

ORDINANCE NO. 14,416

AN ORDINANCE vacating a segment of 8' wide southern most east/west alley right-of-way running 68.85' east of vacated 11th Street between Cherry Street and Vine 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 a segment of 8' wide southern most east/west alley right-of-way running 68.85' east of vacated 11th Street between Cherry Street and Vine Street, more specifically described as follows, be and is hereby vacated.

All that portion of the East/West alley lying North of and adjoining Lots 1 to 5, inclusive, in Getchell's Subdivision of Lot 8, Block 18, H.M. Hoxie's Addition, an Official Plat, described as that part of the alley which lies West of a straight line extending from a point of the North line of said alley which is 68.85 feet East of the East line of 11th Street, to a point on the South line of said alley which is 33.85 feet East of the East line of 11th Street, 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.

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:

David L. Phillips, 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. 05-472), passed by the City Council of said City at a meeting held February 28, 2005 signed by the Mayor on February 28, 2005 and published as provided by law in the Business Record on March 14, 2005. Authorized by Publication Order No. 4572.

Diane Rauh, City Clerk