



Roll Call Number

Agenda Item Number

42

Date January 22, 2024

An Ordinance entitled, "AN ORDINANCE vacating of an "L"-shaped alley right-of-way located in the vicinity of 2400 Courtland Drive, where the right-of-way is bounded by Kirkwood Avenue to the north and Courtland Drive to the east",

(Council Communication No. 24-037)

which was considered and voted upon under Roll Call No. 24-_____ of January 8, 2024; again presented.

Moved by _____ that this ordinance be considered and given second vote for passage. Second by _____.

(Second of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED	APPROVED			

_____ Mayor

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.

_____ City Clerk

42

Prepared by: Mackenize 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 an "L"-shaped alley right-of-way located in the vicinity of 2400 Courtland Drive, where the right-of-way is bounded by Kirkwood Avenue to the north and Courtland Drive to the east.

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 an "L"-shaped alley right-of-way located in the vicinity of 2400 Courtland Drive, where the right-of-way is bounded by Kirkwood Avenue to the north and Courtland Drive to the east, more specifically described as follows, be and is hereby vacated:

ALL OF LOT D, AND
ALL THAT PART OF LOT C LYING WEST OF THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 4, IRVIN'S PLACE, AN OFFICIAL PLAT, SAID LOTS C AND D BEING A PART OF OFFICIAL PLAT OF LOTS 542 TO 577 INCLUSIVE AND LOTS A, B, C, D, E AND F IN THE FIRST PLAT OF CLIFTON HEIGHTS, ALL NOW INCLUDED IN AND FORMING A PART OF CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 8,514 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 cursive script, appearing to read 'Mackenzie L. Moreno', written over a horizontal line.

Mackenzie L. Moreno
Assistant City Attorney