

ORDINANCE NO. 14,494

AN ORDINANCE vacating a portion of 36<sup>th</sup> Street right-of-way south of Douglas 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 a portion of 36<sup>th</sup> Street right-of-way south of Douglas Avenue, more specifically described as follows, be and is hereby vacated.

THE SOUTH 252.00 FEET OF 36<sup>TH</sup> STREET RIGHT-OF-WAY LYING EAST OF AND ADJOINING LOTS 13 AND 14, AND LYING EAST OF AND ADJOINING THE SOUTH 46.29 FEET OF LOT 15, ALL IN KINGMAN'S ORCHARD, AN OFFICIAL PLAT, 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.

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:

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. 05-2368), passed by the City Council of said City at a meeting held September 26, 2005 signed by the Mayor on September 26, 2005 and published as provided by law in the Business Record on October 10, 2005 Authorized by Publication Order No. 4952.

Diane Rauh, City Clerk