

ORDINANCE NO. 14,894

AN ORDINANCE vacating an irregular segment of East 14th Street right-of-way located west of the travelled portion of the street and running approximately 376 feet South of East Court Avenue, and portions of East 12th and East 13th Streets and alley rights-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 an irregular segment of East 14th Street right-of-way located west of the travelled portion of the street and running approximately 376 feet South of East Court Avenue, and portions of East 12th and East 13th Streets and alley rights-of-way in the vicinity of the State Judicial Building, more specifically described as follows, be and is hereby vacated.

All that part of Block A, (East 12th Street right-of-way) of B. F. Allen, J. S. Polk and F. M. Hubbell's Re-platting and Subdivision of W.A. Scott's Addition or Subdivision, an Official Plat, lying West of and adjoining Lots 7 thru 9 of the Official Plat of Lot 1 of the Official Plat of the East 1/2 of the Southeast 1/4 of Section 3, Township 78 North, Range 24 West of the 5th P.M. all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

And

All that part of the North/South alley right-of-way lying East of and adjoining Lots 7 thru 9 of the Official Plat of the East 1/2 of the Southeast 1/4 of Section 3, Township 78 North, Range 24 West of the 5th P.M. and the South 236 feet of the West 1/2 of Lot 31, Brooks and Co's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

And

All that part of East 13th Street lying East of and adjoining Lots 10 thru 12 of the Official Plat of the East 1/2 of the Southeast 1/4 of Section 3, Township 78 North, Range 24 West of the 5th P.M. and the South 236 feet of the West 1/2 of Lot 31, Brooks and Co's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

And

All that part of the North/South alley right-of-way lying East of and adjoining Lots 29 and 30 of the Official Plat of the East 1/2 of the Southeast 1/4 of Section 3, Township 78 North, Range 24 West of the 5th P.M. and the South 236 feet of the West 1/2 of Lot 31, Brooks and Co's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

And

A part of the existing right-of-way of Southeast 14th Street described as follows:

Commencing at the Northwest corner of Block 9 of W. A. Scott's Addition, an Official Plat; thence South 78°(Degrees) 40'(Minutes) 34'' (Seconds) East along the South right-of-way line of East Court Avenue, 235.18 feet to a point on the West right-of-way line of Southeast 14th Street, thence South 50°16'26'' East along said West right-of-way line, 34.93 feet to the point of beginning; thence continue South 50°16'26'' East, 16.14 feet; thence South 00°15'22'' West, 375.67 feet; thence South 75°10'44'' West, 7.39 feet to a point on said West right-of-way line of Southeast 14th Street; thence the following courses and distances along said West Right-of-way line: North 14°49'16'' West, 80.00 feet; thence South 75°10'44'' West, 29.97 feet; thence North 00°44'22'' East, 129.63 feet; thence North 68°53'40'' East, 10.06 Feet; thence North 89°54'55'' East, 36.27 feet; thence North 00°27'27'' West, 184.91 feet to the point of beginning and containing 0.24 acres (10,541 S.F.).

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. 09-1797), passed by the City Council of said City at a meeting held September 28, 2009 signed by the Mayor on September 28, 2009 and published as provided by law in the Business Record on October 12, 2009. Authorized by Publication Order No. 6852.

Diane Rauh, City Clerk