

ORDINANCE NO. 15,058

AN ORDINANCE vacating various segments of right-of-way near the Wastewater Reclamation Facility.

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 various segments of right-of-way near the Wastewater Reclamation Facility, more specifically described as follows, be and are hereby vacated.

ALL OF THE EAST / WEST ALLEY RIGHT-OF-WAY IN BLOCK 6, CHESTERFIELD, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

ALL OF THE EAST / WEST ALLEY RIGHT-OF-WAY IN BLOCK 5, CHESTERFIELD, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

ALL OF THE HARRIETT STREET RIGHT-OF-WAY LYING SOUTH OF AND ADJOINING LOTS 11 THROUGH 16, INCLUSIVE, BLOCK 5, CHESTERFIELD, 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 IN BLOCKS 7, 14 AND 15, LARISON PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

ALL OF THE SOUTHEAST 27TH STREET RIGHT-OF-WAY LYING WEST OF AND ADJOINING LOTS 18 THROUGH 34, INCLUSIVE, BLOCK 14, LARISON PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

ALL OF THE SOUTHEAST 26TH COURT RIGHT-OF-WAY LYING WEST OF AND ADJOINING LOTS 21 THROUGH 34, INCLUSIVE, BLOCK 7, LARISON PLACE, 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 NORTH OF CB & Q STREET, AS PRESENTLY ESTABLISHED, AND LYING SOUTH OF EAST RAILROAD AVENUE, AS PRESENTLY ESTABLISHED, AND LYING WEST OF AND ADJOINING LOTS 1 THROUGH 17, INCLUSIVE, BLOCK 6, LARISON

PLACE, 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 NORTH OF EAST RAILROAD AVENUE, AS PRESENTLY ESTABLISHED, AND LYING SOUTH OF VALE STREET, AS PRESENTLY ESTABLISHED, AND LYING WEST OF AND ADJOINING LOTS 1 THROUGH 11, INCLUSIVE, BLOCK 5, LARISON PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

ALL OF THE EAST RAILROAD AVENUE RIGHT-OF-WAY LYING NORTH OF AND ADJOINING LOTS 1 THROUGH 10, INCLUSIVE, BLOCK 5, CHESTERFIELD, AN OFFICIAL PLAT, AND LYING NORTH OF AND ADJOINING THE NORTH / SOUTH ALLEY RIGHT-OF-WAY LYING WEST OF AND ADJOINING LOT 1, BLOCK 6, LARISON PLACE, AN OFFICIAL PLAT, AND LYING NORTH OF AND ADJOINING SAID LOT 1, 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 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. 11-1825), passed by the City Council of said City at a meeting held October 24, 2011 signed by the Mayor on October 24, 2011 and published as provided by law in the Business Record on November 11, 2011. Authorized by Publication Order No. 7769.

Diane Rauh, City Clerk