

ORDINANCE NO. 15,370

AN ORDINANCE vacating a portion of East 4th Street adjoining 350 E. Locust Street 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; NOW, THEREFORE,

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

Section 1. That a portion of East 4th Street adjoining 350 E. Locust Street, more specifically described as follows, be and is hereby vacated:

A 2.60 feet x 44.00 feet parcel of land in Lot 8, Block 9, of East Fort Des Moines, an Official Plat, recorded in Book 'A', Page 136, at the Polk County Recorder's Office, City of Des Moines, Polk County, Iowa, that is more particularly described as follows:

Beginning at the SE corner of Parcel 'B' of Block 8, of East Fort Des Moines, an Official Parcel recorded in Book 10868, Page 275, at the Polk County Recorder's Office; thence North 15°14'02" West, 44.00 feet along the East line of said Parcel 'B'; thence North 74° 34' 12" East, 2.60 feet; thence South 15°02" East, 44.00 feet along a line that is 2.60 feet East of and parallel to said East line of Parcel 'B'; thence South 74°34'12" West, 2.60 feet to the Point of Beginning and containing 114 square feet.

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:

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. 15-0861), passed by the City Council of said City at a meeting held May 18, 2015 signed by the Mayor on May 18, 2015 and published and provided by law in the Business Record on June 5, 2015. Authorized by Publication Order No. 9189.

Diane Rauh, City Clerk