



Roll Call Number

Agenda Item Number

54A

Date June 22, 2009

An Ordinance entitled, "AN ORDINANCE permanently vacating a small segment of East 33rd Street south of East Thompson Avenue and permanently vacating Thompson Avenue between East 33rd Street and East 34th 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

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

ORDINANCE NO. _____

AN ORDINANCE permanently vacating a small segment of East 33rd Street south of East Thompson Avenue and permanently vacating Thompson Avenue between East 33rd Street and East 34th 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 a small segment of East 33rd Street south of East Thompson Avenue and Thompson Avenue between East 33rd Street and East 34th Street, more specifically described as follows, be and is hereby permanently vacated.

All that part of Lot Z, (East Thompson Avenue) Four Mile, an Official Plat, lying South of and adjoining Lots 1077 thru 1081, of said Four Mile, and lying North of the westerly extension of the North line of Lot 1082, of said Four Mile to the intersection of the southerly extension of the West line of said Lot 1077, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

And

That part of East 33rd Street right-of-way lying West of and adjoining part of Lot Z, of said Four Mile, further described as follows; beginning at the intersection of the North line of the westerly extension of Lot 1082 of said Four Mile and the southerly extension of the West line of Lot 1077 of said Four Mile; thence West 12.0 feet; thence South 12.0 feet; thence East 12.0 feet to the West line of said Lot Z, thence North along the West line of said Lot Z to the point of beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

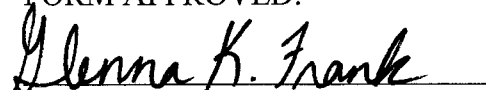
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Sec. 2. The City of Des Moines hereby reserves an easement upon the property described above for the continued use and maintenance of any utilities now in place, with the right of entry for servicing same.

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.

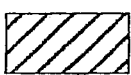
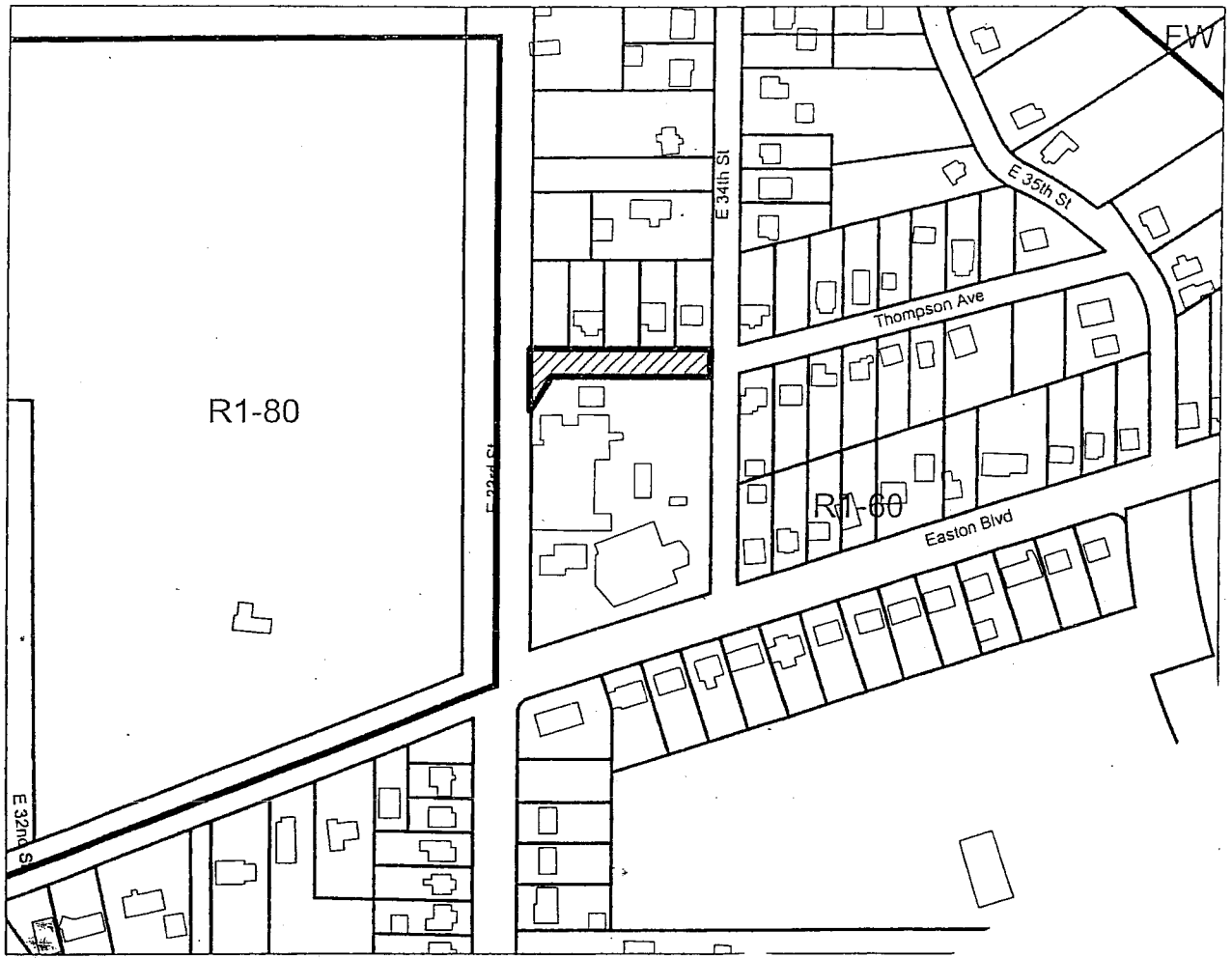
Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

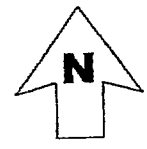
A handwritten signature in cursive script that reads "Glenna K. Frank". The signature is written over a horizontal line.

Glenna K. Frank
Assistant City Attorney

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VACATE AND CONVEY



ST. JOSEPH'S CHURCH OF DES MOINES,

DISPOSITION - POLK COUNTY, IOWA

34-2009-000