

ORDINANCE NO.15,027

AN ORDINANCE permanently vacating the remaining intervening public alley right-of-way located in the block bound by Vine, Water, Market and Southwest 2nd Streets.

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 the remaining intervening public alley right-of-way located in the block bound by Vine, Water, Market and Southwest 2nd Streets more specifically described as follows, be and is hereby vacated.

THE SOUTH 16.0 FEET OF THE NORTH 20.0 FEET OF LOT 3; ALSO AN IRREGULAR SHAPED PIECE IN THE NORTHEAST CORNER OF SAID LOT 3, LYING WITHIN THE FOLLOWING DESCRIBED LINES: BEGINNING AT A POINT ON THE NORTH LINE OF SAID LOT 3, WHICH IS 16.1 FEET WEST OF THE NORTHEAST CORNER THEREOF; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 3 TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 3 A DISTANCE OF 4.0 FEET; THENCE WEST ON A LINE 4.0 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 20.0 FEET; THENCE NORTHEASTERLY TO THE POINT OF BEGINNING, ALL IN BLOCK 36, FORT DES MOINES, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

ALL OF THE NORTH / SOUTH ALLEY RIGHT-OF-WAY LYING EAST OF AND ADJOINING LOTS 1 AND 2, AND THE PREVIOUSLY VACATED EAST / WEST ALLEY RIGHT-OF-WAY (VACATED BY ORDINANCE NO. 6333, PASSED JANUARY 16, 1961) AND THE NORTH 20 FEET OF LOT 3, ALL IN BLOCK 36, FORT DES MOINES, AN OFFICIAL PLAT, 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. 11-1144), passed by the City Council of said City at a meeting held June 27, 2011 signed by the Mayor on June 27, 2011 and published as provided by law in the Business Record on July 15, 2011. Authorized by Publication Order No.7488.

Diane Rauh, City Clerk