



Roll Call Number

Agenda Item Number

67C.

Date May 18, 2009

An Ordinance entitled, "AN ORDINANCE vacating portions of excess street and alley rights-of-way located between 18th Street and 19th Street from Atkins Street to Day Street",

presented.

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

FORM APPROVED:
(First of three required readings)

Glenna K. Frank

Glenna K. Frank
Assistant City Attorney

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

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.

MOTION CARRIED APPROVED

Mayor

City Clerk

67C

Prepared by: Glenna K. Frank, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50320 (515) 283-4130

ORDINANCE NO. _____

AN ORDINANCE vacating portions of excess street and alley rights-of-way located between 18th Street and 19th Street from Atkins Street to Day Street.

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 portions of excess street and alley rights-of-way located between 18th Street and 19th Street from Atkins Street to Day Street, more specifically described as follows, be and is hereby vacated.

Lot 6 and the South 10.0 feet of Lot 5, Butler's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

and

The South 10.0 feet of Lot 42, Butler's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

and


All of the North/South alley right of way lying East of and adjoining the South 30 feet of Lot 37 and Lot 36, the North 20 feet of Lot 37 and Lot 38, Lots 39, 40, 41, and the South 20.0 feet of Lot 42, all in Butler's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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.

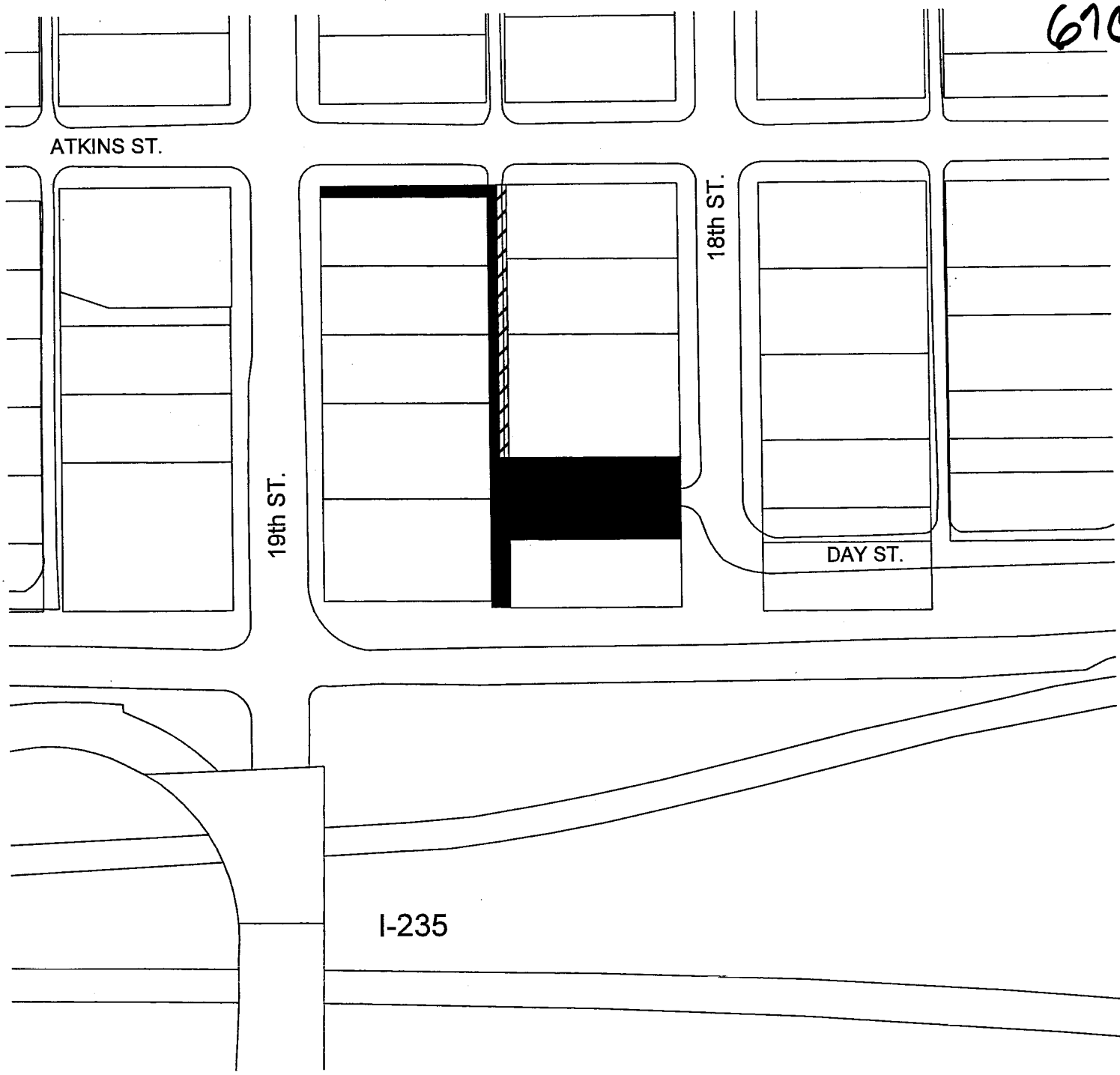
Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

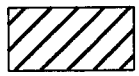
A handwritten signature in cursive script that reads "Glenna K. Frank". The signature is written in black ink and is positioned above a horizontal line.

Glenna K. Frank
Assistant City Attorney

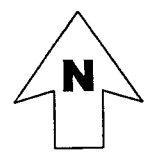
67C



VACATE AND CONVEY



VACATE



DISPOSITION - GALLOWAY
34-2009-000