

ORDINANCE NO. 13497

AN ORDINANCE vacating a portion of the North/South alley right-of-way in the vicinity of 309 Court Avenue, more specifically described as all the North/South alley right-of-way lying West of and adjoining the South 97.0 feet of Lot 7, Block 24, Town of Fort Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, and repealing Ordinance No. 13,468.

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; and, WHEREAS, by Ordinance No. 13,468, passed April 28, 1997, the City Council intended to vacate such alley, but such ordinance incorrectly described the right-of-way to be vacated;

NOW, THEREFORE,

BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. That the following described portion of the North/South alley right-of-way in the vicinity of 309 Court Avenue, be and is hereby vacated:

All the North/South alley right-of-way lying West of and adjoining the South 97.0 feet of Lot 7, Block 24, Town of Fort Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Sec. 2. That this vacation is made with reservations of right-of-way easements for any public utilities now in place with the right of entry for servicing same.

Sec. 3. Ordinance No. 13,468 passed April 28, 1997, is hereby repealed.

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Sec. 4. 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. 5. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Roger K. Brown
Assistant City Attorney