

ORDINANCE NO. 14,964

AN ORDINANCE vacating a dead end segment of Merced Drive and a dead end segment of 30th Street running south of Merced Drive.

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:

Sec. 1. That a dead end segment of Merced Drive and a dead end segment of 30th Street running south of Merced Drive, more specifically described as follows, be and is hereby vacated.

The west 64.00 feet of Street Lot D (Merced Drive) and all of Street Lot E (30th Street), Sawyer's Landing, Plat 2, an Official Plat, 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 and all utilities now in place, with the right of entry for servicing same.

Sec. 3. The City of Des Moines hereby further reserves a public access easement within the vacated portion of Merced Drive to allow for any future access to the adjoining Woodlawn Park to the west at such time as it may be developed and for access to underground utilities.

Sec. 4. 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. 5. 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. 10-1686), passed by the City Council of said City at a meeting held October 11, 2010 signed by the Mayor on October 11, 2010 and published as provided by law in the Business Record on October 25, 2010. Authorized by Publication Order No. 7175.

Diane Rauh, City Clerk