

ORDINANCE NO. 13,938

AN ORDINANCE vacating a portion of the North/South alley extending North from University Avenue between 6th Avenue and 7th Street, 7th Street from University Avenue to Indiana Avenue, the North/South alley between 7th and 8th Streets from University Avenue to Indiana Avenue, and 8th Street from University Avenue to Indiana 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:

Section 1. That the North/South alley extending North from University Avenue between 6th Avenue and 7th Street, 7th Street from University Avenue to Indiana Avenue, the North/South alley between 7th and 8th Streets from University Avenue to Indiana Avenue, and 8th Street from University Avenue to Indiana Avenue, all more specifically described below, be and are hereby vacated, effective as of August 1, 2001.

North/South alley right-of-way between 6th Avenue and 7th Street

All that part of 15.0 foot wide North/South alley right-of-way lying East of and adjoining Lots 4, 5, 6, 7, 8, and lying East of and adjoining the North 15.5 feet of Lot 3, Grant Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa. Containing 0.1027 acres more or less.

7th Street right-of-way

All that part of 7th Street right-of-way lying East of and adjoining Lots 84, 85, 86, 87, 88, 89, and lying East of and adjoining the North 20.0 feet of Lot 90, all within North Park, an Official Plat, being more particularly described as follows: Beginning at the Northeast corner of said Lot 85; thence North  $00^{\circ}$  (Degrees)  $24'$  (Minutes)  $29''$  (Seconds) West along the East line of said Lot 84, a distance of 50.0 feet of the Northeast corner of said Lot 84; thence South  $45^{\circ} 15' 55''$  East a distance of 70.89 feet to the Northwest corner of Lot 8, Grant Park, an Official Plat; thence South  $00^{\circ} 24' 29''$  East along the West lines of Lots 8, 7, 6, 5, 4, and part of Lot 3, in said Grant Park a distance of 265.5 feet to a point 15.5 feet South of the Northwest corner of said Lot 3; thence South  $84^{\circ} 51' 15''$  West a distance of 50.17 feet to a point being on the East lot line and 20.0 feet South of the Northeast corner of Lot 90, in said North Park; thence North  $00^{\circ} 24' 29''$  West along the East lines of

Lots 90, 89, 88, 87, 86, and 85, in said North Park, a distance of 269.89 feet to the Point of Beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa. Containing 14,623 square feet more or less.

North/South alley right-of-way between 7th and 8th Streets

All of 14.0 foot North/South alley right-of-way lying East of and adjoining Lots 55, 54, 53, 52, 51, 50 and lying East of and adjoining the North 20.0 feet of Lot 49, in North Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa. Containing 0.0914 acres more or less.

8th Street alley right-of-way

All that part of 8th Street right-of-way lying East of and adjoining Lots 38, 39, 40, 41, 42, 43 and the North 20.0 feet of Lot 44, North Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa . Containing 0.366 acres more or less.

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.

Sec. 4. 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

Preston Daniels, Mayor

Attest:

I, Donna Boetel-Baker, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 01-1005), passed by the City Council of said City at a meeting held April 2, 2001, signed by the Mayor on April 2, 2001, and

published as provided by law in the Business Record on April 16, 2001. Authorized by  
Publication Order No. 1691.

Donna Boetel-Baker, MMC, City Clerk