



Roll Call Number

Agenda Item Number

56 A

Date March 8, 2021

An Ordinance entitled, "AN ORDINANCE repealing Ordinance No. 11,346 and vacating a portion of Court Avenue Right-of Way located south of and adjoining 319 Court Avenue,"

presented.

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

FORM APPROVED:

(First of three required readings)

/s/ Lisa A. Wieland
Lisa A. Wieland
Assistant City Attorney

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

CERTIFICATE

I, P. Kay Cmelik, 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

56A

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 repealing Ordinance No. 11,346 and vacating a portion of Court Avenue Right-of Way located south of and adjoining 319 Court Avenue.

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. Ordinance No. 11,346 is hereby repealed in its entirety.

Sec. 2. That a portion of Court Avenue Right-of Way located south of and adjoining 319 Court Avenue, more specifically described as follows, be and is hereby vacated:

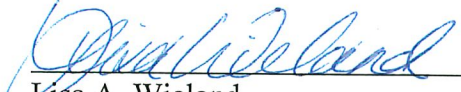
A PART OF COURT AVENUE RIGHT OF WAY LYING SOUTH OF AND ADJOINING BLOCK 24, FORT DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 5 IN SAID BLOCK 24; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 5, SAID SOUTH LINE ALSO KNOWN AS THE NORTH RIGHT OF WAY LINE OF COURT AVENUE, 56.0 FEET; THENCE SOUTH AND PERPENDICULAR TO SAID NORTH RIGHT OF WAY LINE, 8.33 FEET; THENCE EAST AND PARALLEL TO SAID NORTH RIGHT OF WAY LINE, 56.0 FEET; THENCE NORTH AND PERPENDICULAR TO SAID NORTH RIGHT OF WAY LINE, 8.33 FEET AND TO THE POINT OF BEGINNING, AND CONTAINING APPROXIMATELY 466 SQUARE FEET.

Sec. 3. 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.

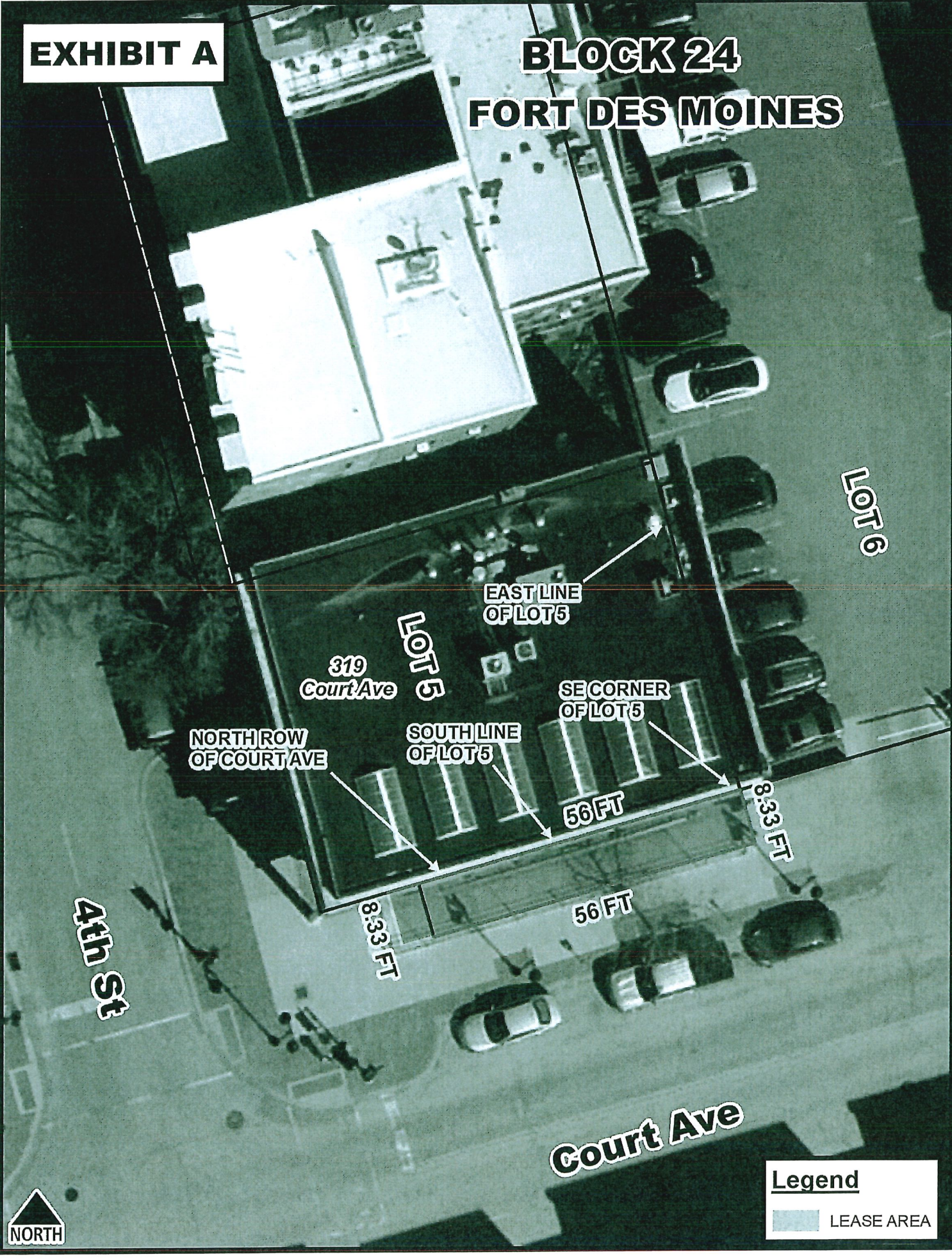
FORM APPROVED:



Lisa A. Wieland
Assistant City Attorney

EXHIBIT A

**BLOCK 24
FORT DES MOINES**



319
Court Ave

LOT 5

LOT 6

EAST LINE
OF LOT 5

SE CORNER
OF LOT 5

NORTH ROW
OF COURT AVE

SOUTH LINE
OF LOT 5

56 FT

8.33 FT

4th St

8.33 FT

56 FT

Court Ave



Legend

LEASE AREA