



**Roll Call Number**

**Agenda Item Number**

32A

**Date** January 8, 2024

An Ordinance entitled, "AN ORDINANCE vacating the dead-end segment of alley right-of-way extending west from York Street between East Oak Park Avenue and East Ovid 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				
COLEMAN				
GATTO				
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) 283-4535  
Return to: City Clerk's Office, 400 Robert D. Ray Drive, Des Moines, Iowa 50309

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

AN ORDINANCE vacating the dead-end segment of alley right-of-way extending west from York Street between East Oak Park Avenue and East Ovid 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 the dead-end segment of alley right-of-way extending west from York Street between East Oak Park Avenue and East Ovid Avenue, 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 20 THROUGH 25, MANN'S 2<sup>ND</sup> ADDITION TO HIGHLAND PARK, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 4,200 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:

A handwritten signature in black ink, appearing to read "Mackenzie L. Moreno", written over a horizontal line.

Mackenzie L. Moreno  
Assistant City Attorney

**EXHIBIT A**

**E Oak Park Ave**

1301  
E Oak Park Ave

**MANN'S 2ND ADDITION TO HIGHLAND PARK**

**LOT 20**

**LOT 21**

**LOT 22**

**LOT 23**

**LOT 24**

**LOT 25**

WEST LINE  
OF LOT 20

EAST LINE  
OF LOT 25

VAC ALLEY

ALLEY

**York St**

**LOT 15**

**LOT 14**

**LOT 13**

**LOT 12**

**LOT 11**

**LOT 10**

1302  
E Ovid Ave

**Legend**

 AREA TO BE VACATED



**E Ovid Ave**