

ORDINANCE NO. 14,823

AN ORDINANCE vacating the North/South alley right-of-way between 8th Street and 9th Street, from Crocker Street to Center Street, and a portion of 9th Street right-of-way between Crocker Street and Center 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 North/South alley right-of-way between 8th Street and 9th Street, from Crocker Street to Center Street, and a portion of the 9th Street right-of-way between Crocker Street and Center Street, more specifically described as follows, be and is hereby vacated.

ALL OF THE NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING WEST OF AND ADJOINING LOTS 28 THROUGH 36, GEO SNEER'S SUBDIVISION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND CONTAINING 0.22 ACRES (9,508 S.F.).

AND

PART OF LOT 5 OF THE OFFICIAL PLAT OF THE SUBDIVISION OF BLOCK "O", HOLCOMB'S ADDITION, BEING AN OFFICIAL PLAT, AND PART OF LOT 1 IN THE OFFICIAL PLAT OF THE SE ¼ OF THE NW ¼ OF SECTION 4, TOWNSHIP 78 NORTH, RANGE 24 WEST IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1 IN SAID BLOCK "O" HOLCOMB'S ADDITION; THENCE NORTH 89°(Degrees) 07'(Minutes) 23" (Seconds) WEST ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 126.30 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF 9TH STREET; THENCE SOUTH 0°30'56" WEST ALONG SAID EAST RIGHT-OF-WAY LINE, 413.60 FEET; THENCE SOUTH 7°10'11" EAST, 15.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 7°10'11" EAST, 37.38 FEET; THENCE SOUTH 13°52'34" EAST, 133.50 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF CENTER STREET; THENCE NORTH 89°18'26" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF CENTER STREET EXTENDED 16.69 FEET; THENCE NORTH 42°04'53" WEST, 27.75 FEET; THENCE NORTH 5°45'43" WEST, 35.53 FEET; THENCE NORTH 0°08'11" EAST, 81.76 FEET; THENCE NORTH 3°55'45" EAST, 28.85 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.06 ACRES (2,752 S.F.).

Section 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.

Section 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.

Section 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. 08-2153), passed by the City Council of said City at a meeting held December 8, 2008 signed by the Mayor on December 8, 2008 and published as provided by law in the Business Record on December 22, 2008. Authorized by Publication Order No. 6381.

Diane Rauh, City Clerk