

★ Roll Call Number

12-1764

Agenda Item Number

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Date November 19, 2012

SET HEARING FOR VACATION OF ALLEY RIGHT-OF-WAY – CENTRAL FIRE STATION NO. 1 PROPERTY AT 900 MULBERRY STREET

WHEREAS, the Central Fire Station No. 1 property at 900 Mulberry Street contains an east/west alley within the middle of such property and internal records of the City indicate that such alley was vacated approximately in 1870; and

WHEREAS, the property, including the east/west alley, had been used as a high school since approximately 1870 and has been used as the Central Fire Station No. 1 since the 1930's and at no time during such usage of the property has the east/west alley been used for right-of-way purposes; and

WHEREAS, the ordinance vacating the east/west alley cannot be found in the flood damaged records of the City and the ordinance is not on file with the Polk County Recorder; and

WHEREAS, it is necessary to memorialize vacation of the east/west alley right-of-way and there is no known current or future public need for such right-of-way 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. The City Council of the City of Des Moines shall consider adoption of an ordinance permanently vacating the east/west alley that is part of the property located at 900 Mulberry Street, more specifically described as follows:

All that part of the east/west alley lying north of and adjoining Lot 2 in Block 13 of H.M. Hoxie's Addition to the Town of 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 hearing on adoption of said ordinance is to be considered shall be on December 3, 2012, said hearing to be held at 5:00 p.m., in the Council Chamber.

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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:

Lawrence R. McDowell
Deputy City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL.

MOTION CARRIED 7-16 Franklin Cownie 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