

ORDINANCE NO. 16,195

AN ORDINANCE vacating the east-west and north-south alley right-of-way located at 601 E. University Avenue within Burke Park.

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 the east-west and north-south alley right-of-way located at 601 E. University Avenue within Burke Park, more specifically described as follows, be and is hereby vacated:

A PART OF ALLEY RIGHT OF WAY IN JAMES HALL'S SECOND SUBDIVISION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF THE EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOT 7 IN SAID JAMES HALL'S SECOND SUBDIVISION,

AND

ALL OF THE NORTH/SOUTH ALLEY RIGHT OF WAY ADJOINING THE WEST LINE OF SAID JAMES HALL'S SECOND SUBDIVISION AND LYING SOUTH OF THE NORTH LINE OF SAID JAMES HALL'S SECOND SUBDIVISION AND LYING NORTH OF THE VACATED FILMORE RIGHT OF WAY (VACATED BY ORDINANCE 6391),

AND CONTAINING APPROXIMATELY 0.05 ACRES (2,286 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

Josh Mandelbaum, Mayor Pro Tem

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. 22-1746), passed by the City Council of said City at the meeting held on November 7, 2022 and signed by the Mayor Pro Tem on November 7, 2022 and published and provided by law in the Business Record on November 25, 2022 Authorized by Publication Order No. 12120.

Laura Baumgartner, City Clerk