

ORDINANCE NO. 15,199

AN ORDINANCE vacating a portion of the north/south and east/west alley right-of-way adjoining 501 Grand Avenue, Des Moines.

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 the north/south and east/west alley right-of-way adjoining 501 Grand Avenue, Des Moines, more specifically described as follows, be and is hereby vacated:

ALL THAT PART OF THE NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING SOUTH OF EASTERLY EXTENSION OF THE NORTH LINE OF LOT 3 IN C.H. ATKIN'S SUBDIVISION OF LOT 13 IN THE OFFICIAL PLAT OF BLOCK I, GRIMMEL'S ADDITION, AND LYING NORTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF THE NORTH 9 FEET OF LOT 1, ALHAMBRA NO.2, AN OFFICIAL PLAT;

AND

A TRIANGULAR PIECE OF LAND LOCATED AT THE SOUTHEAST CORNER OF LOT 2, ALHAMBRA NO.2, HAVING A BEGINNING POINT ON THE SOUTH LINE OF SAID LOT 2 AND 5 FEET WEST OF THE SOUTHEAST CORNER, THENCE EAST 5 FEET TO THE SOUTHEAST CORNER, THENCE NORTH 8 FEET ON THE EAST LINE OF SAID LOT 2, THENCE SOUTHWEST IN A STRAIGHT LINE TO THE POINT OF BEGINNING OF SAID TRIANGULAR PIECE OF LAND;

AND

ALL THAT PART OF THE EAST/WEST ALLEY LYING WEST OF THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 2, ALHAMBRA NO.2, AND LYING EAST OF THE SOUTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 2;

AND

A PORTION OF LOT 1, ALHAMBRA NO.2, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1, THENCE SOUTHERLY A DISTANCE OF 9 FEET ALONG THE EAST LINE OF SAID LOT 1, THENCE SOUTHWESTERLY A DISTANCE OF 40 FEET ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID LOT 1, THENCE WESTERLY TO

A POINT ON THE NORTH LINE OF SAID LOT 1, POINT BEING 72 FEET SOUTHWESTERLY FROM THE NORTHEAST CORNER OF SAID LOT 1, THENCE NORTHEASTERLY A DISTANCE OF 72 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING;

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. 13-1025), passed by the City Council of said City at a meeting held June 24, 2013 signed by the Mayor on June 24, 2013 and published and provided by law in the Business Record on July 12, 2013. Authorized by Publication Order No. 8607.

Diane Rauh, City Clerk