

ORDINANCE NO. 15,246

AN ORDINANCE vacating a dead end segment of Southwest 11<sup>th</sup> Street from Kirkwood Avenue to a point approximately 137 feet south of Kirkwood Avenue and repealing Ordinance No. 15,232.

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 dead end segment of Southwest 11<sup>th</sup> Street from Kirkwood Avenue to a point approximately 137 feet south of Kirkwood Avenue, more specifically described as follows, be and is hereby vacated:

ALL THAT PART OF THE EAST 25 FEET OF SW 11<sup>TH</sup> STREET RIGHT OF WAY (FORMERLY KNOWN AS MOON AVENUE) WEST OF AND ADJOINING LOT 63, IN KIRKWOOD HEIGHTS, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

THE EAST 25 FEET OF THE SOUTH 137 FEET OF LOT 19 IN THE OFFICIAL PLAT OF SECTION 16, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M., SAID AREA ALSO BEING THE WEST 25' OF SW 11<sup>TH</sup> STREET RIGHT OF WAY (FORMERLY KNOWN AS MOON AVENUE), 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. Ordinance No. 15,232, as passed on October 21, 2013 by Roll Call No. 13-1683, is hereby repealed and replaced by this ordinance for the purpose of correcting the legal description contained therein.

Sec. 4. 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. 5. 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. 13-2006), passed by the City Council of said City at a meeting held December 23, 2013 signed by the Mayor on December 23, 2013 and published and provided by law in the Business Record on January 10, 2014. Authorized by Publication Order No. 8754

Diane Rauh, City Clerk