

ORDINANCE NO. 14,859

AN ORDINANCE vacating a portion of the 3rd Street right-of-way adjoining 208 3rd Street for use as a sidewalk cafe.

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, as follows:

Section 1. The portion of the 3rd Street right-of-way adjoining 208 3rd Street, more specifically described as follows, be and are hereby vacated.

Except the subsurface area below grade, the West 5.00 feet of the 3rd Street right-of-way lying East of and adjoining the South 27.00 feet of the North one-third of Lot 8, in Block 24, Fort Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Sec. 2. 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. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

Thomas Vlassis, Mayor Pro Tem

Attest:

I, Laura Baumgartner, Chief Deputy 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. 09-911), passed by the City Council of said City at a meeting held May 18, 2009 signed by the Mayor Pro Tem on May 18, 2009 and published as provided by law in the Business Record on June 1, 2009. Authorized by Publication Order No. 6616.

Laura Baumgartner,  
Chief Deputy City Clerk