

★ **Roll Call Number**

Agenda Item Number

49A

October 23, 2006

Date.....

An Ordinance entitled, "AN ORDINANCE vacating Maple Street between East 20<sup>th</sup> Court and the Union Pacific Railroad",

presented.

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

FORM APPROVED:

(First of three required readings)

Ann DiDonato  
Ann DiDonato  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
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

49A

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

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

AN ORDINANCE vacating Maple Street between East 20<sup>th</sup> Court and the Union Pacific Railroad.

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 Maple Street between East 20<sup>th</sup> Court and Union Pacific Railroad, more specifically described as follows, be and is hereby vacated.

All the Maple Street right-of-way (formerly known as Claypool Avenue, changed by Ordinance No. 1560, passed December 4, 1908), lying South of and adjoining Lot 1, and lying South of and adjoining the West 20.0 feet of Lot 2, Block 13, Sunnyside 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.

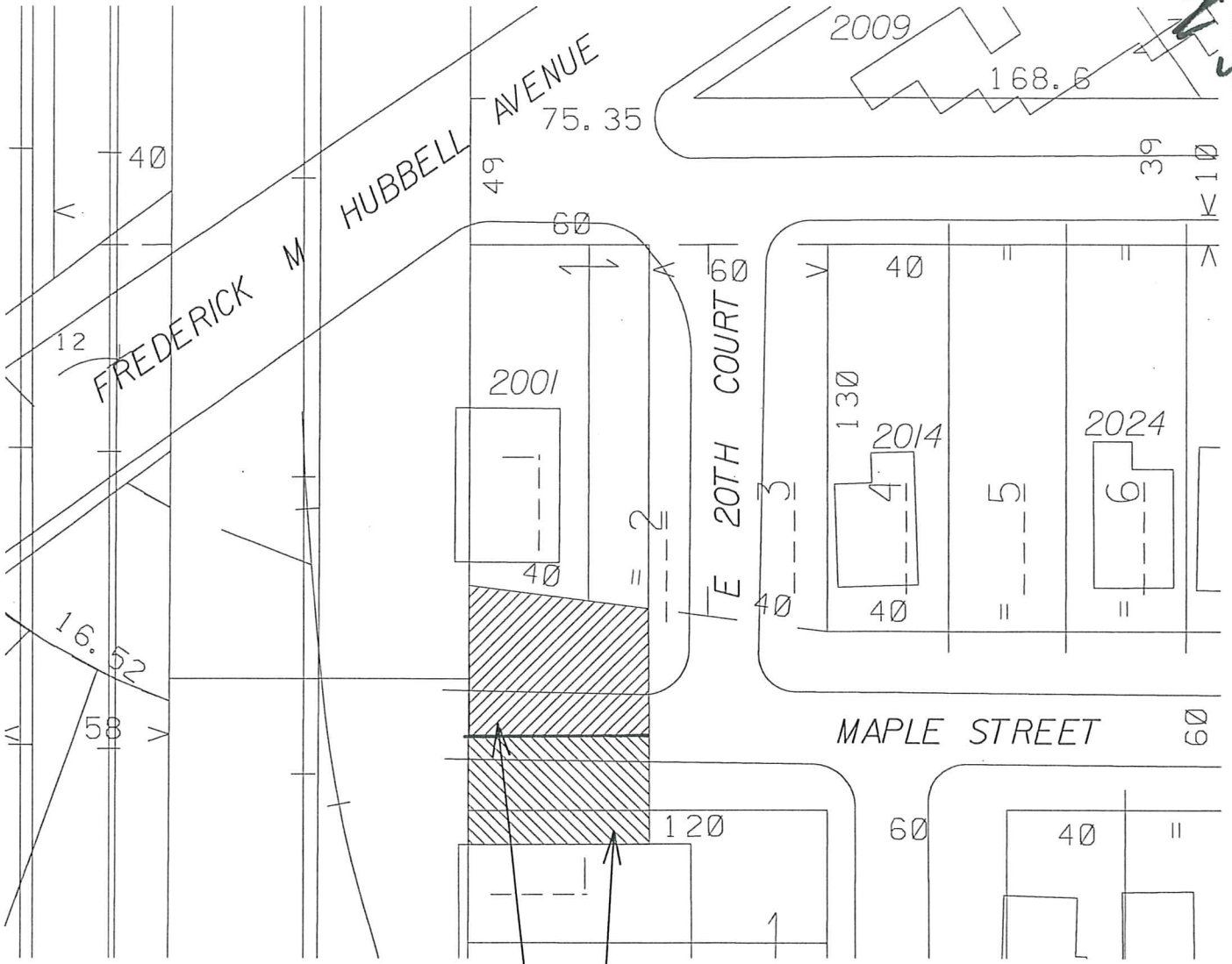
Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.



FORM APPROVED:

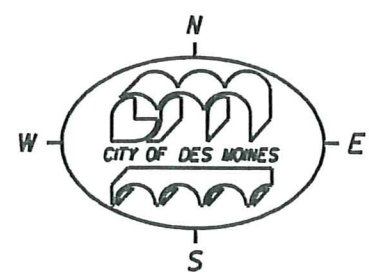
\_\_\_\_\_  
Ann DiDonato  
Assistant City Attorney

DESCRIPTION APPROVED  
*[Signature]*  
10/03/06 07:45

2A  
49A



-  DENNIS A MURRAY
-  PRISM REALITY, L.L.C.



**PROPERTY DISPOSITION**  
**MAPLE STREET BETWEEN E. 20TH ST.**  
**& UNION PACIFIC RAILROAD**  
**ACTIVITY I.D. 34-2007-004**