



**Roll Call Number**

**Agenda Item Number**

41A

**Date** March 18, 2024

An Ordinance entitled, "AN ORDINANCE vacating Littell Avenue right-of-way from west of Fleur Drive to its terminus at the east right-of-way line of Army Post Road",

presented.

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

FORM APPROVED:

(First of three required readings)

/s/ Mackenzie L. Moreno

Mackenzie L. Moreno

Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
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

Prepared by: Mackenzie L. Moreno, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50309 (515) 283-4535  
Return to: City Clerk's Office, 400 Robert D. Ray Drive, Des Moines, Iowa 50309

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

AN ORDINANCE vacating Littell Avenue right-of-way from west of Fleur Drive to its terminus at the east right-of-way line of Army Post Road.

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 a segment of Littell Avenue right-of-way from west of Fleur Drive to its terminus at the east right-of-way line of Army Post Road, more specifically described as follows, be and is hereby vacated:

ALL THAT PART OF LOT B (LITTELL AVENUE RIGHT OF WAY) LYING EAST OF THE EASTERLY RIGHT OF WAY LINE OF ARMY POST ROAD AND LYING WEST OF THE NORTHERLY EXTENSION OF THE WEST LINE OF THE EAST 41.0 FEET OF LOT 14, ALL IN WAKONDA HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND CONTAINING APPROXIMATELY 40,886 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:



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Mackenzie L. Moreno  
Assistant City Attorney

**EXHIBIT A**

Army Post Rd

**WAKONDA HEIGHTS**

Littell Ave

PT LOT B

41 FT →

EASTERLY ROW LINE  
OF ARMY POST RD

NORTH LINE  
OF LOT 14

EAST LINE  
OF LOT 14

**LOT 14**

Fleur Dr

**Legend**

 AREA TO BE VACATED

