

ORDINANCE NO. 15,544

AN ORDINANCE vacating a portion of Court Avenue right-of-way located north of and adjoining 420 Court Avenue.

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 Court Avenue right-of-way located north of and adjoining 420 Court Avenue, more specifically described as follows, be and is hereby vacated:

A PART OF THE COURT AVENUE RIGHT OF WAY IN FORT DES MOINES, AN OFFICIAL PLAT, AND LYING NORTH OF BLOCK 20 OF SAID FORT DES MOINES, 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 BLOCK 20; THENCE NORTHEASTERLY ALONG THE NORTH LINE OF SAID BLOCK 20, A DISTANCE 65 FEET; THENCE NORTHWESTERLY AND PERPENDICULAR TO SAID NORTH LINE, A DISTANCE OF 20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTHWESTERLY AND PERPENDICULAR TO SAID NORTH LINE, A DISTANCE OF 6 FEET; THENCE NORTHEASTERLY AND PARALLEL TO SAID NORTH LINE, A DISTANCE OF 37 FEET; THENCE SOUTHEASTERLY AND PERPENDICULAR TO SAID NORTH LINE, A DISTANCE OF 6 FEET; THENCE SOUTHWESTERLY AND PARALLEL TO SAID NORTH LINE, A DISTANCE OF 37 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

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. 16-2107), passed by the City Council of said City at a meeting held December 5 2016 signed by the Mayor on December 5, 2016 and published and provided by law in the Business Record on December 23, 2016. Authorized by Publication Order No. 9885.

Diane Rauh, City Clerk