

ORDINANCE NO. 13,955

AN ORDINANCE vacating a portion of the 11th Street right-of-way between Cherry and Vine Streets and the remaining alleys in the block west of 11th Street between Cherry and Vine Streets.

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, in the exercise of the City's urban renewal powers under Iowa Code Chapter 403, the City Council has determined that the relocation and removal of all public utility facilities from the 11th Street right-of-way described below is necessary for the future use of such property pursuant to the Metro Center Urban Renewal Plan and the Agreement for Exchange of Land by and between the City of Des Moines and Wells Fargo Financial, Inc., approved by the City Council on November 20, 2000 by Roll Call No. 00-4401; NOW, THEREFORE,

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

Section 1. That the 11th Street right-of-way between Cherry and Vine Streets and the remaining alleys in the block west of 11th Street between Cherry and Vine Streets, all as more specifically described below, be and are hereby vacated effective as of September 1, 2001:

All the 11th Street right-of-way extending from the North right-of-way line extended of Vine Street to the South right-of-way line extended of Cherry Street, in H.M. Hoxie's Addition, an Official Plat, Keene & Poindexters Addition to Fort Des Moines, an Official Plat, Getchel Subdivision, an Official Plat, and Frantz Place, an Official Plat, all now included within and forming a part of the City of Des Moines, Polk County, Iowa.

All the remaining North/South and East/West alley rights-of-way in Block 22, H.M. Hoxie's Addition, an Official Plat, and in Block 22, Keene & Poindexters Addition to Fort Des Moines, an Official Plat, all now included within and forming a part of the City of Des Moines, Polk County, Iowa.

Sec. 2. That all public utilities with facilities now in place upon the above described portion of the 11th Street right-of-way are hereby ordered to relocate and remove such facilities from such right-of-way by October 1, 2001.

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. 01-1726), passed by the City Council of said City at a meeting held June 4, 2001, signed by the Mayor on June 4, 2001, and published as provided by law in the Business Record on June 18, 2001. Authorized by Publication Order No. 1787.

Donna Boetel-Baker, MMC, City Clerk