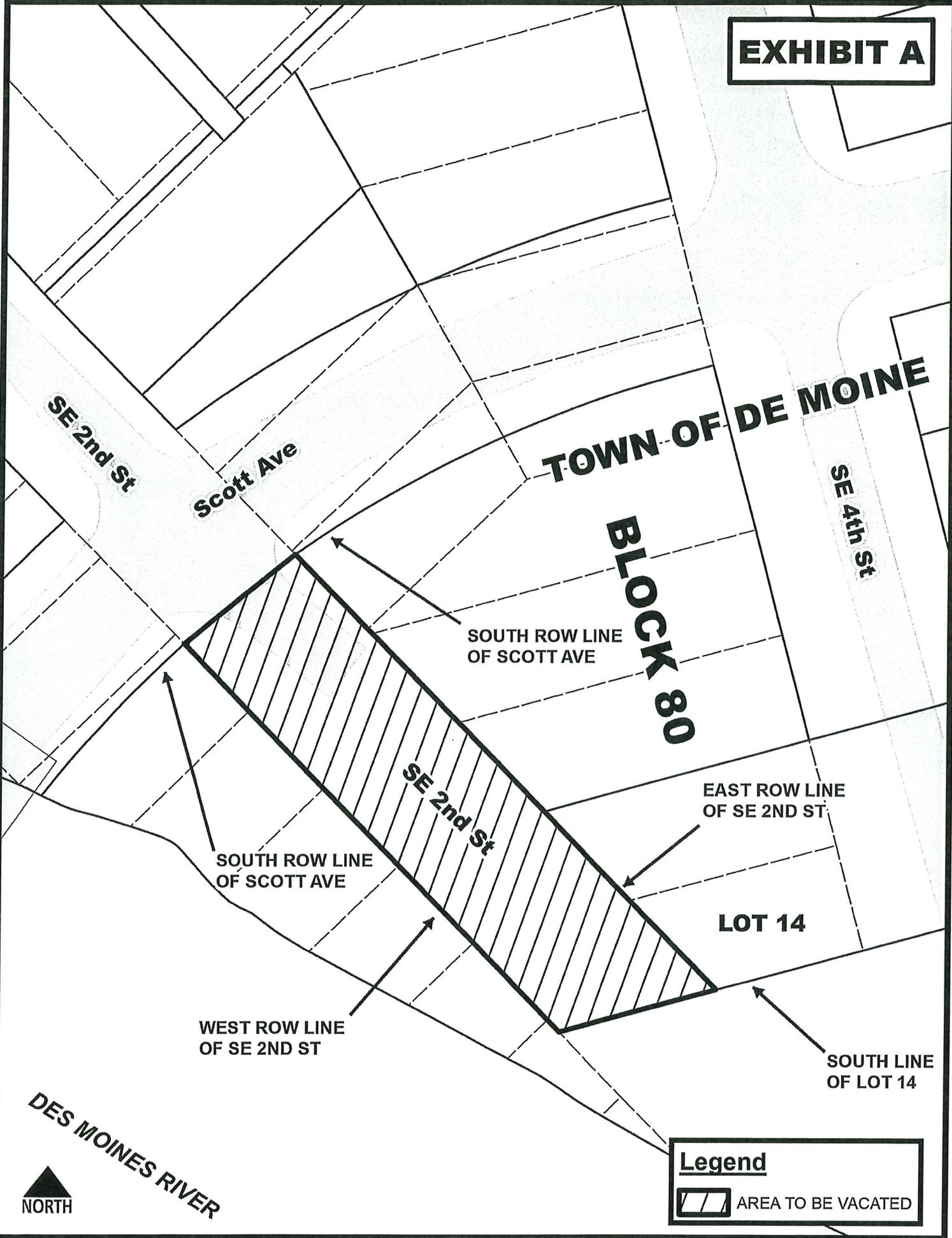
Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:



