

ORDINANCE NO. 14,136

AN ORDINANCE vacating a parcel of ground south of 420 East Army Post Road, and repealing Ordinance No. 14,082;

WHEREAS, all prior requirements of law pertaining to the vacation of public right-of-way have been fully observed; and

WHEREAS, by Ordinance No. 14,082, passed May 6, 2002, after notice and public hearing, the City Council intended to vacate the right-of-way described below but the previous ordinance was published and recorded with an incomplete legal description; 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 parcel of ground south of 420 East Army Post Road, more specifically described as follows, is hereby vacated:

A parcel of land in Lot "A", Rainbow Place, an Official Plat now included in and forming a part of the City of Des Moines, Polk County, Iowa, being more particularly described as follows:

Beginning at the Northeast corner of said Lot "A"; thence South 00° (degrees) $35'$ (minutes) $10''$ (seconds) East along the east line of said Lot "A", a distance of 15.00 feet; thence South $89^{\circ}43'08''$ West, a distance of 49.89 feet; thence North $00^{\circ}46'52''$ West, a distance of 15.00 feet, to the Southwest corner of Lot 31 of said Rainbow Place; thence North $89^{\circ}43'08''$ East, along the North line of said Lot "A", a distance of 49.95 feet, to the point of beginning, containing 749 square feet more or less, subject to all easements and restrictions of record.

Sec. 2. That this vacation is made subject to all easements or utilities in place with right of entry for servicing same.

Sec. 3. That Ordinance 14,082, passed May 2, 2002 is hereby repealed. This Ordinance is intended to replace Ordinance No. 14,082 which was published and recorded with an incomplete legal description.

Sec. 4. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof 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:

David L. Phillips, Assistant City Attorney

Preston A. Daniels, Mayor

Attest:

I, Donna V. 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. 02-2189), passed by the City Council of said City at a meeting held September 9, 2002 signed by the Mayor on September 9, 2002 and published as provided by law in the Business Record on September 23, 2002 Authorized by Publication Order No. 3401 .

Donna V. Boetel-Baker, City Clerk