

ORDINANCE NO. 14,037

AN ORDINANCE vacating a portion of East Court Avenue and East 6th Street right-of-way, located at 601 East Court 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:

Section 1. That a portion of East Court Avenue and East 6th Street right-of-way, located at 601 East Court Avenue, be and is hereby vacated:

The South 5.00 feet of the East Court Avenue Right-of-Way as it is presently established, lying North of and adjoining the North line of Parcel "A" and Parcel "B", in Block 14, Town of De Moine, an Official Plat, Des Moines, Polk County, Iowa is described as follows Beginning at the N.W. corner of Parcel "A", said point being the N.W. corner of Lot 1, in said Block 14, said point also being on the South Right-of-Way line of said East Court Avenue, Thence N 14*-57'-46" W along the Northerly extension of the West line of said Parcel "A", a distance of 5.00 feet; Thence N 70*-00'-00" E parallel with and 5.00 feet North of the North line of said Parcels "A" and "B", a distance of 126.00 feet to a point on the Northerly extension of the East line of said Parcel "B", Thence S 14*-57'46" E along the Northerly extension of the East line of said Parcel "B", a distance of 5.00 feet to the N.E. corner of said Parcel "B", said point also being on the South Right-of-Way line of said East Court Avenue; Thence S 75*-00'-00" W along the North line of said Parcels "B" and "A", said line being the North line of the West 20.00 feet of said Lot 3, the North line of Lot 2, in said Block 14, and the North line of said Lot 1, said line also being the South Right-of-Way line of said East Court Avenue, a distance of 126.00 feet to the Point of Beginning. Said tract of land being subject to and together with any and all easements of record. Said tract of land contains 630 square feet more or less.

Sec. 2. That this vacation is made with reservations of right-of-way easements 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:

Paul L. White, Assistant City Attorney

Preston Daniels, Mayor

Attest:

I, Diane Rauh, Chief Deputy 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. 02-092), passed by the City Council of said City at a meeting held January 7, 2002, signed by the Mayor on January 7, 2002, and published as provided by law in the Business Record on January 21, 2002. Authorized by Publication Order No. 3083.

Diane Rauh, Chief Deputy City Clerk