



Roll Call Number

Agenda Item Number

62A

Date July 17, 2023

An Ordinance entitled, "AN ORDINANCE vacating a portion of street right-of-way located on the east side of 7th Street south of Walnut adjoining 201 7th 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, 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

ORDINANCE NO. _____

AN ORDINANCE vacating a portion of street right-of-way located on the east side of 7th Street south of Walnut adjoining 201 7th 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 a street right-of-way located on the east side of 7th Street south of Walnut adjoining 201 7th Street, more specifically described as follows, be and is hereby vacated:

THAT PART OF 7TH STREET RIGHT-OF-WAY LYING WEST OF LOT 1, BLOCK 11, FORT DES MOINES, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:


COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 15°(DEGREES) 25'(MINUTES) 57"(SECONDS) EAST ALONG THE WEST LINE OF SAID LOT, 13.29 FEET; THENCE SOUTH 74°34'30" WEST, 12.44 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 15°25'57" EAST, 29.00 FEET; THENCE SOUTH 74°34'03" WEST, 7.00 FEET; THENCE NORTH 15°25'57" WEST, 29.00 FEET; THENCE NORTH 74°34'03" EAST, 7.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 203 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