

★ Roll Call Number

19-0466

Agenda Item Number

18

Date March 25, 2019

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SET HEARING FOR VACATION OF THE NORTH-SOUTH ALLEY RIGHT-OF-WAY LOCATED WEST OF AND ADJOINING 1014 THROUGH 1036 SOUTHEAST 9TH STREET FOR THE SE 9TH STREET STORM WATER PUMP STATION PROJECT

WHEREAS, vacation of the north-south alley right-of-way located west of and adjoining 1014 through 1036 Southeast 9th Street is required due to the construction of the SE 9th Street Storm Water Pump Station Project, subject to the reservation of easements for all existing utilities in place until such time as they are abandoned or relocated; and

WHEREAS, said alley right-of-way is undeveloped and inactive; and

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

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

1. That the City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating the north-south alley right-of-way located west of and adjoining 1014 through 1036 Southeast 9th Street, legally described as follows:

ALL OF THE NORTH/SOUTH ALLEY RIGHT OF WAY IN BLOCK 74, TOWN OF DE MOINE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 7 IN SAID BLOCK 74; THENCE SOUTH ALONG THE WESTERLY LINES OF LOTS 7 THROUGH 11 OF SAID BLOCK 74 TO THE SOUTHWEST CORNER OF SAID LOT 11; THENCE WEST ALONG A STRAIGHT LINE TO THE SOUTHEAST CORNER OF LOT 12 IN SAID BLOCK 74; THENCE NORTH ALONG THE EASTERLY LINES OF LOTS 12 THROUGH 15 OF SAID BLOCK 74 TO THE NORTHEAST CORNER OF SAID LOT 15; THENCE NORTHEASTERLY ALONG A STRAIGHT LINE TO THE POINT OF BEGINNING, AND CONTAINING APPROXIMATELY 4,498 SQUARE FEET.

2. That the meeting of the City Council at which the adoption of said ordinance vacating such alley right-of-way is to be considered shall be on April 8, 2019, said meeting to be held at 5:00 p.m., in the City 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 §362.3 of the Iowa Code.

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Moved by Gatto to adopt.

APPROVED AS TO FORM:

Lisa A. Wieland
Lisa A. Wieland, Assistant City Attorney

PSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED			APPROVED	

J. M. 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