

★ **Roll Call Number**

Agenda Item Number

44A

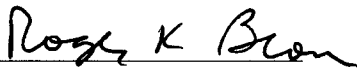
Date November 7, 2011

An Ordinance entitled, "AN ORDINANCE vacating portions of the 6th Avenue right-of-way and of the East/West alley right-of-way adjoining the Des Moines Building at 405 6th Avenue and 513 Locust Street,"

is presented.

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

FORM APPROVED:

  
 Roger K. Brown  
 Assistant City Attorney

(First of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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

44A

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Prepared by: Roger K. Brown, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309 515/283-4541  
 Return Address: City Clerk - City Hall, 400 Robert D. Ray Drive, Des Moines, IA 50309  
 Taxpayer: No change  
 Title of Document: Ordinance No. \_\_\_\_\_  
 Grantor/Grantee: City of Des Moines, Iowa  
 Legal Description: See below on this page.

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

AN ORDINANCE vacating portions of the 6th Avenue right-of-way and of the East/West alley right-of-way adjoining the Des Moines Building at 405 6th Avenue and 513 Locust 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 the 6th Avenue right-of-way and of the East/West alley right-of-way adjoining the Des Moines Building at 405 6th Avenue and 513 Locust Street, more specifically described as follows, be and are hereby vacated:

The subsurface area lying below the top surface of the public sidewalk within the East 14.0 feet of the 6th Avenue right-of-way lying West of and adjoining the North 26.5 feet of Lot 4, in Block C, in Commissioner's Addition to Fort Des Moines, an Official Plat; and, the subsurface area lying below the pavement within the South 11.0 feet of the East/West alley right-of-way lying North of and adjoining the West 58.5 feet of said Lot 4, and lying below

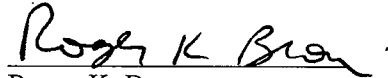
the pavement within the East 14.0 feet of the 6th Avenue right-of-way lying West of and adjoining the said South 11.0 feet of the said East/West alley, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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 a 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:



Roger K. Brown  
Assistant City Attorney

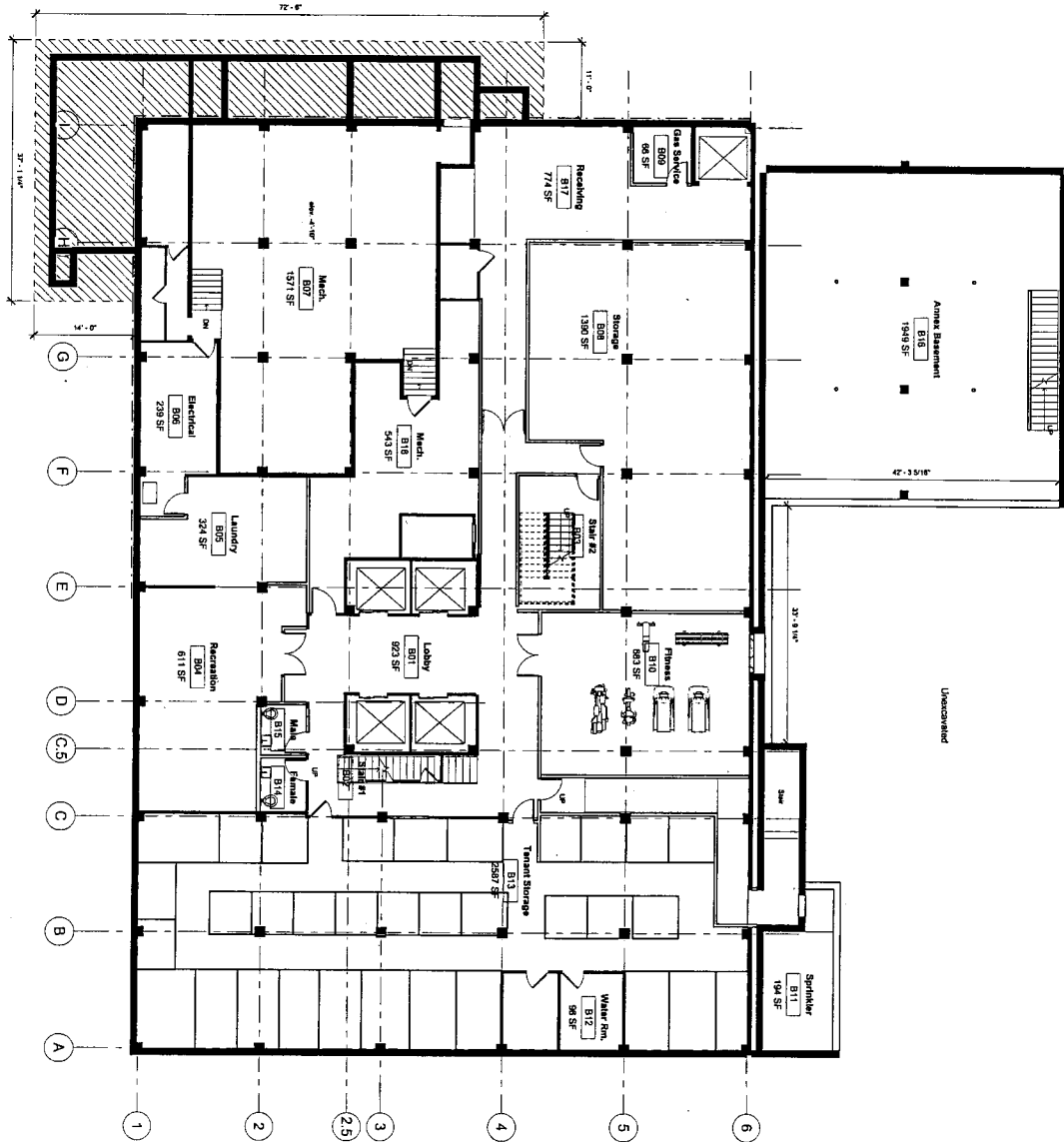
Subsurface area to be Vacated

44A

LAST PLOTTED: 02/20/11 2:48:27 PM  
 C:\pwork\local\The Des Moines Building\Control\_rpaper.rvt

1 BASEMENT PLAN - VAULT VACATION  
 EX-01 SCALE: 1/8" = 1'-0"

HATCH DENOTES  
 AREA OF VACATION



Area Encumbered by the  
 Easement for Building Encroachment

EX-01 VAULT VACATION 2011-09	2011-09-08 2011-09-08 2011-09-08	Des Moines Building 405 6th Avenue, Des Moines, IA 50309	ge WATTIER architecture, inc. 305 east Court Avenue Des Moines, IA 50309 T 515.242.0074 F 515.242.0075 info@gewattier.com www.gewattier.com
	This drawing is an indication of intent and not a contract. The user of this drawing is responsible for obtaining all necessary permits and for verifying all information shown on this drawing. The user of this drawing is also responsible for obtaining all necessary information from the owner and other project participants.		