

ORDINANCE NO. 14,863

AN ORDINANCE permanently vacating a small segment of East 33rd Street south of East Thompson Avenue and permanently vacating Thompson Avenue between East 33rd Street and East 34th 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 a small segment of East 33rd Street south of East Thompson Avenue and Thompson Avenue between East 33rd Street and East 34th Street, more specifically described as follows, be and is hereby permanently vacated.

All that part of Lot Z, (East Thompson Avenue) Four Mile, an Official Plat, lying South of and adjoining Lots 1077 thru 1081, of said Four Mile, and lying North of the westerly extension of the North line of Lot 1082, of said Four Mile to the intersection of the southerly extension of the West line of said Lot 1077, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

And

That part of East 33rd Street right-of-way lying West of and adjoining part of Lot Z, of said Four Mile, further described as follows; beginning at the intersection of the North line of the westerly extension of Lot 1082 of said Four Mile and the southerly extension of the West line of Lot 1077 of said Four Mile; thence West 12.0 feet; thence South 12.0 feet; thence East 12.0 feet to the West line of said Lot Z, thence North along the West line of said Lot Z to the point of beginning, 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. 09-1131), passed by the City Council of said City at a meeting held June 22, 2009 signed by the Mayor on June 22, 2009 and published as provided by law in the Business Record on July 6, 2009. Authorized by Publication Order No. 6621.

Diane Rauh, City Clerk