

★ **Roll Call Number**

Agenda Item Number

47A

Date March 26, 2007

An Ordinance entitled, "AN ORDINANCE vacating a portion of Cherry Street between 12th and 13th Streets, a portion of 13th Street between Mulberry and Cherry Streets, and a two foot strip of 13th Street between Locust and Walnut Streets,"

is presented.

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

FORM APPROVED:

Roger K Brown  
Roger K. Brown  
Assistant City Attorney

(First of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
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

47A

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Prepared by: Roger K. Brown, Assistant City Attorney, 400 Robert Ray Dr., Des Moines, IA 50309  
515/283-4541  
Return Address: City Clerk - City Hall, 400 Robert Ray Dr., Des Moines, IA 50309  
Taxpayer: No change  
Title of Document: Ordinance No. \_\_\_\_\_  
Grantor's Name: City of Des Moines, Iowa  
Grantee's Name: City of Des Moines, Iowa  
Legal Description: See page \_\_\_\_, below.

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

AN ORDINANCE vacating a portion of Cherry Street between 12th and 13th Streets, a portion of 13th Street between Mulberry and Cherry Streets, and a two foot strip of 13th Street between Locust and Walnut Streets.

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:

Section 1. That a portion of Cherry Street between 12th and 13th Streets, a portion of 13th Street between Mulberry and Cherry Streets, and a two foot strip of 13th Street between Locust and Walnut Streets, more specifically described as follows, be and is hereby vacated:

Cherry Street between 12th and 13th Streets:

All the vacated Cherry Street right-of-way lying South of and adjoining Lot 5, 6 and 7, and lying South of and adjoining the vacated 13th Street right-of-way lying West of and adjoining said Lot 5, and lying South of and adjoining the vacated North/South alley right-of-way between said Lots 6 and 7, and lying South of and adjoining the West 54.46 feet of Lot 8, of Block 30, Keen & Poindexter's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

13th Street between Mulberry and Cherry Streets:

All the vacated 13th Street right-of-way lying West of and adjoining the South 118.0 feet of Lot 4, and lying West of and adjoining Lot 5, and lying West of and adjoining the vacated East/West alley right-of-way between said Lots 4 and 5, of Block 30, Keen & Poindexter's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

East 2 feet of 13th Street between Locust and Walnut Streets:

The West 2.0 feet of the East 32.91 feet of Lot 6, Block 2, Allen's Addition, an Official Plat; all the East/West alley right-of-way lying South of and adjoining the West 2.0 feet of the East 32.91 feet of said Lot 6; and the East 2.0 feet of that part of vacated 13th Street right-of-way lying West of and adjoining Lot 4, Block 28, Keene & Poindexter's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Sec. 2. That the City Clerk is hereby authorized and directed to cause a 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.

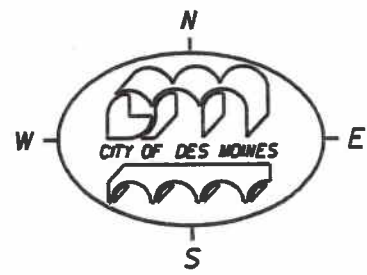
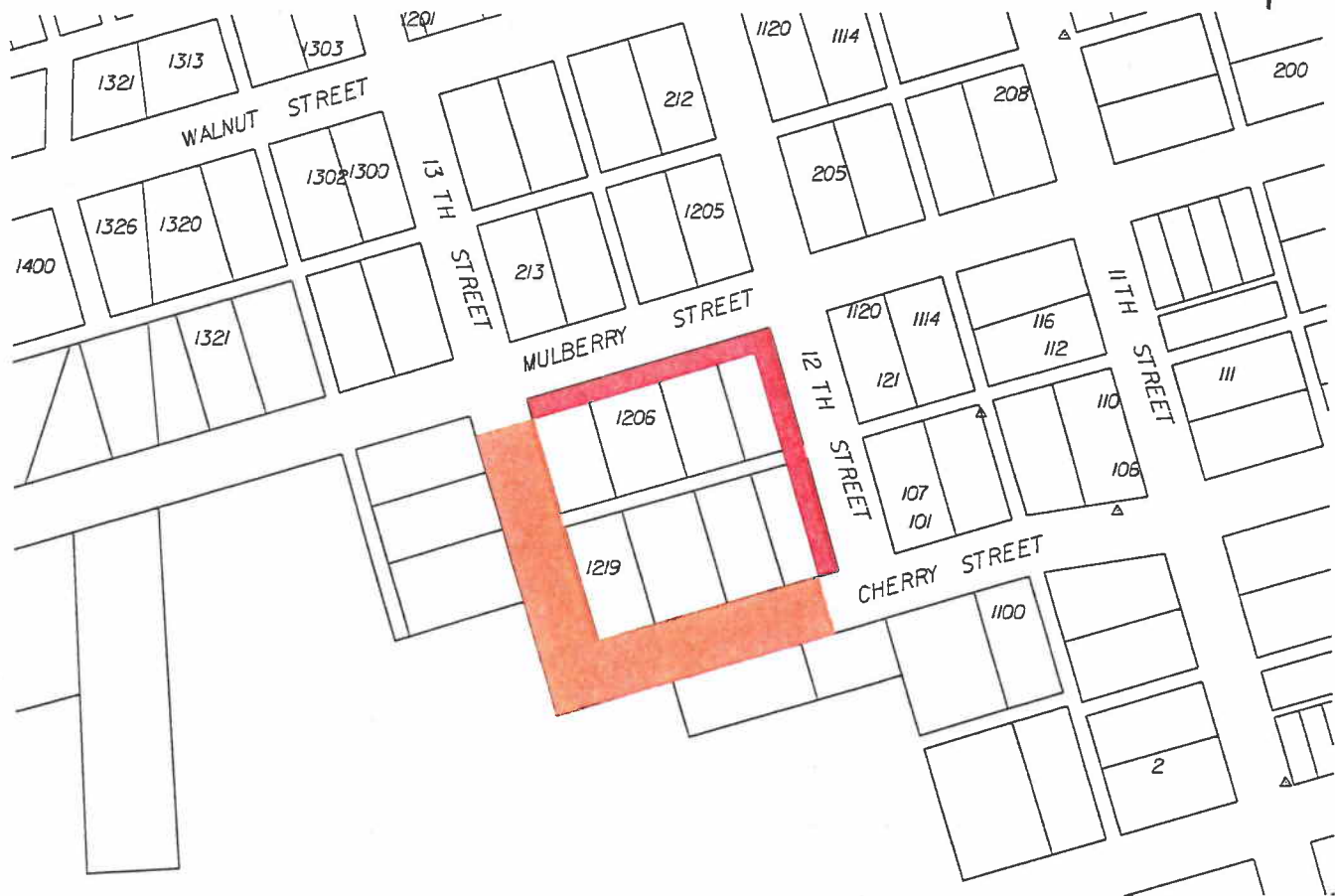
Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:



Roger K. Brown

Assistant City Attorney



DISPOSITION OF PORTIONS OF 13th AND CHERRY STREET RIGHT OF WAY TO NATIONWIDE MUTUAL INSURANCE COMPANY FOR THE ALLIED EXPANSION - PARKING GARAGE PROJECT.



ACQUISITION FROM NATIONWIDE MUTUAL INSURANCE COMPANY FOR THE 12th, 13th, AND MULBERRY STREET WIDENING PROJECT BEING DONE IN CONJUNCTION WITH THE ALLIED EXPANSION - PARKING GARAGE PROJECT.