

ORDINANCE NO. 15,949

AN ORDINANCE vacating the east/west alley right-of-way located north of and adjoining 809 Virginia Avenue, and the north/south alley right-of-way located west of and adjoining 809 Virginia 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 the east/west alley right-of-way located north of and adjoining 809 Virginia Avenue, and the north/south alley right-of-way located west of and adjoining 809 Virginia Avenue, more specifically described as follows, be and is hereby vacated:

ALL OF THE EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING THE WEST 60 FEET OF LOT 8, PROCTOR'S ADDITION, AN OFFICIAL PLAT, AND ALL OF THE NORTH/SOUTH ALLEY RIGHT OF WAY LYING SOUTH OF THE WESTERLY EXTENSION ON THE SOUTH LINE OF LOT 9 IN SAID PROCTOR'S ADDITION AND LYING NORTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 8, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.12 ACRES (5,395 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. 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, 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. 20-1972), passed by the City Council of said City at a meeting held on November 23, 2020 and signed by the Mayor on November 23, 2020 and published and provided by law in the Business Record on December 11, 2020. Authorized by Publication Order No. 11357.

P. Kay Cmelik, City Clerk