

ORDINANCE NO. 15,884

AN ORDINANCE vacating segments of East Market Street and East 15th Street right-of-way.

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 segments of East Market Street and East 15th Street right-of-way, more specifically described as follows, be and is hereby vacated:

East Market Street between SE 14TH Street and SE 18TH Street

~~-EXCEPT THE WEST 60 FEET THEREOF-~~ ALL THAT PART OF EAST MARKET STREET RIGHT OF WAY LYING EAST OF THE WEST LINE OF BROOKS AND COS ADDITION, AN OFFICIAL PLAT, AND LYING WEST OF THE WEST RIGHT OF WAY LINE OF SOUTHEAST 18TH STREET, ALL IN SAID BROOKS AND COS ADDITION TO THE CITY OF DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 4.68 ACRES (203,985 SQUARE FEET).

SE 15th Street between East Market Street and East MLK Jr Pkwy

~~-EXCEPT THAT PART OF THE VACATED SOUTHEAST 15TH STREET RIGHT OF WAY PREVIOUSLY VACATED BY ORDINANCE 15141 AND RECORDED IN BOOK 14557 PAGE 935 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA-~~, ALL THAT PART OF SOUTHEAST 15TH STREET RIGHT OF WAY LYING SOUTH OF THE SOUTH RIGHT OF WAY LINE OF EAST MARKET STREET AS PLATTED, AND LYING NORTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF THE SOUTH 15 FEET OF LOT 8 IN BENNETT PLACE, AN OFFICIAL PLAT, AND ALL LYING WITHIN BROOKS AND COS ADDITION TO THE CITY OF DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.87 ACRES (38,214 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, including but not limited to the 48-inch Des Moines Water Works feeder main, with the right of entry for servicing same.

Sec. 3. The City of Des Moines hereby reserves rights for continued use of East Market Street for railway purposes by Norfolk Southern Railroad and Iowa Interstate Railroad, as granted by Ordinance No. 62 and 216.

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:

Lisa A. Wieland, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest: I, P. Kay Cmelik, 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. 20-0660), passed by the City Council of said City at a meeting held on April 20, 2020 signed by the Mayor on April 20, 2020 and published and provided by law in the Business Record on May 8, 2020. Authorized by Publication Order No. 11115.

P. Kay Cmelik, City Clerk