

ORDINANCE NO. 16,172

AN ORDINANCE vacating a portion of Locust Street and 7th Street right-of-way adjoining 700 Locust Street.

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 a portion of Locust Street and 7th Street right-of-way adjoining 700 Locust Street, more specifically described as follows, be and is hereby vacated:

Part of 7th Street right-of-way lying East of and adjoining Block 1 of the Original Town of Fort Des Moines, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, being more particularly described as follows:

Commencing at the Northeast corner of Lot 8 in said Block 1 of the Original Town of Fort Des Moines; thence South 15°(degrees) 23'(minutes) 54"(seconds) East, 17.62 feet along the East line of said Block 1 to the Point of Beginning; thence South 15°33'37" East, 88.49 feet; thence South 74°36'06" West, 0.25 feet to the East line of said Block 1; thence North 15°23'54" West, 88.49 feet along the East line of said Block 1 to the point of beginning; containing 11 square feet.

And,

Part of Locust Street right-of-way lying North of and adjoining Block 1 of the Original Town of Fort Des Moines, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, being more particularly described as follows:

Commencing at the Northeast corner of Lot 8 in said Block 1 of the Original Town of Fort Des :Moines; thence South 74°(degree) 12'(minutes) 51 "(seconds) \West, 9.22 feet along the North line of said Block 1 to the Point of Beginning; thence continuing South 74°12'51" West, 256.09 feet along the North line of said Block 1; thence North 74°10'10" East, 256.09 feet; thence South 15°47'09" East, 0.20 feet to the point of beginning; containing 26 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: Mackenzie L. Moreno, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest: I, Laura Baumgartner, 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.22-1467), passed by the City Council of said City at the meeting held on September 12, 2022 and signed by the Mayor on September 12, 2022 and published and provided by law in the Business Record on September 30, 2022 Authorized by Publication Order No. 12061.

Laura Baumgartner, City Clerk