

ORDINANCE NO 13,703

AN ORDINANCE amending Ordinance No. 13,687, vacating the East/West alley right-of-way between E. 14th and E. 16th Streets, and between Milton and Guthrie Avenues.

WHEREAS, all prior requirements of law pertaining to the vacation of public right-of-way have been fully observed; and

WHEREAS, after notice and public hearing, the City Council adopted Ordinance No. 13,687 on March 1, 1999, which vacated the entire East/West alley right-of-way between E. 14th and E. 16th Streets, and between Milton and Guthrie Avenues; and,

WHEREAS, Ordinance No. 13,687 contained an error in the legal description of the right-of-way to be vacated which creates an ambiguity as to the intended western terminus of the vacation; and,

WHEREAS, the City Council desires to amend Ordinance No. 13,687, to correctly describe the vacated right-of-way; NOW, THEREFORE,

BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. That Section 1, of Ordinance No. 13,687 passed March 1, 1999, is hereby amended to state as follows:

Section 1. That the East/West alley right-of-way between E. 14th and E. 16th Streets, and between Milton and Guthrie Avenues, more specifically described as follows, be and is hereby vacated:

All the 8.5 foot wide East/West alley right-of-way lying North of and adjoining Lot 1, lying North of and adjoining Lots 6 through 17, and lying North of and adjoining Lot 18 (except the West 56.0 feet thereof), all in Sargent Heights, an Official Plat; also described as all the 8.5 foot wide East/West

alley right-of-way lying South of and adjoining the East 44.0 feet of Lot 2, and lying South of and adjoining Lots 3 through 24, and lying South of and adjoining the vacated E. 15th Street right-of-way between Lots 12 and 13, all in Grahams Addition, an

Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Sec. 2. The City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof to be properly filed in the office of the Recorder of Polk County, Iowa.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Roger K. Brown

Assistant City Attorney