

ORDINANCE NO. 15,098

AN ORDINANCE vacating a portion of SE 21st Court from Scott Avenue to the Union Pacific Railroad and a portion of Shaw Street right-of-way adjoining 607 SE 21st Court from the Union Pacific Railroad to the north/south alley.

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 portion of SE 21st Court from Scott Avenue to the Union Pacific Railroad and a portion of Shaw Street right-of-way adjoining 607 SE 21st Court from the Union Pacific Railroad to the north/south alley, more specifically described as follows, be and is hereby vacated.

ALL THAT PART OF THE SHAW STREET LYING WEST OF THE SOUTHERLY EXTENSION OF THE NORTH-SOUTH ALLEY IN BLOCK 7, JACK'S PLAT, AN OFFICIAL PLAT, AND EAST OF THE UNION PACIFIC RAILROAD RIGHT OF WAY, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

ALL THAT PART OF THE SOUTHEAST 21ST COURT LYING SOUTH OF THE SOUTH RIGHT OF WAY LINE OF SCOTT STREET (AVENUE), AND NORTH OF THE UNION PACIFIC RAILROAD RIGHT OF WAY, 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. 12-0555), passed by the City Council of said City at a meeting held April 9, 2012 signed by the Mayor on April 9, 2012 and published as provided by law in the Business Record on April 27, 2012. Authorized by Publication Order No. 7906.

Diane Rauh, City Clerk