

★ **Roll Call Number**

Agenda Item Number

13-1631

19

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Date October 21, 2013

**SET HEARING FOR VACATION OF A SEGMENT OF SOUTHEAST 4TH STREET
ADJOINING 626 SOUTHEAST 4TH STREET TO ALLOW FOR CONSTRUCTION OF THE
SOUTHEAST 4TH AND SHAW STREETS STORM WATER PUMP STATION PROJECT**

WHEREAS, the Engineering Department of the City of Des Moines has requested vacation of a segment of Southeast 4th Street adjoining 626 Southeast 4th Street to allow for construction of the Southeast 4th and Shaw Streets Storm Water Pump Station Project; and

WHEREAS, on October 7, 2013, by Roll Call No. 13-1552, the City Council of the City of Des Moines received a recommendation from the City Plan and Zoning Commission that the requested vacation of a segment of Southeast 4th Street running 100 feet north of Shaw Street, east of and adjoining property located at 626 Southeast 4th Street, be approved; and

WHEREAS, there is no known current or anticipated public need or benefit 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 a segment of Southeast 4th Street running 100 feet north of Shaw Street, east of and adjoining property locally known as 626 Southeast 4th Street, more specifically described as follows, to allow for construction of the Southeast 4th and Shaw Streets Storm Water Pump Station Project:

ALL THAT PART OF SOUTHEAST 4TH STREET RIGHT-OF-WAY EAST OF AND ADJOINING LOTS 13 AND 14 IN BLOCK 80, TOWN OF DE MOINE, 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 November 4, 2013, said meeting to be held at 5:00 p.m., in the Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

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.

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Moved by Wensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
 Glenna K. Frank, Assistant City Attorney

pen

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

MOTION CARRIED 7 APPROVED
T.M. Franklin 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