

ORDINANCE NO. 15,433

AN ORDINANCE vacating a 6 foot by 12.75 foot segment of East 5th Street adjoining 407 East 5th 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 a 6 foot by 12.75 foot segment of East 5th Street adjoining 407 East 5th Street, more specifically described as follows, be and is hereby vacated:

A PART OF VACATED EAST 5TH STREET RIGHT OF WAY LYING WEST OF AND ADJOINING LOT 1, H.E. TEACHOUT PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 21 FEET AND THE POINT OF BEGINNING; THENCE CONTINUING SOUTH ALONG SAID WEST LINE, 12.75 FEET; THENCE WESTERLEY AND PERPENDICULAR TO SAID WEST LINE, 6 FEET; THENCE NORTHERLY AND PARALLEL TO SAID WEST LINE, 12.75 FEET; THENCE EASTERLY AND PERPENDICULAR TO SAID WEST LINE, 6 FEET TO THE POINT OF BEGINNING.

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:

Lisa A. Wieland, Assistant City Attorney

Ordinance No. _____ cont'd

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. 15-2093), passed by the City Council of said City at a meeting held December 7, 2015 signed by the Mayor on December 7, 2015 and published and provided by law in the Business Record on December 25, 2015. Authorized by Publication Order No. 9397.

Diane Rauh, City Clerk