

ORDINANCE NO. 1433

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON, vacating a portion of City right-of-way in an area generally described as a portion of public right-of-way commonly known as S. 201st Street, between 6th Avenue S. and alley to the east, together with an abutting unopened alley, in the City of Des Moines, subject to the applicant's compliance with requirements set forth herein.

WHEREAS, on June 11, 2008, the City Council adopted Resolution No. 1077, declaring its intent to consider vacation of a public right-of-way which now constitutes a portion of public right-of-way commonly known as S. 201st Street, between 6th Avenue S. and alley to the east, together with an abutting unopened alley, in the City of Des Moines, and

WHEREAS, notice of the public hearing was given in accordance with law and the public hearing was held before the City Council on July 10, 2008, and all persons wishing to be heard were heard, and

WHEREAS, based on the evidence presented, the City Council makes the following findings of fact:

(1) The public right-of-way which is the subject of this ordinance consists of a portion of public right-of-way commonly known as S. 201st Street, between 6th Avenue S. and alley to the east, together with an abutting unopened alley; and

(2) The public right-of-way which is the subject of this ordinance is unimproved for transportation purposes, has never been opened for transportation purposes, and appears to be subject to vacation by operation of law under the Laws of 1889-90; and

(3) The public right-of-way which is the subject of this ordinance is not necessary for present and future use by public utilities; and

(4) The public right-of-way which is the subject of this ordinance is surplus to the present and future needs of the citizens of the City of Des Moines for transportation purposes, and it is in the public interest to vacate this right-of-way; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. Findings adopted. The recitals set forth above are adopted as the City Council's findings of fact.

Sec. 2. Right-of-way vacation. Subject to the requirements set forth in this ordinance, the public right-of-way legally described as follows:

The entire area of South 201st Street (previously identified as E Street in the Southern Pacific Land Company's Huntington Park Addition to Des Moines) from the eastern right-of-way line of 6th Avenue South abutting Block 100 through the

2008/20500082

Sec. 6. Effective date. This ordinance shall take effect and be in full force thirty (30) days after its passage, approval, and publication in accordance with law.

PASSED BY the City Council of the City of Des Moines this 24th day of July, 2008 and signed in authentication thereof this 24th day of July, 2008.



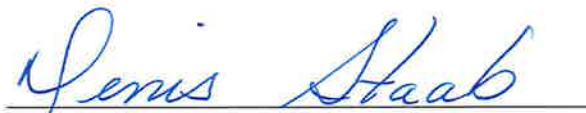
M A Y O R

APPROVED AS TO FORM:



City Attorney

ATTEST:



City Clerk

Effective Date: August 24, 2008

Published: August 1, 2008

LEGAL NOTICE

SUMMARY OF ADOPTED ORDINANCE

CITY OF DES MOINES

ORDINANCE NO. 1433, Adopted July 24, 2008.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This ordinance vacates a portion of City right-of-way in an area generally described as a portion of public right-of-way commonly known as S. 201st Street, between 6th Avenue S. and alley to the east, together with an abutting unopened alley, in the City of Des Moines, subject to the applicant's compliance with requirements set forth herein.

The full text of the ordinance will be mailed without cost upon request.

Denis Staab
City Clerk

Published: August 1, 2008