



Roll Call Number

Agenda Item Number

36A

Date November 7, 2022

An Ordinance entitled, "AN ORDINANCE vacating the east-west and north-south alley right-of-way located at 601 E. University Avenue within Burke Park",

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

36A

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 vacating the east-west and north-south alley right-of-way located at 601 E. University Avenue within Burke Park.

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 and north-south alley right-of-way located at 601 E. University Avenue within Burke Park, more specifically described as follows, be and is hereby vacated:

A PART OF ALLEY RIGHT OF WAY IN JAMES HALL'S SECOND SUBDIVISION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF THE EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOT 7 IN SAID JAMES HALL'S SECOND SUBDIVISION,

AND

ALL OF THE NORTH/SOUTH ALLEY RIGHT OF WAY ADJOINING THE WEST LINE OF SAID JAMES HALL'S SECOND SUBDIVISION AND LYING SOUTH OF THE NORTH LINE OF SAID JAMES HALL'S SECOND SUBDIVISION AND LYING NORTH OF THE VACATED FILMORE RIGHT OF WAY (VACATED BY ORDINANCE 6391),

AND CONTAINING APPROXIMATELY 0.05 ACRES (2,286 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

E University Ave

EXHIBIT A

NORTH LINE OF JAMES HALL'S SECOND SUBDIVISION

Filmore St

EAST LINE OF LOT 7

WEST LINE OF JAMES HALL'S SECOND SUBDIVISION

ALLEY

WEST LINE OF LOT 7

LOT 7

JAMES HALL'S SECOND SUBDIVISION

NORTH LINE OF VAC FILMORE ST

ALLEY

PT LOT 6

Vac Filmore St
(VAC ORD 6391)



Legend

 AREA TO BE VACATED