

ORDINANCE NO. 14,289

AN ORDINANCE vacating a 280' dead end stub of Broad Street running east of SW 12th Street and repealing Ordinance No. 14,257.

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. 14,257, passed July 28, 2003, the City Council intended to vacate such right-of-way, but such ordinance contains an error in the property description; 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 280' dead end stub of Broad Street running east of SW 12th Street between, more specifically described as follows, be and is hereby vacated:

All that part of OUTLot F, (Broad Street), Bell Place, an Official Plat, lying South of and adjoining Lots 19 and 20 of said Bell Place, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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, including those for the benefit of the City of Des Moines.

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.

Sec. 5. Ordinance No. 14,257, passed July 28, 2003, is hereby repealed and replaced by this ordinance.

FORM APPROVED

Ann DiDonato, 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. 03-2438), 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. 3896.

Diane Rauh, City Clerk