

ORDINANCE NO. 15,782

AN ORDINANCE vacating the north-south alley right-of-way located west of and adjoining 1013 Scott 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 the north-south alley right-of-way located west of and adjoining 1013 Scott Avenue, more specifically described as follows, be and is hereby vacated.

A PART OF THE NORTH/SOUTH ALLEY RIGHT OF WAY IN BLOCK 3, ALLEN'S SECOND ADDITION TO DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 10 IN SAID BLOCK 3; THENCE SOUTHEASTERLY ALONG THE EASTERLY LINE OF SAID VACATED NORTH/SOUTH ALLEY RIGHT OF WAY, A DISTANCE OF 120 FEET; THENCE SOUTHWESTERLY ALONG A LINE THAT IS PARALLEL WITH THE SOUTHWESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 10, TO THE WESTERLY LINE OF SAID VACATED NORTH/SOUTH ALLEY RIGHT OF WAY; THENCE NORTHWESTERLY ALONG SAID WESTERLY VACATED RIGHT OF WAY LINE, TO THE NORTHEAST CORNER OF LOT 1 IN SAID BLOCK 3; THENCE NORTHEASTERLY ALONG A STRAIGHT LINE TO THE POINT OF BEGINNING, AND CONTAINING APROXIAMATELY 2,400 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. The vacation also be subject to:

- (1) Reservation of easements for any existing utilities; and
- (2) Reservation of a 16-foot wide easement, running the full length of the vacated north/south alley, to provide vehicular access from the adjoining public street network to 1003 Scott Avenue and to Polk County District/Parcel No. #040/00033-000-000.

Sec. 4. 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. 5. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Ann DiDonato, 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. 19-0931), passed by the City Council of said City at a meeting held June 3, 2019 signed by the Mayor on June 3, 2019 and published and provided by law in the Business Record on June 21, 2019. Authorized by Publication Order No. 10772.

Diane Rauh, City Clerk