

ORDINANCE NO. 15,031

AN ORDINANCE vacating a portion of Court Avenue adjoining 206 3rd Street for use as a sidewalk cafe.

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, as follows:

Section 1. That a portion of Court Avenue adjoining 206 3rd Street, more specifically described as follows, be and is hereby vacated:

The North 6.55 feet of the Court Avenue right-of-way lying South of and adjoining that part of the South 1/2 of Lot 8 in Block 24, Original Town of Fort Des Moines, an Official Plat, being described as Parcel G of the Plat of Survey filed January 14, 1999, in Book 8116, Page 619, in the Office of the Polk County Recorder, all now included in and forming a part of the City of Des Moines, Polk County, Iowa. (Containing approximately 427.85 feet.)

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 a 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:

Roger K. Brown, 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. 11-1235), passed by the City Council of said City at a meeting held July 11, 2011 signed by the Mayor on July 11, 2011 and published as provided by law in the Business Record on July 29, 2011. Authorized by Publication Order No. 7492.

Diane Rauh, City Clerk