

ORDINANCE NO. 15,633

AN ORDINANCE vacating a portion of Martin Luther King, Jr. Parkway right-of-way located east of and adjoining Woodland Cemetery.

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 Martin Luther King, Jr. Parkway right-of-way located east of and adjoining Woodland Cemetery, more specifically described as follows, be and is hereby vacated:

A PART OF LOTS 4 AND 5, BLOCK D, KUHN'S ADDITION, AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 15, STEWART'S AND BECKINGTON'S SUBDIVISION, AN OFFICIAL PLAT; THENCE SOUTH 89°40'17" EAST ALONG THE SOUTH LINE OF SAID STEWART'S AND BECKINGTON'S SUBDIVISION, 275.86 FEET TO THE NORTHWEST CORNER OF LOT 6, SAID BLOCK D; THENCE SOUTH 89°40'17" EAST ALONG THE NORTH LINE OF SAID LOTS 6 AND 5, BLOCK D, 77.03 FEET; THENCE SOUTH 0°19'43" WEST, 80.20 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 84°09'23" EAST, 25.00 FEET; THENCE SOUTH 5°50'37" WEST, 20.00 FEET; THENCE NORTH 84°09'23" WEST, 25.00 FEET; THENCE NORTH 5°50'37" EAST, 20.00 TO THE POINT OF BEGINNING AND CONTAINING 0.01 ACRES (500 S.F.).

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. 17- 2105), passed by the City Council of said City at a meeting held **December 4, 2017** signed by the Mayor on **December 4, 2017** and published and provided by law in the Business Record on **December 22, 2017**. Authorized by Publication Order No. **10209**.

Diane Rauh, City Clerk