

ORDINANCE NO. 13,968

AN ORDINANCE vacating any included previously unvacated alley right-of-way in the vicinity of S.W. 6<sup>th</sup> and Market Streets.

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:

Section 1. That on June 18, 2001, by Roll Call 01-1931, the City Council approved the sale of the below described real estate and approved of the vacation of any included previously unvacated alley right-of-way included in this property located in the vicinity of S.W. 6<sup>th</sup> and Market Streets.

ALL THAT PART OF LOTS 4 AND 5 IN BLOCK 8, THE NORTH-SOUTH ALLEY LYING BETWEEN LOTS 4 AND 5 IN BLOCK 8, LOTS 1 AND 8 IN BLOCK 7, THE NORTH-SOUTH ALLEY LYING BETWEEN LOTS 1 AND 8 IN BLOCK 7, MARKET STREET LYING BETWEEN BLOCKS 7 AND 8, AND PART OF VACATED S.W. SIXTH STREET LYING EAST OF AND ADJOINING BLOCKS 7 AND 8, ALL LYING EAST OF RELOCATED SIXTH STREET, ALL IN FORT DES MOINES, AN OFFICIAL PLAT, NOW IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 5; THENCE ALONG THE EAST LINE OF SAID LOT 5, S15°22'06"E, 33.24 FEET TO A POINT; THENCE N74°20'32"E, 65.49 FEET TO A POINT ON THE WEST LINE OF LOT 16 IN BLOCK 16, FORT DES MOINES; THENCE ALONG SAID WEST LINE, S15°14'55"E, 32.45 FEET TO THE SOUTHWEST CORNER OF SAID LOT 16; THENCE S15°52'37"E, 66.59 FEET TO THE NORTHWEST CORNER OF LOT 3 IN THE OFFICIAL PLAT OF LOTS 1 AND 2; THENCE ALONG THE WEST LINE OF SAID LOT 3 EXTENDED, S15°19'53"E, 48.99 FEET TO A POINT ON THE NORTH LINE OF M.L. KING JR. PARKWAY; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, S79°58'03"W, 256.73 FEET TO A POINT; THENCE N63°20'52"W, 51.89 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF RELOCATED SIXTH STREET; THENCE ALONG SAID RIGHT-OF-WAY LINE N15°38'18"W, 84.57 FEET TO A POINT; THENCE ALONG SAID RIGHT-OF-WAY LINE N05°15'55"E, 39.11 FEET TO A POINT ON THE

NORTH LINE OF LOT 4; THENCE ALONG THE NORTH LINE OF LOTS 4 AND 5, N74°19'26"E, 214.81 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 1.056 ACRES (46,007 SQ.FT.), MORE OR LESS.

Which property has also been described as and is one and the same as:

ALL THAT PART OF LOTS 4 AND 5 IN BLOCK 8, THE NORTH-SOUTH ALLEY LYING BETWEEN LOTS 4 AND 5 IN BLOCK 8, LOTS 1 AND 8 IN BLOCK 7, THE NORTH-SOUTH ALLEY LYING BETWEEN LOTS 1 AND 8 IN BLOCK 7, MARKET STREET LYING BETWEEN BLOCKS 7 AND 8, AND PART OF VACATED S.W. SIXTH STREET LYING EAST OF AND ADJOINING BLOCKS 7 AND 8, ALL LYING EAST OF RELOCATED SIXTH STREET, ALL IN FORT DES MOINES, AN OFFICIAL PLAT, NOW IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 5; THENCE ALONG THE EAST LINE OF SAID LOT 5, S15°22'06"E, 33.24 FEET TO A POINT; THENCE N74°20'32"E, 65.49 FEET TO A POINT ON THE WEST LINE OF LOT 16 IN THE OFFICIAL PLAT OF LOTS 3, 4, 6, 7 & 8 OF BLOCK 16, FORT DES MOINES; THENCE ALONG SAID WEST LINE, S15°14'55"E, 32.45 FEET TO THE SOUTHWEST CORNER OF SAID LOT 16; THENCE S15°52'37"E, 66.59 FEET TO THE NORTHWEST CORNER OF LOT 3 IN THE OFFICIAL PLAT OF LOTS 1 AND 2 OF BLOCK 17, FORT DES MOINES; THENCE ALONG THE WEST LINE OF SAID LOT 3 EXTENDED, S15°19'53"E, 48.99 FEET TO A POINT ON THE NORTH LINE OF M.L. KING JR. PARKWAY; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, S79°58'03"W, 256.73 FEET TO A POINT; THENCE N63°20'52"W, 51.89 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF RELOCATED SIXTH STREET; THENCE ALONG SAID RIGHT-OF-WAY LINE N15°38'18"W, 84.57 FEET TO A POINT; THENCE ALONG SAID RIGHT-OF-WAY LINE N05°15'55"E, 39.11 FEET TO A POINT ON THE NORTH LINE OF LOT 4; THENCE ALONG THE NORTH LINE OF LOTS 4 AND 5, N74°19'26"E, 214.81 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 1.056 ACRES (46,007 SQ.FT.), MORE OR LESS.

Sec. 2. That this vacation is made with reservations of right-of-way easements for all public utilities now in place, with the right of 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:

Paul L. White, Assistant City Attorney

Preston Daniels, Mayor

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. 01-2142 ), passed by the City Council of said City at a meeting held July 9, 2001, signed by the Mayor on July 9, 2001, and published as provided by law in the Business Record on July 23, 2001. Authorized by Publication Order No. 1824.

Donna Boetel-Baker, MMC City Clerk