

ORDINANCE NO. 14,358

AN ORDINANCE permanently vacating the dead end portion of the north/south alley located north of East Ovid Avenue between Cornell Street and Columbia 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 dead end portion of the north/south alley located north of East Ovid Avenue between Cornell Street and Columbia Street, more specifically described as follows, be and is hereby vacated:

All that part of the North/South alley right-of-way lying East of and adjoining Lots 12 thru 15, Block 12, Plat 1 of Auburn Heights, an Official Plat, 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.

FORM APPROVED

Ann DiDonato, Assistant City Attorney

T. M. Franklin Cownie, 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. 04-1600), passed by the City Council of said City at a meeting held July 26, 2004 signed by the Mayor on July 26, 2004 and published as provided by law in the Business Record on August 9, 2004 Authorized by Publication Order No. 4366.

Diane Rauh, City Clerk