

ORDINANCE NO. 15,230

AN ORDINANCE vacating a segment of undeveloped Franklin Avenue from a point approximately 90 feet west of 24th Drive to a point approximately 25 feet east of 26th 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 a segment of undeveloped Franklin Avenue from a point approximately 90 feet west of 24th Drive to a point approximately 25 feet east of 26th Street, more specifically described as follows, be and is hereby vacated:

ALL THAT PART OF FRANKLIN AVENUE RIGHT-OF-WAY LYING SOUTH OF AND ADJOINING LOTS 16 AND 17, ALICE BRIAR, AN OFFICIAL PLAT, AND LYING SOUTH OF AND ADJOINING THE WEST ½ OF LOT 4 AND ALL OF LOT 5 IN C. H. ATKIN'S SUBDIVISION OF LOT 31 OF THE OFFICIAL PLAT OF SECTION 33, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., 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. 13-1677), passed by the City Council of said City at a meeting held October 21, 2013 signed by the Mayor on October 21, 2013 and published and provided by law in the Business Record on November 8, 2013. Authorized by Publication Order No. 8638.

Diane Rauh, City Clerk