

ORDINANCE NO. 14,789

AN ORDINANCE vacating the western most 58 feet of the dead end segment of the east/west alley between Virginia Avenue and Pleasant View Drive extending west from SW 7th 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 the western most 58 feet of the dead end segment of the east/west alley between Virginia Avenue and Pleasant view Drive extending west form SW 7th Street, more specifically described as follows, be and is hereby vacated.

All that part of the East/West alley right-of-way lying South of and adjoining the West 50.0 feet of Lot 7, Proctor's Addition, 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:

Glenna K. Frank, 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. 08-1346), passed by the City Council of said City at a meeting held July 28, 2008 signed by the Mayor on July 28, 2008 and published as provided by law in the Business Record on August 11, 2008. Authorized by Publication Order No. 6097.

Diane Rauh, City Clerk