

ORDINANCE NO. 15,076

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

All that part of the east-west alley in Block 36 of the Original Town of Fort Des Moines, now included in and forming a part of the City of Des Moines, Iowa, lying between Vine Street and Market Street extending from the east line of Second Avenue to a straight line extending along the west line of the north south alley in said Block 36 from the southeast corner of Lot 2 to the northeast corner of Lot 3, in said Block 36, except that part previously vacated by Ordinance No. 6333 described as all that part of the east-west alley lying between Vine Street and Market Street extending from the east line of Southwest Second Street [now known as Second Avenue] to a straight line extending from the southeast corner of Lot 2 to a point on the north line of Lot 3, which is sixteen and one-tenth (16.1) feet west of the northeast corner thereof, all in Block 36, Original Town of Fort Des Moines, now included in and forming a part of the City of Des Moines, 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. 12-0117), passed by the City Council of said City at a meeting held January 23, 2012 signed by the Mayor on January 23, 2012 and published as provided by law in the Des Moines Register on January 28, 2012. Authorized by Publication Order No. 7855.

Diane Rauh, City Clerk