

ORDINANCE NO. 14,856

AN ORDINANCE vacating segments of undeveloped SE 24th Court and C B & Q Street right-of-way.

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 segments of undeveloped SE 24th Court and C B & Q Street right-of-way, more specifically described as follows, be and is hereby vacated.

All that part of Southeast 24th Court lying South of the South right-of-way line of Chicago, Burlington & Quincy Railroad in the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 12, Township 78 North, Range 24 West of the 5th P.M., and lying North of the westerly extension of the South right-of-way line of C B & Q Street (Old Bennett Road)

And

All that part of C B & Q Street right-of-way (Old Bennett Road) lying East of the Southerly extension of the East right-of-way line of Southeast 24th Court and lying West of the South right-of-way line of Chicago, Burlington & Quincy Railroad, all now included in and forming 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

Thomas Vlassis, Mayor Pro Tem

Attest:

I, Laura Baumgartner, Chief Deputy 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. 09-900), passed by the City Council of said City at a meeting held May 18, 2009 signed by the Mayor Pro Tem on May 18, 2009 and published as provided by law in the Business Record on June 1, 2009. Authorized by Publication Order No. 6613.

Laura Baumgartner,
Chief Deputy City Clerk