

ORDINANCE NO. 14,787

AN ORDINANCE vacating various segments of right of way in the vicinity of 3001 Logan Avenue and repealing Ordinance No. 14,757.

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

WHEREAS, by Ordinance No. 14,757, passed April 21, 2008, after notice and public hearing, the City Council intended to vacate the right-of-way described below, but said Ordinance contained an error in the 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 various segments of right of way in the vicinity of 3001 Logan Avenue, more specifically described as follows, be and are hereby vacated.

Parcel A

All that part of East 30th Court (previously known as Elbert Street) right-of-way lying East of and adjoining the East/West alley right-of-way lying South of and adjoining Lots 4 through 12, Block B, Cotton Mill Addition to Grand Park, an Official Plat and lying East of and adjoining Lot 24 of said Block B, and lying East of and adjoining Logan Avenue lying South of and adjoining said Block B, and lying East of and adjoining Block C of said Cotton Mill Addition, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Parcel B

All that part of Logan Avenue right-of-way lying North of and adjoining Lots 1 through 12, Block C, Cotton Mill Addition to Grand Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Parcel C

All that part of East/West alley right-of-way lying South of and adjoining Lots 4 through 12, Block B, Cotton Mill Addition to Grand Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Parcel D

All of the East/West alley right-of-way lying South of and adjoining Lots 1 through 12, Block C, Cotton Mill Addition to Grand Park, 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 That Ordinance No. 14,757, passed April 21, 2008, is hereby repealed. This Ordinance is intended to replace Ordinance No. 14,757.

Sec. 4. 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. 5. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

Mayor T.M. Franklin Cownie,

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. 08-1257), passed by the City Council of said City at a meeting held July 14, 2008 signed by the Mayor on July 14, 2008 and published as provided by law in the Business Record on July 28, 2008. Authorized by Publication Order No. 6095.

Diane Rauh, City Clerk