

ORDINANCE NO. 15,339

AN ORDINANCE vacating air space over East Locust Street right-of-way adjoining 201 East Locust 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 air space over East Locust Street right-of-way adjoining 201 East Locust Street, more specifically described as follows, be and is hereby vacated:

All of the air space for that part of East Locust Street Right-of-Way adjoining PARCEL 'A' of BLOCK "G" of SCOTT & DEAN'S ADDITION to EAST FORT DES MOINES, an Official Plat, and described as follows:

Beginning at the Northeast Corner of PARCEL 'A' of BLOCK "G" of SCOTT & DEAN'S ADDITION to EAST FORT DES MOINES, an Official Plat; thence South 74°38'57" West, 175.00 feet along the North Line of said PARCEL 'A', also being the South Right-of-Way Line of said East Locust Street; thence North 15°21'03" West, 6.62 feet; thence North 76°19'35" East, 175.07 feet; thence South 15°21'03" East, 1.59 feet to the Point of Beginning, containing 709 Square Feet; located above a plane with an elevation of 36.00 feet (City of Des Moines Datum) and below a plane with an elevation of 39.80 feet (City of Des Moines Datum). Existing ground elevation equals 24.0 feet (City of Des Moines Datum).

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:

Cori Kuhn Coleman, 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. 15-0072), passed by the City Council of said City at a meeting held January 12, 2015 signed by the Mayor on January 15, 2015 and published and provided by law in the Business Record on January 30, 2015. Authorized by Publication Order No. 8297.

Diane Rauh, City Clerk