

ORDINANCE NO. 15,350

AN ORDINANCE vacating City right-of-way adjoining 215 East 3rd 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 City right-of-way adjoining 215 East 3rd Street, more specifically described as follows, be and is hereby vacated:

Two 3.00 foot x 6.50 foot easements in the right-of-way of East 3rd Street as it is presently established adjoining Parcel B of that Plat of Survey filed in Book 15437 at Page 978 in the Office of the Recorder for Polk County, Iowa, of Lots 3 and 4 in Block 2 of Scott and Dean's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa. Said easements being more particularly described as follows:

Easement #1

Commencing as a point of reference at the Southwest corner of said Parcel B on the East right-of-way line of East 3rd Street; thence North 15°(degrees) 26'(minutes) 52"(seconds) West, 62.08 feet along the East right-of-way line of said East 3rd Street to the Point of Beginning; thence South 74°33'08" West, 3.00 feet; thence North 15°26'52" West, 6.50 feet; thence North 74°33'08" East, 3.00 feet to the East right-of-way line of said East 3rd Street; thence South 15°26'52" East, 6.50 feet along the East right-of-way line of said East 3rd Street to the point of beginning. Containing 19.50 square feet; and

Easement #2

Commencing as a point of reference at the Southwest corner of said Parcel B on the East right-of-way line of East 3rd Street; thence North 15°(degrees) 26'(minutes) 52"(seconds) West, 100.83 feet along the East right-of-way line of said East 3rd Street to the Point of Beginning; thence South 74°33'08" West, 3.00 feet; thence North 15°26'52" West, 6.50 feet; thence North 74°33'08" East, 3.00 feet to the East right-of-way line of said East 3rd Street; thence South 15°26'52" East, 6.50 feet along the East right-of-way line of said East 3rd Street to the point of beginning. Containing 19.50 square feet.

Containing 39.00 square feet in total.

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. 15-0341), passed by the City Council of said City at a meeting held February 23, 2015 signed by the Mayor on February 23, 2015 and published and provided by law in the Business Record on March 13, 2015. Authorized by Publication Order No. 9169.

Diane Rauh, City Clerk