Mackenzie L. Moreno
Assistant City Attorney

EXHIBIT A



TOWN OF DE MOINES

BLOCK 80

SE 4th St

Scott Ave

SE 2nd St

SOUTH ROW LINE OF SCOTT AVE

SOUTH ROW LINE OF SCOTT AVE

EAST ROW LINE OF SE 2ND ST

SE 2nd St

WEST ROW LINE OF SE 2ND ST

LOT 14

SOUTH LINE OF LOT 14

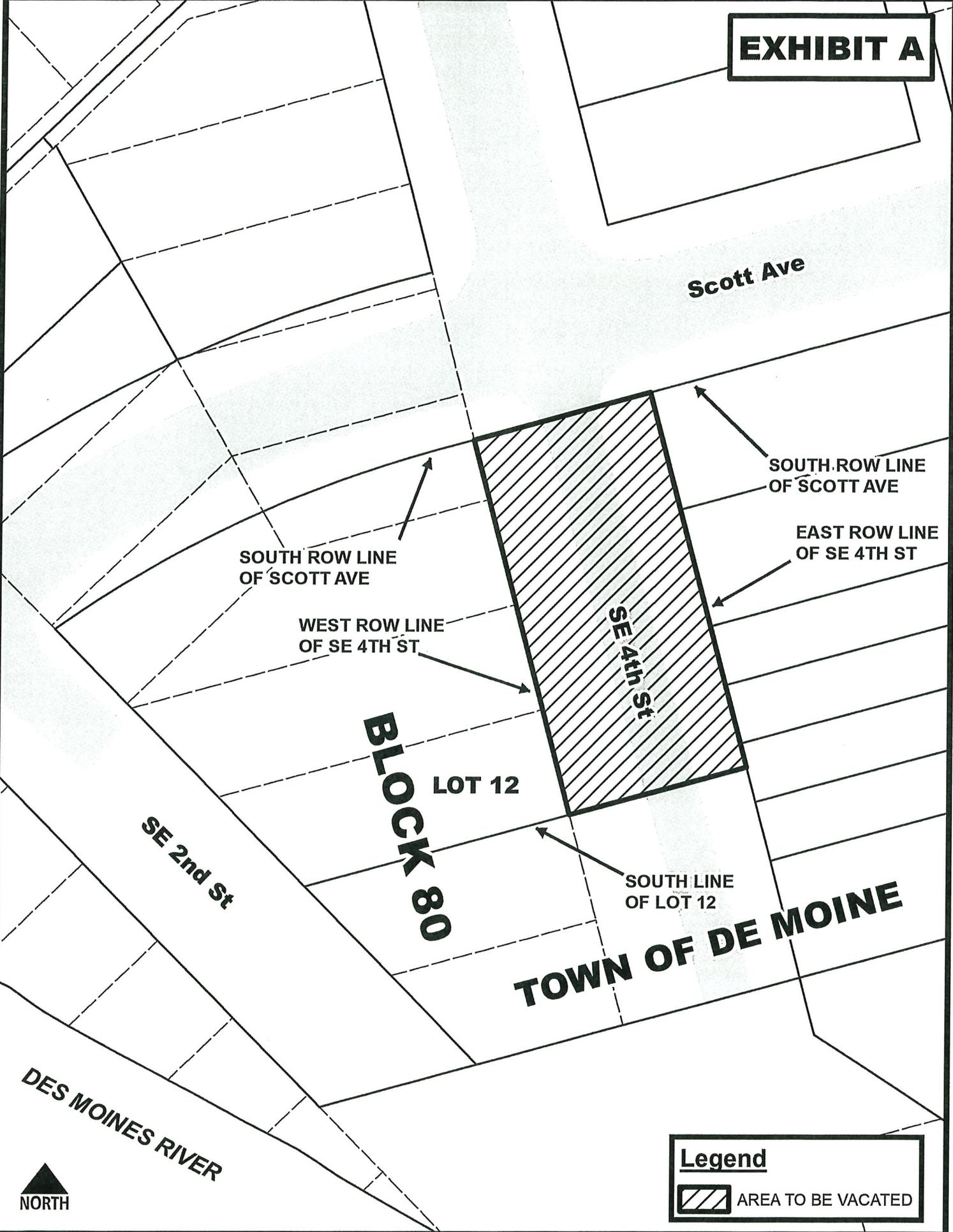
DES MOINES RIVER



Legend

 AREA TO BE VACATED

EXHIBIT A



Legend
 AREA TO BE VACATED


 NORTH