

ORDINANCE NO. 16,033

AN ORDINANCE vacating a portion of Ohio Street right-of-way located north of Franklin Avenue and east of and adjoining 101 Franklin 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 Ohio Street right-of-way located north of Franklin Avenue and east of and adjoining 101 Franklin Avenue, more specifically described as follows, be and is hereby vacated:

~~***EXCEPT***~~ A TRIANGLE PARCEL BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, BLOCK 1, ROLLINSON'S GARDEN ADDITION TO NORTH DES MOINES, AN OFFICIAL PLAT; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 35 FEET; THENCE SOUTHWESTERLY ALONG A LINE TO A POINT ON THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 2, SAID POINT BE 20 FEET WEST OF SAID SOUTHWEST CORNER OF SAID LOT 2; THENCE EAST ALONG SAID WESTERLY EXTENSION TO THE POINT OF BEGINNING-,  
ALL OF THE OHIO STREET RIGHT OF WAY LYING WEST OF AND ADJOINING SAID LOT 2, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.13 ACRES (5777 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

Ordinance No. 16,033 cont'd

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. 21-1290), passed by the City Council of said City at the meeting held on August 9, 2021 and signed by the Mayor on August 9, 2021 and published and provided by law in the Business Record on August 27, 2021. Authorized by Publication Order No. 11628.

P. Kay Cmelik, City Clerk