

★ Roll Call Number

11-0429

Agenda Item Number

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Date March 14, 2011

SET HEARING FOR VACATION OF THE NORTH/SOUTH ALLEY RIGHT-OF-WAY LOCATED IN THE BLOCK SOUTH OF MULBERRY STREET AND WEST OF VACATED 13<sup>TH</sup> STREET

WHEREAS, the Des Moines Fire Department plans construction of a new fire station at 1330 Mulberry Street to replace the main fire station currently located at 900 Mulberry Street; and

WHEREAS, the construction of this new fire station will require vacation of the North/South alley right-of-way located in the block south of Mulberry Street and west of vacated 13<sup>th</sup> Street; and

WHEREAS, there is no known current or future public need for the right-of-way proposed to be vacated and the City will not be inconvenienced by the vacation of said right-of-way.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. That the City Council of the City of Des Moines shall consider adoption of an ordinance permanently vacating the North/South alley right-of-way located in the block south of Mulberry Street and west of vacated 13<sup>th</sup> Street, more specifically described as follows:

ALL OF THE NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING WEST OF AND ADJOINING LOTS 1, 2 AND 10, AND LYING WEST OF AND ADJOINING THE VACATED EAST/WEST ALLEY RIGHT-OF-WAY LYING SOUTH OF AND ADJOINING SAID LOT 2, ALL IN BLOCK 33, KEENE & POINDEXTER'S ADDITION TO FORT DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

2. That the meeting of the City Council at which the adoption of said ordinance is to be considered shall be on March 28, 2011, said meeting to be held at 5:00 p.m., in the Council Chamber.

3. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with Section 362.3 of the Iowa Code.

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED APPROVED T. M. Franklin Council Mayor

CERTIFICATE

I, DIANE RAUH, 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.

Diane Rauh City Clerk