

ORDINANCE NO. 15,299

AN ORDINANCE vacating a portion of the Ingersoll Avenue right-of-way adjoining 2605 Ingersoll Avenue for use as a sidewalk cafe.

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 for use as a sidewalk cafe.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Des Moines, Iowa, as follows:

Section 1. The portion of the Ingersoll Avenue right-of-way adjoining 2605 Ingersoll Avenue, more specifically described as follows, be and is hereby vacated.

A tract lying in Lot 16 of the Official Plat of the southwest quarter of Section 5, Township 78 North, Range 24 West of the 5th PM, and also lying in the northerly right-of-way of Ingersoll Avenue, as presently established, all being a part of the City of Des Moines, Polk County, Iowa, more specifically described as follows:

Commencing at the southwest corner of Lot 1 Bampf Place, an Official Plat now included in and forming a part of the City of Des Moines, Polk County, Iowa, said point is also on the North right-of-way line of said Ingersoll Avenue and the East line of said Lot 16; thence South 89°52'18" West along said right-of-way line, a distance of 19.66 feet to the Point of Beginning; thence South 00°07'42" East, a distance of 8 feet; thence South 89°52'18" West, a distance of 35 feet; thence North 00°07'42" West, a distance of 8 feet to said right-of-way line; thence North 89°52'18" East along said line, a distance of 35 feet to the Point of Beginning, containing 280 sq. ft., more or less.

Sec. 2. 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. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Roger K. Brown, 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- 1099), passed by the City Council of said City at a meeting held July 14, 2014 signed by the Mayor on July 14, 2014 and published and provided by law in the Business Record on August 1, 2014. Authorized by Publication Order No.8257.

Diane Rauh, City Clerk