

ORDINANCE NO. 16,187

AN ORDINANCE permanently vacating all of the Southeast 2nd Street right-of-way lying south of Scott Avenue and west of and adjoining 303 Scott Avenue, and all of the Southeast 4th Street right-of-way lying south of Scott Avenue and east of and adjoining 303 Scott 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 all of the Southeast 2nd Street right-of-way lying south of Scott Avenue and west of and adjoining 303 Scott Avenue, and all of the Southeast 4th Street right-of-way lying south of Scott Avenue and east of and adjoining 303 Scott Avenue more specifically described as follows, be and is hereby vacated:

ALL OF THE SOUTHEAST 2ND STREET RIGHT OF WAY LYING SOUTH OF THE RIGHT OF WAY LINE OF SCOTT AVENUE AND LYING NORTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 14, BLOCK 80, ALL IN TOWN OF DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.40 ACRES (17,628 SQUARE FEET).

AND

ALL OF THE SOUTHEAST 4th STREET RIGHT OF WAY LYING SOUTH OF THE RIGHT OF WAY LINE OF SCOTT AVENUE AND LYING NORTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 12, BLOCK 80, ALL IN TOWN OF DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.35 ACRES (15,215 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. 22-1679), passed by the City Council of said City at the meeting held on October 24, 2022 and signed by the Mayor on October 24, 2022 and published and provided by law in the Business Record on November 11, 2022 Authorized by Publication Order No. 12112.

Laura Baumgartner, City Clerk