

ORDINANCE NO. 14,422

AN ORDINANCE vacating a portion of East 7th Street between Lyon Street and I-235, and repealing Ordinance No. 14,411.

WHEREAS, all prior requirements of law pertaining to the vacation of public right-of-way have been fully observed; and

WHEREAS, by Ordinance No. 14,411, passed February 7, 2005, the City Council intended to vacate the right-of-way described below, but the notice was not published; 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 7th Street between Lyon Street and I-235, be and is hereby vacated:

described as follows, be and is hereby vacated.

Beginning at the Northwest corner of Lot 2, Block 25, East Fort Des Moines, an Official Plat; thence South 15° (degrees) 02' (minutes) 54" (seconds) East, 53.25 feet; thence South 74° 57' 06" West, 60.00 feet, to the West right-of-way line of East 7th Street; thence North 15° 02' 54" West, 86.42 feet along the West right-of-way line of East 7th Street to the South right-of-way line of I-235 (Mac Vicar Freeway) as presently established; thence South 81° 02' 13" East, along the South right-of-way line of I -235 (Mac Vicar Freeway) 81.03 feet to the North line of said Lot 2; thence South 74° 08' 44" West along the North line of said Lot 2 a distance of 14.02 feet to the point of beginning. All now included in and forming a part of the

City of Des Moines, Polk County, Iowa. Containing 4,429 square feet of land and subject to all easements.

Sec. 2. That this vacation is made subject to all easements or utilities now in place with the right of entry for servicing same.

Sec. 3. That Ordinance No. 14,411, passed February 8, 2005 is hereby repealed.

Sec. 4. That the City Clerk is hereby authorized and directed to cause a certified copy 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. 5. 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. 05-591), passed by the City Council of said City at a meeting held March 7, 2005 signed by the Mayor on March 7, 2005 and published as provided by law in the Business Record on March 21, 2005, Authorized by Publication Order No. 4578.

Diane Rauh, City Clerk