

ORDINANCE NO. 15,463

AN ORDINANCE vacating a portion of Carlisle Road right-of-way adjoining District/Parcel 050/04292-007-000, District/Parcel 050/04349-000-000 and District/Parcel 050/04339-005-000.

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 portion of Carlisle Road right-of-way adjoining District/Parcel 050/04292-007-000, District/Parcel 050/04349-000-000 and District/Parcel 050/04339-005-000, more specifically described as follows, be and is hereby vacated:

PARCEL 1

THAT PORTION OF CARLISLE ROAD RIGHT OF WAY LYING IN A PART OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 17, TOWNSHIP 78 NORTH, RANGE 23 WEST OF THE 5TH P.M., LYING SOUTH OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD RIGHT OF WAY, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

PARCEL 2

THAT PORTION OF CARLISLE ROAD RIGHT OF WAY LYING IN LOT 2 IN THE OFFICIAL PLAT OF THE SOUTH 5/8 OF THE EAST 3/4 OF SECTION 18, TOWNSHIP 78 NORTH, RANGE 23 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

PARCEL 3

THAT PORTION OF CARLISLE ROAD RIGHT OF WAY LYING IN LOTS 1 AND 2 OF PLAT "A" OF HENDERSON ESTATES IN SECTION 18, TOWNSHIP 78 NORTH, RANGE 23 WEST OF THE 5TH P.M., LYING SOUTH OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD RIGHT OF WAY, AND LYING EAST OF ICA ACRES PLAT 5, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

Sec. 2. The City of Des Moines hereby reserves an easement upon the property described above for the continued use, maintenance of and the right of access to any utilities now in place and flood protection levee improvements 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. 16-0616), passed by the City Council of said City at a meeting held April 11, 2016 signed by the Mayor on April 11, 2016 and published and provided by law in the Business Record on April 29, 2016. Authorized by Publication Order No. 9544.

Diane Rauh, City Clerk