

ORDINANCE NO. 13,605

AN ORDINANCE vacating the right-of-way easement for a portion of S.W. 56th Street south of Park 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, as follows:

Section 1. The right-of-way easement for the portion of S.W. 56th Street south of Park Avenue, more specifically described below, be and is hereby vacated:

That portion of street easement in the North 1270.10 feet of Southwest 56th Street lying 33.0 feet West of the East line of the North 1/2 of the Northeast 1/4 of Section 23, Township 78 North, Range 25 West of the 5th P.M., and lying 33.0 feet East of the West line of the Northwest 1/4 of Section 24, Township 78 North, Range 25 West of the 5th P.M., all now included in and forming a part of the City of Des Moines, Polk County, Iowa, being all that portion of the road easement recorded in Road Book 2, commencing at Page 426, on July 27, 1867, in the office of the Polk County Recorder, now located in Airport Commerce Park West Plat 1, an Official Plat.

Sec. 2. This vacation is subject to the rights, if any, of the owners of any public utilities now in place within the right-of-way.

Sec. 3. 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 the later of its passage and publication as provided by law, or July 15, 1998.

FORM APPROVED:

Roger K. Brown

Assistant City Attorney