

ORDINANCE NO. 13,677

AN ORDINANCE vacating the East/West alley right-of-way located between S.E. 15th and S.E. 16th Streets and south of Maury Street, and repealing Ordinance No. 13,628.

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. 13,628 passed August 3, 1998, the City Council intended to vacated the right-of-way described below but such action was ineffective because of an error in the legal description; NOW, THEREFORE,

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

Section 1. That the East/West alley between S.E. 15th and S.E. 16th Streets and south of Maury Street, more specifically described as follows, be and is hereby vacated:

All the East/West alley right-of-way lying South of and adjoining Lots 1 through 18, Gray's Subdivision of Block 61, Brooks and Company's Addition, 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. 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.

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Sec. 4. Ordinance No. 13,628 passed August 3, 1998, is hereby repealed.

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