



**Roll Call Number**

**Agenda Item Number**

46A

**Date** April 21, 2025

An Ordinance entitled, "AN ORDINANCE vacating cemetery as parkland located west of and adjoining 1636 and 1700 48<sup>th</sup> Street, Des Moines, Iowa",

presented.

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

Second by \_\_\_\_\_.

FORM APPROVED:

(First of three required readings)

/s/ Grant Hyland  
Grant Hyland  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
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: Grant Hyland, 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 cemetery as parkland located west of and adjoining 1636 and 1700 48<sup>th</sup> Street, Des Moines, Iowa.

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 cemetery as parkland located west of and adjoining 1636 and 1700 48<sup>th</sup> Street, Des Moines, Iowa, more specifically described as follows, be and is hereby vacated:

-EXCEPT THE EAST 150 FEET-, LOT 4, POWELL PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 10,500 SQUARE FEET.

AND

THE WEST 150 FEET OF THE SOUTH 45 FEET OF LOT 3, POWELL PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 6,750 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.

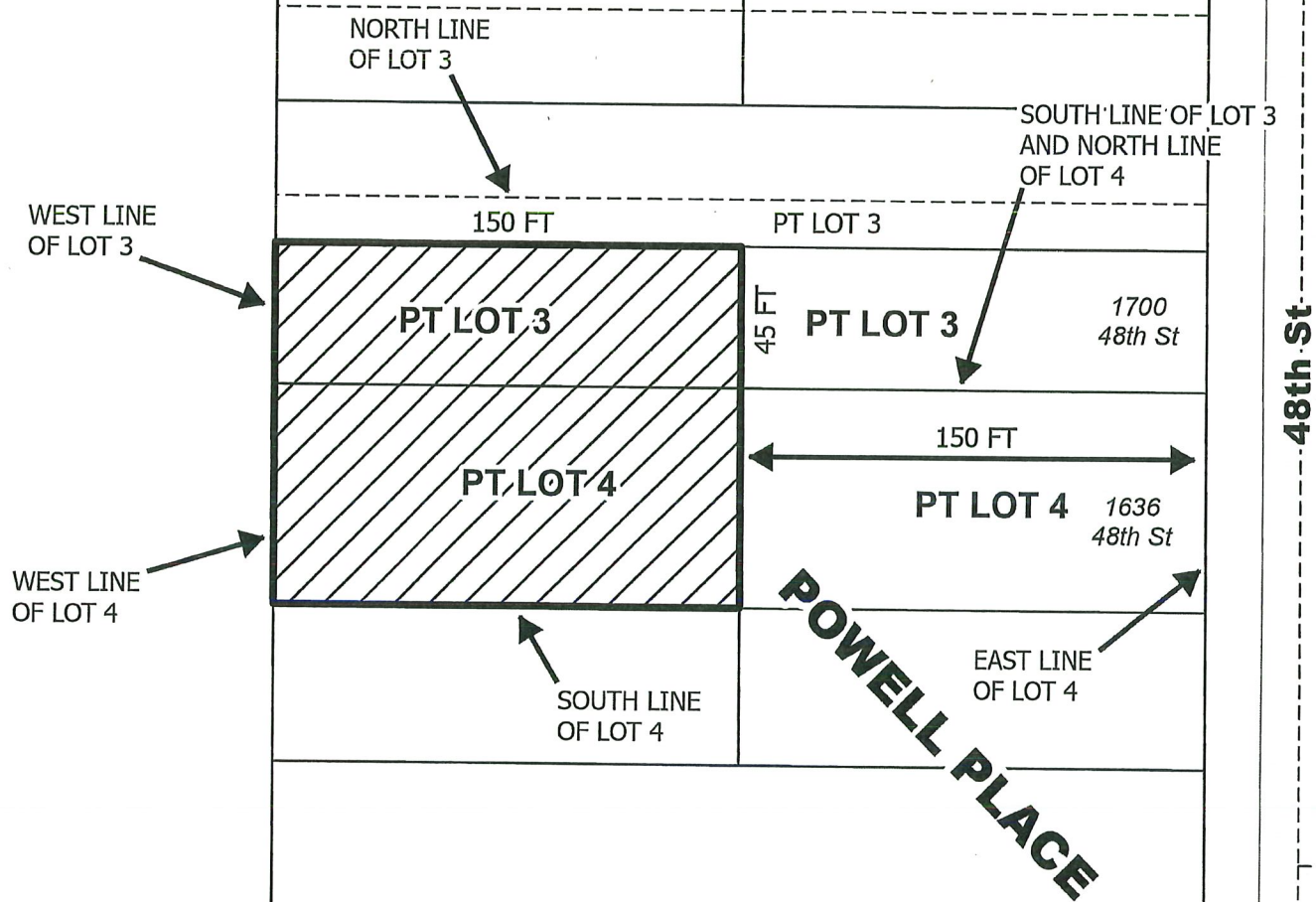
FORM APPROVED:

/s/ Grant Hyland

Grant Hyland

Assistant City Attorney

# EXHIBIT A



 AREA TO BE VACATED

