



Roll Call Number

Agenda Item Number

43A

Date November 5, 2018

An Ordinance entitled, "AN ORDINANCE vacating the east-west alley right-of-way and the north-south alley right-of-way located north of Grand Avenue and south of Ingersoll Avenue between 15th Street and 16th Street, and adjoining 1501, 1511 and 1519 Grand Avenue, and 515 16th Street, Des Moines, Iowa",

presented.

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

FORM APPROVED:

(First of three required readings)

Lisa A. Wieland
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
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

43A

Prepared by: Lisa A. Wieland, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50309 (515) 283-4124
Return to: City Clerk's Office, 400 Robert D. Ray Drive, Des Moines, Iowa 50309

ORDINANCE NO. _____

AN ORDINANCE vacating the east-west alley right-of-way and the north-south alley right-of-way located north of Grand Avenue and south of Ingersoll Avenue between 15th Street and 16th Street, and adjoining 1501, 1511 and 1519 Grand Avenue, and 515 16th Street, Des Moines, Iowa.

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:

Sec. 1. That the east-west alley right-of-way and the north-south alley right-of-way located north of Grand Avenue and south of Ingersoll Avenue between 15th Street and 16th Street, and adjoining 1501, 1511 and 1519 Grand Avenue, and 515 16th Street, Des Moines, Iowa, more specifically described as follows, be and is hereby vacated:

PART OF THE EAST/WEST ALLEY RIGHT OF WAY AND PART OF THE NORTH/SOUTH ALLEY RIGHT OF WAY, IN BLOCK 45 OF LYON'S ADDITION TO FORT DES MOINES, POLK COUNTY, IOWA, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 3 IN SAID BLOCK 45; THENCE NORTHEASTERLY ALONG THE NORTH RIGHT OF WAY LINE OF SAID EAST/WEST ALLEY TO THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 7 IN SAID BLOCK 45; THENCE SOUTHEASTERLY ALONG SAID NORTHERLY EXTENSION TO THE SOUTH RIGHT OF WAY LINE OF SAID EAST/WEST ALLEY; THENCE SOUTHWESTERLY ALONG SAID SOUTH RIGHT OF WAY LINE TO THE NORTHWEST CORNER OF LOT 4 OF THE OFFICIAL PLAT OF LOT 6 BLOCK 45 J. LYON'S ADDITION; THENCE CONTINUING SOUTHWESTERLY ALONG THE EXTENSION OF SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 2 FEET; THENCE SOUTHEASTERLY ALONG A LINE

43A

THAT IS 2 FEET WEST AND PARALLEL TO THE WEST LINE OF SAID LOT 4 TO THE SOUTHWESTERLY EXTENSION OF THE NORTH LINE OF THE SOUTH 7 FEET OF SAID LOT 4; THENCE SOUTHWESTERLY ALONG SAID SOUTHWESTERLY EXTENSION OF SAID NORTH LINE OF THE SOUTH 7 FEET OF SAID LOT 4 TO THE EAST LINE OF LOT 5 OF THE OFFICIAL PLAT OF LOTS 4-5 BLOCK 45 J. LYON'S ADDITION; THENCE NORTHWESTERLY ALONG SAID EAST LINE TO THE NORTHEAST CORNER OF SAID LOT 5; THENCE CONTINUING ALONG THE NORTHWESTERLY EXTENSION OF SAID EAST LINE, A DISTANCE OF 3 FEET; THENCE SOUTHWESTERLY ALONG A LINE THAT IS 3 FEET NORTH OF AND PARALLEL TO THE NORTH LINE OF LOTS 5 THROUGH 11 OF SAID OFFICIAL PLAT OF LOTS 4-5 BLOCK 45 J. LYON'S ADDITION TO THE WEST LINE OF SAID BLOCK 45; THENCE NORTHWESTERLY ALONG SAID WEST LINE TO POINT OF BEGINNING; AND CONTAINING APPROXIMATELY 4956 SQUARE FEET.

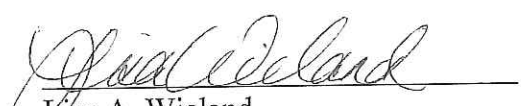
SUBJECT TO EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.

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:


Lisa A. Wieland
Assistant City Attorney