

ORDINANCE NO. 15,173

AN ORDINANCE vacating a portion of the SE 20th Street right-of-way extending south from Market Street to the future north line of the SE Connector.

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:

Section 1. That a portion of the SE 20th Street right-of-way extending south from the south line of Market Street to the future north line of the S.E. Connector, more specifically described as follows, be and is hereby vacated, to be effective upon the earlier of the completion and acceptance by the City of Des Moines of the adjoining portion of the S.E. Connector, or the conveyance of such right-of-way to Kemin Industries, Inc., or its designee:

PORTION OF SOUTHEAST 20TH STREET RIGHT OF WAY ADJOINING AND LYING EAST OF THE VACATED WEST 5.00 FEET RIGHT OF WAY ADJOINING LOT 38, BROOKS AND CO'S ADDITION TO THE CITY OF DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF SAID LOT 38, THENCE SOUTH 89° (DEGREES) 38' (MINUTES) 16" SECONDS) EAST, 5.00 FEET TO THE NORTHEAST CORNER SAID VACATED WEST 5.00 FEET AND THE POINT OF BEGINNING,; THENCE SOUTH 79°01'19" EAST, 61.10 FEET TO THE NORTHWEST CORNER OF THE VACATED EAST 15,00 FEET OF SOUTHEAST 20TH STREET RIGHT OF WAY; THENCE SOUTH 00°04'46" WEST, 432.92 FEET ON THE WEST LINE OF SAID VACATED EAST 15.00 FEET; THENCE SOUTH 90°00'00" WEST, 60.00 FEET TO THE EAST LINE OF SAID VACATED WEST 5.00 FEET; THENCE NORTH 00°04'46" EAST, 444.56 FEET ON SAID EAST LINE TO THE POINT OF BEGINNING, CONTAINING 0.60 ACRES MORE OR LESS.

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. 13-0420), passed by the City Council of said City at a meeting held March 11, 2013 signed by the Mayor on March 11, 2013 and published as provided by law in the Business Record on March 29, 2013. Authorized by Publication Order No. 8230.

Diane Rauh, City Clerk