

ORDINANCE NO. 14,281

AN ORDINANCE vacating the remaining portion of the Market Street right-of-way extending west from SW 5th Street.

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 the remaining portion of the Market Street right-of-way extending west from SW 5th Street, more specifically described as follows, be and is hereby vacated:

All the Market Street right-of-way lying North of and adjoining Block 17, Fort Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, but excluding those portions thereof previously vacated by Ordinance No. 5571 passed February 21, 1955, and by Ordinance No. 14,268 passed August 25, 2003.

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 a 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:

David Phillips, Assistant City Attorney

Preston Daniels, Mayor

Attest:

I, Diane Rauh, 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. 03-2413), passed by the City Council of said City at a meeting held October 20, 2003 signed by the Mayor on October 20, 2003 and published as provided by law in the Business Record on November 3, 2003 Authorized by Publication Order No. 3888.

Diane Rauh, City Clerk