

ORDINANCE NO. 15,515

AN ORDINANCE vacating an irregular segment of 15<sup>th</sup> Street right-of-way located east of and adjoining 1514 Walnut 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 an irregular segment of 15<sup>th</sup> Street right-of-way located east of and adjoining 1514 Walnut Street, more specifically described as follows, be and is hereby vacated:

Part of 15<sup>th</sup> Street right-of-way being part of Lots 14, 15 and 17 in the Official Plat of Lots 1, 2, 3 and 4 in Block 42 of Jonathan Lyon's Addition to Fort Des Moines, an Official Plat now included in and forming a part of the City of Des Moines, Polk County, Iowa, and being more particularly described as follows:

Commencing at the Northeast corner of Lot 1 in the said Official Plat of Lots 1, 2, 3 and 4 in Block 42 of Jonathan Lyon's Addition to Fort Des Moines; thence South 15°(degrees) 43'(minutes) 09"(seconds) East, 120.14 feet along the East lines of Lots 1, 17 and 16 in the said Official Plat of Lots 1, 2, 3 and 4 in Block 42 of Jonathan Lyon's Addition to Fort Des Moines; thence South 74°05'29" West, 77.90 feet to the Point of Beginning; thence continuing South 74°05'29" West, 19.00 feet to the present West right-of-way line of said 15<sup>th</sup> Street; thence northerly 71.72 feet along the arc of a curve in the present West right-of-way line of said 15<sup>th</sup> Street concave westerly and having a radius of 171.00 feet, a central angle of 24°01'55", and a 71.20 feet long chord that bears North 27°35'10" East; thence South 14°14'42" West, 59.73 feet to the point of beginning, containing 312 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 until such time that they are abandoned or relocated, with the right of entry for servicing same and subject to a no-build easement.

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. 16-1744), passed by the City Council of said City at a meeting held October 10, 2016 signed by the Mayor on October 10, 2016 and published and provided by law in the Business Record on October 28, 2016. Authorized by Publication Order No. 9794.

Diane Rauh, City Clerk