



**Roll Call Number**

**Agenda Item Number**

46A

**Date** March 25, 2019


An Ordinance entitled, "AN ORDINANCE vacating the north-south alley right-of-way located between Southwest 1st Street and Southwest 2nd Street from Edison Avenue to Columbus Avenue",

presented.

Moved by \_\_\_\_\_ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)

  
Lisa A. Wieland  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

\_\_\_\_\_  
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.

\_\_\_\_\_  
City Clerk

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Prepared by: Lisa A. Wieland, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50309 (515) 283-4124  
Return to: City Clerk's Office, 400 Robert D. Ray Drive, Des Moines, Iowa 50309

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE vacating the north-south alley right-of-way located between Southwest 1st Street and Southwest 2nd Street from Edison Avenue to Columbus 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 the north-south alley right-of-way located between Southwest 1st Street and Southwest 2nd Street from Edison Avenue to Columbus Avenue, more specifically described as follows, be and is hereby vacated:

ALL THAT PART OF THE NORTH/SOUTH ALLEY IN BLOCK 5 OF VAN'S ADDITION TO SOUTH DES MOINES, 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 NORTHEAST CORNER OF LOT 2 IN SAID BLOCK 5; THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE TO THE NORTHWEST CORNER OF LOT 3 IN SAID BLOCK 5; THENCE SOUTHWESTERLY ALONG THE WESTERLY LINE OF SAID LOT 3 TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE NORTHWESTERLY ALONG A STRAIGHT LINE TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORHTEASTERLY ALONG THE EASTERLY LINE OF SAID LOT 2 TO THE POINT OF BEGINNING, AND CONTAINING APPROXIMATELY 0.07 ACRES (2,918 SQUARE FEET).

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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:



Lisa A. Wieland  
Assistant City Attorney