

ORDINANCE NO. 15,285

AN ORDINANCE vacating Maury Street from SE 6th Street to Des Moines River; Vale Street from SE 6th Street to Des Moines River; north/south alley in Block 66, Town of De Moine; SE 5th Street from Maury Street to Des Moines River; north/south alley in Block 58, Town of De Moine; SE 5th Street from Maury Street to Shaw Street; north/south alley in Block 57, Town of De Moine; Shaw Street from SE 2nd Street to east side of the north/south alley in Block 57, Town of De Moine; SE 4th Street and SE 2nd Street from Shaw Street to Des Moines River.

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 Maury Street from SE 6th Street to Des Moines River; Vale Street from SE 6th Street to Des Moines River; north/south alley in Block 66, Town of De Moine; SE 5th Street from Maury Street to Des Moines River; north/south alley in Block 58, Town of De Moine; SE 5th Street from Maury Street to Shaw Street; north/south alley in Block 57, Town of De Moine; Shaw Street from SE 2nd Street to east side of the north/south alley in Block 57, Town of De Moine; SE 4th Street and SE 2nd Street from Shaw Street to Des Moines River, more specifically described as follows, be and is hereby vacated:

MAURY STREET FROM SE 6TH STREET TO DES MOINES RIVER

ALL THAT PART OF THE MAURY STREET RIGHT OF WAY LYING BETWEEN THE WEST RIGHT OF WAY LINE OF SOUTHEAST 6TH STREET AND THE NORTHEASTERLY BANK OF THE DES MOINES RIVER, ALL IN TOWN OF DE MOINE, AN OFFICIAL PLAT; ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

VALE STREET FROM SE 6TH STREET TO DES MOINES RIVER

ALL THAT PART OF THE VALE STREET RIGHT OF WAY LYING BETWEEN THE WEST RIGHT OF WAY LINE OF SOUTHEAST 6TH STREET AND THE NORTHEASTERLY BANK OF THE DES MOINES RIVER, ALL IN TOWN OF DE MOINE, AN OFFICIAL PLAT; ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

NORTH/SOUTH ALLEY IN BLOCK 66, TOWN OF DE MOINE

ALL THAT PART OF THE NORTH/SOUTH ALLEY RIGHT OF WAY IN BLOCK 66 OF TOWN OF DE MOINE, AN OFFICIAL PLAT, LYING BETWEEN THE SOUTH RIGHT OF WAY LINE OF MAURY STREET AND THE NORTHEASTERLY BANK OF THE DES MOINES RIVER; ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

SE 5TH STREET FROM MAURY STREET TO DES MOINES RIVER

ALL THAT PART OF THE SOUTHEAST 5TH STREET RIGHT OF WAY LYING BETWEEN THE SOUTH RIGHT OF WAY LINE OF MAURY STREET AND THE NORTHEASTERLY BANK OF THE DES MOINES RIVER, ALL IN TOWN OF DE MOINE, AN OFFICIAL PLAT; ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

NORTH/SOUTH ALLEY IN BLOCK 58, TOWN OF DE MOINE

ALL OF THE NORTH/SOUTH ALLEY RIGHT OF WAY LYING WEST OF AND ADJOINING LOTS 6 THROUGH 9 IN BLOCK 58 OF TOWN OF DE MOINE, AN OFFICIAL PLAT; ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

SE 5TH STREET FROM MAURY STREET TO SHAW STREET

ALL THAT PART OF THE SOUTHEAST 5TH STREET RIGHT OF WAY LYING EAST OF AND ADJOINING BLOCK 57 OF TOWN OF DE MOINE, AN OFFICIAL PLAT; ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

NORTH/SOUTH ALLEY IN BLOCK 57, TOWN OF DE MOINE

ALL THAT PART OF THE NORTH/SOUTH ALLEY RIGHT OF WAY IN BLOCK 57 OF TOWN OF DE MOINE, AN OFFICIAL PLAT, LYING BETWEEN THE SOUTH RIGHT OF WAY LINE OF SHAW STREET AND THE NORTHEASTERLY BANK OF THE DES MOINES RIVER; ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

SHAW STREET FROM SE 2ND STREET TO EAST SIDE OF NORTH/SOUTH ALLEY IN BLOCK 57, TOWN OF DE MOINE

ALL THAT PART OF THE SHAW STREET RIGHT OF WAY LYING NORTH OF AND ADJOINING LOT 1 AND NORTH OF AND ADJOINING THE NORTH/SOUTH ALLEY RIGHT OF WAY, ALL IN BLOCK 57 OF TOWN OF DE MOINE, AN OFFICIAL PLAT; ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

SE 4TH STREET AND SE 2ND STREET FROM SHAW STREET TO DES MOINES RIVER

ALL THAT PART OF THE VARIOUS STREET RIGHTS OF WAY BOUNDED ON THE EAST BY THE EAST RIGHT OF WAY OF SOUTHEAST 4TH STREET, ON THE NORTH BY THE NORTH RIGHT OF WAY LINE OF SHAW STREET, ON THE WEST BY THE SOUTHWESTERLY RIGHT OF WAY LINE OF SOUTHEAST 2ND STREET, AND ON THE SOUTH BY THE NORTHEASTERLY BANK OF THE DES MOINES RIVER, ALL IN

TOWN OF DE MOINE, 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- 0788), passed by the City Council of said City at a meeting held May 19, 2014 signed by the Mayor on May 19, 2014 and published and provided by law in the Business Record on June 6, 2014. Authorized by Publication Order No.8793.

Diane Rauh, City Clerk