

ORDINANCE NO. 14,459

AN ORDINANCE vacating Lyon Street from Hubbell Avenue to its current terminus.

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 Lyon Street from Hubbell Avenue to its current terminus, more specifically described as follows, be and is hereby vacated.

All that part of Lyon Street right-of-way being a 60.0 foot strip of ground lying North of and adjoining Lot 3, 4, 5, 6 and 7, Block 9, Sunnyside Addition, an Official Plat and lying East of the northeasterly extension of the westerly line of Lot 187, Hubbell Avenue Addition, an Official Plat to the westerly line of Lot 186, of said Hubbell Avenue Addition, all now included in and forming a part of the City of Des Moines

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 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. 05-1421), passed by the City Council of said City at a meeting held June 6, 2005 signed by the Mayor on June 6, 2005 and published as provided by law in the Business Record on June 20, 2005 Authorized by Publication Order No.4817.

Diane Rauh, City Clerk