

ORDINANCE NO. 14,656

AN ORDINANCE vacating an excess portion of Cottage Grove Avenue right-of-way lying East of 24th Street and between Cottage Grove Avenue and I-235.

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 an excess portion of Cottage Grove Avenue right-of-way lying East of 24th Street and between Cottage Grove Avenue and I-235, more specifically described as follows, be and is hereby vacated.

Cottage Grove Avenue right-of-way described as follows: Beginning at the Northeast Corner of Lot 1 of Ira W. Anderson's Cottage Grove Addition, an Official Plat; thence South 00°(degrees) 12'(minutes) West, 9.6 feet along the easterly line of said Lot 1; thence North 44°25' West, 13.4 feet to the North line of said Lot 1; thence East 9.4 feet along said North line to the Point of Beginning; and the West 15.0 feet of the North 120.0 feet of former Western Avenue lying East of and adjoining Lots 1 and 2 of said Ira W. Anderson's Cottage Grove Addition, 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.

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:

Glenna K. Frank, 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. 07-1003), passed by the City Council of said City at a meeting held May 21, 2007 signed by the Mayor on May 21, 2007 and published as provided by law in the Business Record on June 4, 2007, Authorized by Publication Order No. 5714.

Diane Rauh, City Clerk