



Roll Call Number

20-1835

Agenda Item Number

57B

Date November 9, 2020

An Ordinance entitled, "AN ORDINANCE AN ORDINANCE vacating a segment of University Avenue right-of-way adjoining 2650 University Avenue,"

which was considered and voted upon under Roll Call No. 20- 1834 of November 9, 2020; again presented.

Moved by Mandelbaum that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass.

ORDINANCE NO. 15,942

FORM APPROVED:

/s/ Lisa A. Wieland
Lisa A. Wieland
Assistant City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL. Includes signature of J. M. Franklin Cownie, Mayor.

CERTIFICATE
I, P. Kay Cmelik, 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.
Signature of P. Kay Cmelik, City Clerk

ORDINANCE NO. 15942

AN ORDINANCE vacating a segment of the south edge of University Avenue right-of-way adjoining 2650 University Avenue.

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 a portion of a segment of the south edge of University Avenue right-of-way adjoining 2650 University Avenue, more specifically described as follows, be and is hereby vacated:

A PART OF UNIVERSITY AVENUE RIGHT-OF-WAY LYING NORTHERLY OF THE SOUTH LINE OF THE NORTH 7.00 FEET OF LOTS 1, 36 AND THE NORTH/SOUTH ALLEY LYING ADJACENT TO SAID LOTS 1 AND 36, ALL BEING A PART OF DRAKE UNIVERSITY'S ADDITION TO THE CITY OF DES MOINES, POLK COUNTY, IOWA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST OF CORNER OF THE NORTH 7.00 FEET OF SAID LOT 36; THENCE NORTH 89°12'10" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID UNIVERSITY AVENUE, 122.19 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°47'45" WEST, 2.80 FEET; THENCE NORTH 89°12'10" EAST, 4.00 FEET; THENCE SOUTH 00°47'45" EAST, 2.80 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF UNIVERSITY AVENUE; THENCE SOUTH 89°12'10" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 4.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 11 SQUARE FEET.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

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/ Lisa A. Wieland

Lisa A. Wieland
Assistant City Attorney

Ordinance No. 15,942 cont'd


T. M. Franklin Cownie, Mayor

Attest: I, P. Kay Cmelik, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 20- 1835), passed by the City Council of said City at a meeting held on November 9, 2020 and signed by the Mayor on November 9, 2020 and published and provided by law in the Business Record on November 27, 2020. Authorized by Publication Order No. 11324.


P. Kay Cmelik, City Clerk