

ORDINANCE NO. 15,196

AN ORDINANCE vacating the north 12' of Scott Avenue adjoining the properties at 1830, 1900, 1916, and 1920 Scott Avenue between a point approximately 300 feet east of Southeast 18th Street to Southeast 20th Street.

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 north 12' of Scott Avenue adjoining the properties at 1830, 1900, 1916, and 1920 Scott Avenue between a point approximately 300 feet east of Southeast 18th Street to Southeast 20th Street, more specifically described as follows, be and is hereby vacated.

THE NORTH TWELVE (12) FEET OF THE EXISTING EIGHTY (80) FOOT RIGHT-OF-WAY AS PRESENTLY ESTABLISHED OF SCOTT AVENUE LYING BETWEEN THE EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF THE VACATED SE 18TH COURT AS PREVIOUSLY ESTABLISHED AND THE EXTENSION OF THE WEST RIGHT-OF-WAY LINE OF SE 20TH STREET AS PRESENTLY ESTABLISHED MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 11, CHARTER OAK ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; THENCE NORTH 89°(DEGREES) 47'(MINUTES) 15"(SECONDS) WEST, A DISTANCE OF 882.26 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SCOTT AVENUE AS PRESENTLY ESTABLISHED TO THE SOUTHWEST CORNER OF LOT 54 OF SAID CHARTER OAK ADDITION; THENCE SOUTH 00°05'02" EAST, A DISTANCE OF 12.00 FEET; THENCE SOUTH 89°47'15" EAST, A DISTANCE OF 882.24 FEET; THENCE NORTH 00°00'02" EAST A DISTANCE OF 12.00 FEET TO THE POINT OF BEGINNING, CONTAINING 10,587 SQUARE FEET OR 0.243 ACRES OF LAND MORE OR LESS.

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. 13-0939), passed by the City Council of said City at a meeting held June 10, 2013 signed by the Mayor on June 10, 2013 and published and provided by law in the Business Record on June 28, 2013. Authorized by Publication Order No. 8604.

Diane Rauh, City Clerk