

ORDINANCE NO. 14,400

AN ORDINANCE vacating a portion of the public rights-of-way of Mulberry, Cherry and 10th Streets and of the North/South alley adjoining the property at 111 - 10th 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 a portion of the public rights-of-way of Mulberry, Cherry and 10th Streets and of the North/South alley adjoining 111 - 10th Street, more specifically described as follows, be and is hereby vacated:

A 0.67 foot (8 inches) wide strip of the public rights-of-way adjoining Lots 5, 6, 7 and 8, and the intervening vacated East/West alley right-of-way (vacated by Ordinance 5814) in Block 13, H.M. Hoxies Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, and more specifically described as follows:

The East 0.67 feet of the 10th Street right-of-way lying West of and adjoining said Lots 5, 6, 7 and 8, and lying West of and adjoining the intervening vacated East/West alley right-of-way; and, the West 0.67 feet of the North/South alley right-of-way lying East of and adjoining said Lots 5, 6, 7 and 8, and lying East of and adjoining the intervening vacated East/West alley right-of-way; and, the South 0.67 feet of the Mulberry Street right-of-way lying North of and adjoining said Lot 5, and lying North of and adjoining the East 0.67 feet of the 10th Street right-of-way lying West of and adjoining said Lot 5, and lying North of and adjoining the West 0.67 feet of the North/South alley right-of-way lying East of and adjoining said Lot 5; and, the North 0.67 feet of the Cherry Street right-of-way lying South of and adjoining said Lot 8, and lying South of and adjoining the East 0.67 feet of the 10th Street right-of-way lying West of and adjoining said Lot 8, and lying South of and adjoining the West 0.67 feet of the North/South alley right-of-way lying East of and adjoining said Lot 8.

Sec. 2. 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. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Roger K. Brown, 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. 04-2653), passed by the City Council of said City at a meeting held December 6, 2004 signed by the Mayor on December 6, 2004 and published as provided by law in the Business Record on December 22, 2004 Authorized by Publication Order No. 4556.

Diane Rauh, City Clerk