

ORDINANCE NO. 13,799

AN ORDINANCE vacating the alley right-of-way extending north and east from Brattleboro Avenue, between 29th and 31st Streets, and

repealing Ordinance No. 13,788.

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; and

WHEREAS, by Ordinance No. 13,788 passed February 7, 2000, the City Council intended to vacate such right-of-way, but such ordinance is defective due to an error in the legal description used therein; NOW, THEREFORE,

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

Section 1. That the alley right-of-way extending north and east from Brattleboro Avenue, between 29th and 31st Streets, more specifically described as follows, be and is hereby vacated:

All that part of the 14.0 foot wide East/West alley right-of-way lying South of and adjoining Lot 19 and lying South of and adjoining the East 14.0 feet of Lot 20 in Kingman Place, an Official Plat, and all that part of 14.0 foot wide North/South alley right-of-way being the East 14.0 feet of Lot 31, of said Kingman Place, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Sec. 2. That this vacation is made with reservations of right-of-way easements for any public utilities now in place with the right of entry for servicing same.

Sec. 3. That Ordinance No. 13,788 passed February 7, 2000, be and is hereby repealed and shall be of no further force or effect.

Sec. 4 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. 5. 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

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Attest:

I, Donna Boetel-Baker, 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. 00-687), passed by the City Council of said City at a meeting held March 6, 2000, signed by the Mayor on March 6, 2000, and published as provided by law in the Business Record on March 20, 2000. Authorized by Publication Order No. 6436.

Donna Boetel-Baker, CMC/AAE, City Clerk