



**Roll Call Number**

**Agenda Item Number**

38A

**Date** ..... November 7, 2022 .....

An Ordinance entitled, "AN ORDINANCE permanently vacating the east-west East Jefferson Avenue right-of-way located west of Dixon Street and adjoining 1626 Dixon Street, 1730 East Washington Avenue and 1637 East 17<sup>th</sup> Street",

presented.

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

FORM APPROVED:

(First of three required readings)

/s/ Mackenzie L. Moreno  
Mackenzie L. Moreno  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	

**CERTIFICATE**

I, LAURA BAUMGARTNER, 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.

\_\_\_\_\_ Mayor

\_\_\_\_\_ City Clerk

38A

Prepared by: Mackenzie L. Moreno, 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 permanently vacating the east-west East Jefferson Avenue right-of-way located west of Dixon Street and adjoining 1626 Dixon 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:

Sec. 1. That the east-west East Jefferson Avenue right-of-way located west of Dixon Street and adjoining 1626 Dixon Street, more specifically described as follows, be and is hereby vacated:

ALL THAT PART OF EAST JEFFERSON AVENUE RIGHT OF WAY LYING BETWEEN THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 12 IN BLOCK 6 AND THE NORTHERLY EXTENSION OF THE CENTERLINE OF LOT G (DIXON COURT), ALL IN T.E. BROWN'S OFFICIAL PLAT OF THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M. (EXCEPT THE NORTHEAST 40 ACRES), AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.29 ACRES (12,750 SQUARE FEET).

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:

*Mackenzie Moreno by*  
Mackenzie L. Moreno  
Assistant City Attorney *Guia Cidland*

**EXHIBIT A**

NORTHERLY  
EXTENSION OF  
CENTERLINE  
OF LOT G

**E Jefferson Ave**



LOT 12

EAST LINE  
OF LOT 12

**E 17th St**

**BLOCK 8**

**BLOCK 7**

**LOT G**

**BLOCK 6**

**Dixon St**

**T.E. BROWN'S OP  
OF NE 1/4 36-79-24  
-EX NE 40AC-**



**NORTH**

**Dixon Ct**

**E Washington Ave**

**Kinsey Ave**

**Legend**

 **AREA TO BE VACATED**