

ORDINANCE NO. 14,928

AN ORDINANCE vacating a portion of excess land South of Buchanan Street and West of Pennsylvania Avenue.

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 portion of excess land South of Buchanan Street and West of Pennsylvania Avenue, more specifically described as follows, be and is hereby vacated.

That part of Lots 9, 10, and 11 of MARY T SMITH'S SUBDIVISION, of Lot 7 of Dean's Subdivision of Out Lots, an Official Plat, lying South of the easterly extension of the south right-of-way line of Buchanan Street, as presently established, all in Section 3, Township 78 North, Range 24 West of the Fifth Principal Meridian, all now included in and forming a part of the City of Des Moines, Polk County, Iowa and more particularly described as follows:

Beginning at the southeast corner of the acquisition plat for the south right-of-way of Buchanan Street recorded in Book 9092, Page 94; thence easterly along the southerly line of said acquisition plat extended 12.0 feet; thence southeasterly to a point on the south lot line of said Lot 9, being 102.0 feet east of the west lot line of said Lot 9; thence southwesterly to a point 55.0 feet east of the west lot line of said Lot 11, said point being 10.0 feet north of the south lot line of said Lot 11; thence westerly 30.0 feet parallel with the south lot line of said Lot 11 to a point 25.0 feet east of the west lot line of said Lot 11; thence northeasterly 123.68 feet to the point of beginning.

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. 10-641), passed by the City Council of said City at a meeting held April 26, 2010 signed by the Mayor on April 26, 2010 and published as provided by law in the Business Record on May 10, 2010. Authorized by Publication Order No. 6889.

Diane Rauh, City Clerk