

ORDINANCE NO. 16,285

AN ORDINANCE vacating a portion of Hart Avenue right-of-way in the vicinity of 1540 Hart 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 portion of Hart Avenue right-of-way in the vicinity of 1540 Hart Avenue, more specifically described as follows, be and is hereby vacated:

ALL THAT PART OF HART AVENUE RIGHT OF WAY LYING SOUTH OF AND ADJOINING LOTS 22, 23 AND 24, CAPITOL VIEW ACRES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APROXIMATELY 20,120 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: Chas M. Cahill, 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. 23-1470), passed by the City Council of said City at the meeting held on October 23, 2023 and signed by the Mayor on October 23, 2023 and published and provided by law in the Business Record on November 10, 2023. Authorized by Publication Order No. 12483.

Laura Baumgartner, City Clerk