

ORDINANCE NO. 15,137

AN ORDINANCE vacating the east/west and north/south alleys located in the block bounded by East 1st Street, East Court Avenue, East 2nd Street and the Norfolk Southern Railway.

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 east/west and north/south alleys located in the block bounded by East 1st Street, East Court Avenue, East 2nd Street and the Norfolk Southern Railway, more specifically described as follows, be and is hereby vacated.

ALL THAT PART OF EAST/WEST ALLEY RIGHT-OF-WAY LYING NORTH OF AND ADJOINING LOT 13 IN BLOCK D OF SCOTT AND DEAN'S ADDITION TO FORT DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

ALL THAT PART OF NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING BETWEEN THE SOUTHWESTERLY EXTENSION OF THE NORTH LINE OF LOT 16 AND THE SOUTHWESTERLY EXTENSION OF THE SOUTH LINE OF LOT 13, ALL IN BLOCK D OF SCOTT AND DEAN'S ADDITION TO FORT DES MOINES, AN OFFICIAL PLAT, 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. 12-1647), passed by the City Council of said City at a meeting held October 22, 2012 signed by the Mayor on October 22, 2012 and published as provided by law in the Business Record on November 9, 2012. Authorized by Publication Order No. 7944.

Diane Rauh, City Clerk