

ORDINANCE NO.16,200

AN ORDINANCE vacating portions of 7<sup>th</sup> Street, Walnut Street and Mulberry Street right-of-way adjoining 207 7<sup>th</sup> Street, Des Moines, Iowa.

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 portions of 7<sup>th</sup> Street, Walnut Street and Mulberry Street right-of-way adjoining 207 7<sup>th</sup> Street, Des Moines, Iowa, more specifically described as follows, be and is hereby vacated:

SUBSURFACE AREA:

THE EAST 14.5 FEET OF THE 7<sup>TH</sup> STREET RIGHT-OF-WAY LYING WEST OF BLOCK 11 OF FORT DES MOINES, AN OFFICIAL PLAT, AND -EXCEPT THE EAST 66 FEET THEREOF-, THE SOUTH 14 FEET OF THE WALNUT STREET RIGHT OF WAY LYING NORTH OF AND ADJOINING SAID BLOCK 11, AND THE SOUTH 14 FEET OF THE WALNUT STREET RIGHT OF WAY LYING NORTH OF AND ADJOINING THAT PORTION OF THE EAST 14.5 FEET OF 7<sup>TH</sup> STREET RIGHT OF WAY WHICH IS LYING WEST OF AND ADJOINING SAID BLOCK 11, ALL PORTIONS OF RIGHT OF WAYS ARE IN SAID FORT DES MOINES, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.17 ACRES (7,388 SQUARE FEET).

SURFACE AREA:

THE NORTH 0.25 FEET OF THE MULBERRY STREET RIGHT-OF-WAY LYING SOUTH OF AND ADJOINING LOT 4, BLOCK 11, TOWN OF FORT DES MOINES, AN OFFICIAL PLAT, AND THE NORTH 0.25 FEET OF THE MULBERRY STREET RIGHT-OF-WAY LYING SOUTH OF AND ADJOINING THAT PORTION OF THE EAST 0.25 FEET OF 7<sup>TH</sup> STREET RIGHT-OF-WAY WHICH IS LYING WEST OF AND ADJOINING SAID BLOCK 11, AND THE EAST 0.25 FEET OF THE 7<sup>TH</sup> STREET RIGHT-OF-WAY LYING WEST OF AND ADJOINING SAID BLOCK 11, ALL PORTIONS OF RIGHT OF WAYS ARE IN SAID FORT DES MOINES, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 104 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. 22-1828), passed by the City Council of said City at the meeting held on November 21, 2022 and signed by the Mayor on November 21, 2022 and published and provided by law in the Business Record on December 9, 2022 Authorized by Publication Order No. 12170.

Laura Baumgartner, City Clerk