

ORDINANCE NO. 14,813

AN ORDINANCE vacating a segment of Cottage Grove Avenue right-of-way adjoining 1912 Cottage Grove Avenue.

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 segment of Cottage Grove Avenue right-of-way adjoining 1912 Cottage Grove Avenue, more specifically described as follows, be and is hereby vacated.

A triangular shaped portion of the Cottage Grove Avenue Right-of-Way as it is presently established more particularly described as follows:

Commencing at the Southwest corner of Lot 6, Block E, Kuhn's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa; thence North 00° (degrees) 09'(minutes) 11" (Seconds) West along the West line of said Lot 6, a distance of 56.11 feet ; thence North 34°50'20" East, a distance of 61.46 feet to the southerly Right-of-Way line of said Cottage Grove Avenue, as it is presently established; thence North 89°46' 40" East, along the southerly Right-of-Way line of said Cottage Grove Avenue, a distance of 57.73 feet, thence North 00° 57' 59" West, along a jog in the southerly Right-of-Way line of said Cottage Grove Avenue, a distance of 3.55 feet to the point of beginning, thence North 89°20' 01" East, a distance of 7.50 feet; thence South 00° 57'59" East, a distance of 5.36 feet to the southerly Right-of-Way line of said Cottage Grove Avenue, thence North 55° 24' 43" West along the southerly Right-of-Way line of said Cottage Grove Avenue, a distance of 9.22 feet to the point of beginning.

Said tract of land contains 20.1 square feet more or less.

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

Christine Hensley, Mayor ProTem

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. 08-2000), passed by the City Council of said City at a meeting held November 10, 2008 signed by the Mayor ProTem on November 10, 2008 and published as provided by law in the Business Record on November 24, 2008. Authorized by Publication Order No.6371.

Diane Rauh, City Clerk