



**Roll Call Number**

**Agenda Item Number**

56A

**Date** May 19, 2008

An Ordinance entitled, "AN ORDINANCE vacating a portion of East Locust Street right-of-way east of Pennsylvania Avenue",

presented.

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

FORM APPROVED:

(First of three required readings)

Glenna K. Frank  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
<b>TOTAL</b>				

**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

56A

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 a portion of East Locust Street right-of-way east of Pennsylvania 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:

Section 1. That a portion of East Locust Street right-of-way east of Pennsylvania Avenue, more specifically described as follows, be and is hereby vacated.

A TRIANGULAR PART OF EAST LOCUST STREET RIGHT-OF-WAY BEING BETWEEN AND ADJACENT TO BLOCK "I" OF GRIFFITHS ADDITION NO. 2 TO EAST FORT DES MOINES ON THE NORTH AND GREEN'S SUBDIVISION AND BLOCK "H" OF GRIFFITHS ADDITION TO EAST FORT DES MOINES ON THE SOUTH, ALL BEING OFFICIAL PLATS NOW IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 9 OF SAID BLOCK "H"; THENCE SOUTH 75°(DEGREES) 03'(MINUTES) 33"(SECONDS) WEST ALONG THE NORTH LINE OF SAID BLOCK "H" AND ALONG THE NORTH LINE OF SAID GREEN'S SUBDIVISION, 104.71 FEET; THENCE NORTH 22°03'34" EAST, 82.83 FEET TO THE SOUTHWEST CORNER OF LOT 10 OF SAID BLOCK "I"; THENCE SOUTH 54°36'33" EAST, 85.94 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.08 ACRES (3,463 S.F.)

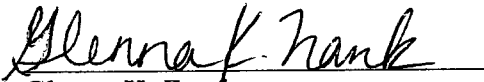
DESCRIPTION APPROVED  
*[Signature]*  
5/14/08 13:45

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, reading "Glenna K. Frank", is written over a horizontal line.

Glenna K. Frank

Assistant City Attorney

