

ORDINANCE NO. 14,581

AN ORDINANCE permanently vacating the public use of Hawthorne North Softball Field, located on the south side of Maury Street between SE 10th and SE 11th.

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 the public use of Hawthorne North Softball Field, located on the south side of Maury Street between SE 10th and SE 11th, more specifically described as follows, be and is hereby vacated.

Lots 1 thru 10, Block 5, Allen's Second Addition, an Official Plat, and the vacated North/South alley lying East of and adjoining Lots 1 thru 5, of said Block 5, Allen's Second Addition, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

(Alley Vacated by Ordinance No. 5327, passed August 31, 1951.)

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. 06-1796), passed by the City Council of said City at a meeting held September 11, 2006 and signed by the Mayor on September 11, 2006 and published as provided by law in the Business Record on September 25, 2006 Authorized by Publication Order No. 5140.

Diane Rauh, City Clerk