

ORDINANCE NO. 14,317

AN ORDINANCE vacating portions of Vale Street, Railroad Court, Railroad Avenue, SE 24th Court and SE 25th Street.

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 portions of Vale Street, Railroad Court, Railroad Avenue, SE 24th Court and SE 25th Street be vacated, more specifically described as follows, be and are hereby vacated:

All that part of Vale Street right-of-way lying East of the easterly bank of Dean's (Brook's) Lake, and lying North of and adjoining Lots 1 through 8, Lot E, (Southeast 24th Court), and Lot 37, Des Moines Improvement Place, an Official Plat, all of Lot A, (Railroad Avenue), Lot B, (Southeast 25th Street), Lot C, (East Railroad Avenue), Lot D, (Railroad Court), and said Lot E, and Lot F, (10.0 foot walk way), of said Des Moines Improvement Place, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Sec. 2. The City of Des Moines hereby reserves an easement upon the property described above for the continued use and maintenance of any utilities now in place, with the right of entry for servicing same, including those for the benefit of the City of Des Moines.

Sec. 3. That the City Clerk is hereby authorized and directed to cause a 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:

Ann DiDonato, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, 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. 04-402), passed by the City Council of said City at a meeting held February 23, 2004 signed by the Mayor on February 23, 2004 and published as provided by law in the Business Record on March 8, 2004 Authorized by Publication Order No. 4026.

Diane Rauh, City Clerk