



**Roll Call Number**

**Agenda Item Number**

40A

**Date** November 6, 2023

An Ordinance entitled, "AN ORDINANCE vacating approximately 160 lineal feet of the north/south alleyway located east of and adjoining 611 and 625 Southeast 10<sup>th</sup> Street",

presented.

Moved by \_\_\_\_\_ that this ordinance be considered and given first vote for passage. Second by \_\_\_\_\_.

FORM APPROVED:

(First of three required readings)

/s/ Chas M. Cahill  
Chas M. Cahill  
Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS     | ABSENT |
|----------------|------|------|----------|--------|
| COWNIE         |      |      |          |        |
| BOESEN         |      |      |          |        |
| GATTO          |      |      |          |        |
| MANDELBAUM     |      |      |          |        |
| VOSS           |      |      |          |        |
| WESTERGAARD    |      |      |          |        |
| <b>TOTAL</b>   |      |      |          |        |
| 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: Chas M. Cahill, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50309 (515) 283-4533  
Return to: City Clerk's Office, 400 Robert D. Ray Drive, Des Moines, Iowa 50309

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE vacating approximately 160 lineal feet of the north/south alleyway located east of and adjoining 611 and 625 Southeast 10<sup>th</sup> 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 approximately 160 lineal feet of the north/south alleyway located east of and adjoining 611 and 625 Southeast 10<sup>th</sup> Street, more specifically described as follows, be and is hereby vacated:

**-EXCEPT** THE NORTH 120 FEET-, ALL OF THE NORTH/SOUTH ALLEY RIGHT OF WAY IN BLOCK 3, ALLEN'S SECOND ADDITION TO DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 3,200 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:

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Chas M. Cahill  
Assistant City Attorney

**EXHIBIT A**

E Martin Luther King Jr Pkwy

Scott Ave

NORTH LINE OF BLOCK 3

**ALLEN'S SECOND ADDITION TO DES MOINES**

1013 Scott Ave

120'

VAC ALLEY

**BLOCK 3**

SE 10th St

SE 11th St

Shaw St

SOUTH LINE OF BLOCK 3

**Legend**



AREA TO BE VACATED

