

ORDINANCE NO. 16,048

AN ORDINANCE vacating a 5.50-foot by 50.61-foot segment of 6<sup>th</sup> Avenue right-of-way located east of and adjoining 3524 6<sup>th</sup> 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 5.50-foot by 50.61-foot segment of 6<sup>th</sup> Avenue right-of-way located east of and adjoining 3524 6<sup>th</sup> Avenue, more specifically described as follows, be and is hereby vacated:

Beginning at the Northeast corner of said Lot 1; thence North 89°(degrees) 54'(minutes) 32"(seconds) East, 5.50 feet along an extension of the North line of said Lot 1; thence South 00°03'34" West, 50.61 feet along a line that is parallel to and 5.50 feet easterly of the East line of said Lot 1; thence North 89°56'26" West, 5.50 feet to the East line of said Lot 1; thence North 00°03'34" East, 50.60 feet along the East line of said Lot 1 to the point of beginning.

Lying between elevations 900.5 feet and 927.0 feet, North American Vertical Datum of 1988 (reference ground level elevation of 888.87 feet, NAVD 88, at the Northeast corner of said Lot 1). Horizontally containing 278 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. 21-1504), passed by the City Council of said City at the meeting held on October 4, 2021 and signed by the Mayor on October 4, 2021 and published and provided by law in the Business Record on October 22, 2021 Authorized by Publication Order No. 11643.

P. Kay Cmelik, City Clerk