

ORDINANCE NO. 15,451

AN ORDINANCE vacating a segment of West Martin Luther King Jr. Parkway (formerly Elm Street) adjoining 300 West Martin Luther King Jr. Parkway.

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 segment of West Martin Luther King Jr. Parkway (formerly Elm Street) adjoining 300 West Martin Luther King Jr. Parkway, more specifically described as follows, be and is hereby vacated:

That part of West Martin Luther King Jr. Parkway (former Elm Street) right-of-way being more particularly described as follows:

Commencing at the Northwest corner of Lot 1 in Green Colonial Place Plat 2, an Official Plat; thence North 15°(degrees) 19'(minutes) 11"(seconds) West, 10.00 feet to the North line of that 10 foot strip of right-of-way previously vacated by Ordinance No. 15,378 and conveyed to Green Ltd., L.C. by that Quit Claim Deed filed in Book 15636, Page 653 in the Office of the Recorder for Polk County, Iowa; thence North 74°15'05" East, 76.13 feet along the North line of said previously vacated right-of-way to the Point of Beginning; thence North 15°44'55" West, 32.08 feet; thence North 80°01'27" East, 288.21 feet to the East line extended of said Lot 1 in Green Colonial Place Plat 2; thence South 15°44'55" East, 3.10 feet along the East line extended of said Lot 1 in Green Colonial Place Plat 2 to the North line of said previously vacated right-of-way; thence South 74°15'05" West, 286.75 feet along the North line of said previously vacated right-of-way to the point of beginning.

All now included in and forming a part of the City of Des Moines, Polk County, Iowa, and containing 5,044 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:

Lisa A. Wieland, 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. 16- 0423), passed by the City Council of said City at a meeting held March 7, 2016 signed by the Mayor on March 7, 2016 and published and provided by law in the Business Record on March 25, 2016. Authorized by Publication Order No. 9477.

Diane Rauh, City Clerk