

Date December 8, 2008

An Ordinance entitled, "AN ORDINANCE vacating the North/South alley right-of-way between 8th Street and 9th Street, from Crocker Street to Center Street, and a portion of the 9th Street right-of-way between Crocker Street and Center Street",

presented.

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

(First of three required readings)

APPROVED AS TO FORM:

Glenna K. Frank

Glenna K. Frank
Assistant City Attorney

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

39A

Prepared by: Glenna K. Frank, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50309-1891 (515) 283-4130

ORDINANCE NO. _____

AN ORDINANCE vacating the North/South alley right-of-way between 8th Street and 9th Street, from Crocker Street to Center Street, and a portion of 9th Street right-of-way between Crocker Street and Center 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 the North/South alley right-of-way between 8th Street and 9th Street, from Crocker Street to Center Street, and a portion of the 9th Street right-of-way between Crocker Street and Center Street, more specifically described as follows, be and is hereby vacated.

ALL OF THE NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING WEST OF AND ADJOINING LOTS 28 THROUGH 36, GEO SNEER'S SUBDIVISION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND CONTAINING 0.22 ACRES (9,508 S.F.).


AND

PART OF LOT 5 OF THE OFFICIAL PLAT OF THE SUBDIVISION OF BLOCK "O", HOLCOMB'S ADDITION, BEING AN OFFICIAL PLAT, AND PART OF LOT 1 IN THE OFFICIAL PLAT OF THE SE ¼ OF THE NW ¼ OF SECTION 4, TOWNSHIP 78 NORTH, RANGE 24 WEST IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1 IN SAID BLOCK "O" HOLCOMB'S ADDITION; THENCE NORTH 89°(Degrées) 07'(Minutes) 23" (Seconds) WEST ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 126.30 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF 9TH STREET; THENCE SOUTH 0°30'56" WEST ALONG SAID EAST RIGHT-OF-WAY LINE,

DESCRIPTION REVIEWED
[Signature]
11/14/00 15:31

413.60 FEET; THENCE SOUTH 7°10'11" EAST, 15.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 7°10'11" EAST, 37.38 FEET; THENCE SOUTH 13°52'34" EAST, 133.50 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF CENTER STREET; THENCE NORTH 89°18'26" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF CENTER STREET EXTENDED 16.69 FEET; THENCE NORTH 42°04'53" WEST, 27.75 FEET; THENCE NORTH 5°45'43" WEST, 35.53 FEET; THENCE NORTH 0°08'11" EAST, 81.76 FEET; THENCE NORTH 3°55'45" EAST, 28.85 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.06 ACRES (2,752 S.F.).

 Section 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.

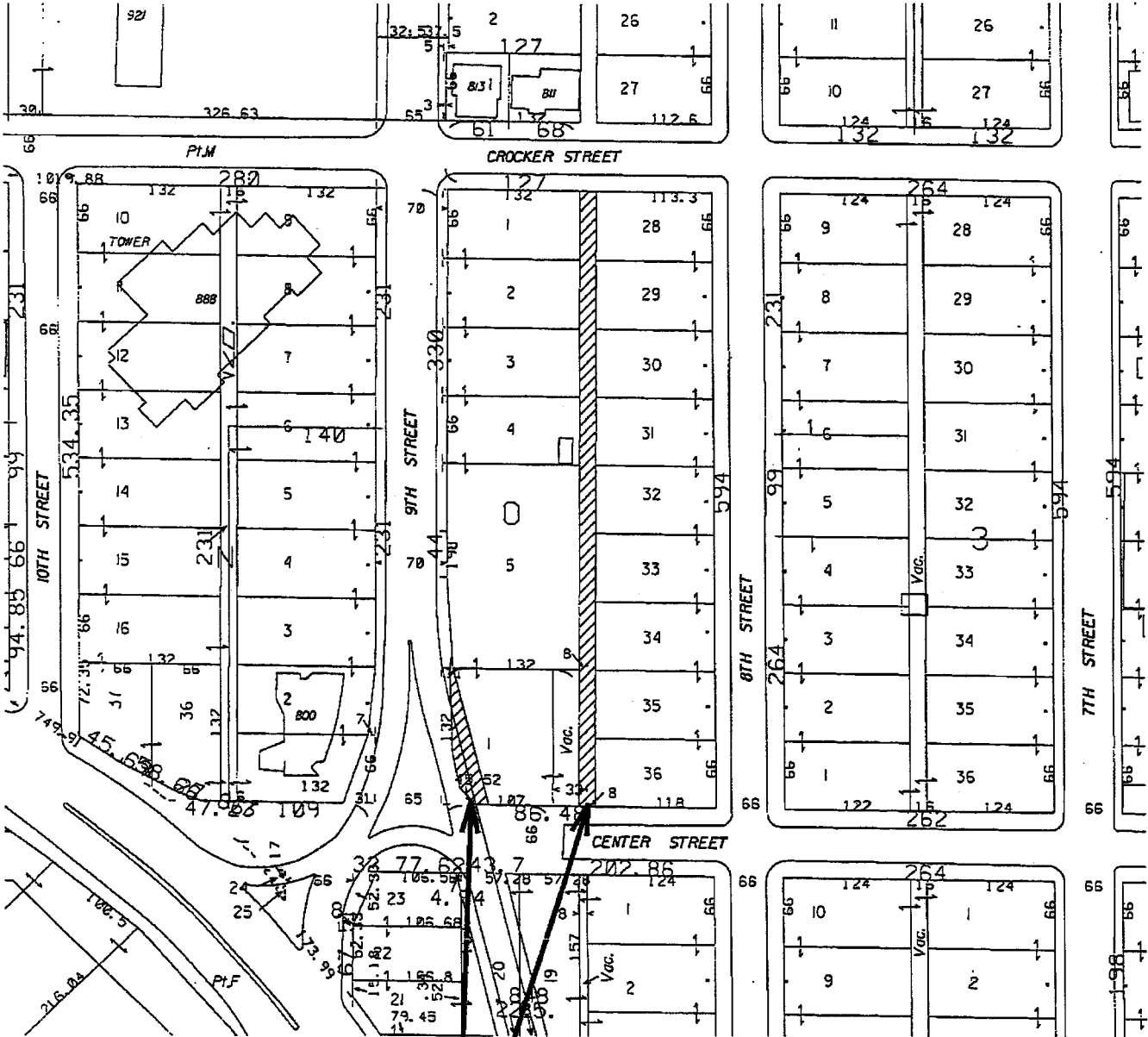
Section 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the office of the Recorder of Polk County, Iowa.

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

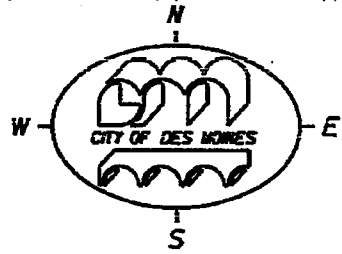
FORM APPROVED:



Glenna K. Frank
Assistant City Attorney



**PROPERTY
LOCATION**



**PROPERTY DISPOSITION
PRINCIPAL LIFE INSURANCE
N/S ALLEY & EXCESS 9TH STREET ROW
BETWEEN CROCKER AND CENTER
ACTIVITY I.D. 34-2003-008**