

ORDINANCE NO. 14,508

AN ORDINANCE vacating the North/South alley in the block between SW 1st and SW 2nd Streets between Dunham Avenue and Granger Avenue, along with a portion of Grange Avenue right-of-way lying north of and adjoining said alley.

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 North/South alley in the block between SW 1st and SW 2nd Streets between Dunham Avenue and Granger Avenue, along with a portion of Grange Avenue right-of-way lying north of and adjoining said alley, more specifically described as follows, be and is hereby vacated.

ALL OF THE 16.50 FOOT WIDE NORTH / SOUTH ALLEY RIGHT-OF-WAY IN BLOCK 7, VAN'S ADDITION TO SOUTH DES MOINES, AN OFFICIAL PLAT; ALSO A TRIANGULAR SHAPED PIECE OF GRANGER AVENUE LYING NORTH OF AND ADJOINING SAID BLOCK 7, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 OF SAID BLOCK 7; THENCE NORTH 18° (DEGREES) 55' (MINUTES) 57" (SECONDS) EAST ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID ALLEY, 38.18 FEET; THENCE SOUTH 15° 48' 23" EAST, 45.77 FEET TO THE NORTH LINE OF LOT 8 OF SAID BLOCK 7; THENCE NORTH 72° 18' 24" WEST ALONG THE NORTH LINE OF SAID LOT 8 AND THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 8, A DISTANCE OF 26.09 FEET TO POINT OF BEGINNING. ALL NOW INCLUDED IN, AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, COVENANTS, AND RESTRICTIONS OF RECORD.

BY SURVEY, COMBINED AREA CONTAINS 4,851 SQUARE FEET.

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. 05-2593), passed by the City Council of said City at a meeting held October 24, 2005 signed by the Mayor on October 24, 2005 and published as provided by law in the Business Record on November 7, 2005 Authorized by Publication Order No. 4967.

Diane Rauh, City Clerk