

ORDINANCE NO. 15,273

AN ORDINANCE vacating Wagner Street from the north/south alley to 5th Avenue and a 132-foot segment of the north/south alley between 5th Avenue and 6th Avenue north of Vine 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 Wagner Street from the north/south alley to 5th Avenue and a 132-foot segment of the north/south alley between 5th Avenue and 6th Avenue north of Vine Street, more specifically described as follows, be and is hereby vacated:

ALL THAT PART OF WAGNER STREET RIGHT-OF-WAY LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF THE NORTH/SOUTH ALLEY IN BLOCK 15 OF FORT DES MOINES, AN OFFICIAL PLAT, AND LYING WEST OF WEST RIGHT-OF-WAY LINE OF 5TH STREET (LOCALLY KNOWN AS 5TH AVENUE), ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

ALL THAT PART OF THE NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING WEST OF AND ADJOINING LOTS 5 THRU 6 IN BLOCK 15 OF FORT DES MOINES, 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. 14-0562), passed by the City Council of said City at a meeting held April 7, 2014 signed by the Mayor on April 7, 2014 and published and provided by law in the Business Record on April 25, 2014. Authorized by Publication Order No. 8781.

Diane Rauh, City Clerk