

ORDINANCE NO. 14,857

AN ORDINANCE vacating portions of excess street and alley rights-of-way located between 18th Street and 19th Street from Atkins Street to Day Street.

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 portions of excess street and alley rights-of-way located between 18th Street and 19th Street from Atkins Street to Day Street, more specifically described as follows, be and is hereby vacated.

Lot 6 and the South 10.0 feet of Lot 5, Butler's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

and

The South 10.0 feet of Lot 42, Butler's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

and

All of the North/South alley right of way lying East of and adjoining the South 30 feet of Lot 37 and Lot 36, the North 20 feet of Lot 37 and Lot 38, Lots 39, 40, 41, and the South 20.0 feet of Lot 42, all in Butler's 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

Thomas Vlassis, Mayor Pro Tem

Attest:

I, Laura Baumgartner, Chief Deputy 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. 09-904), passed by the City Council of said City at a meeting held May 18, 2009 signed by the Mayor Pro Tem on May 18, 2009 and published as provided by law in the Business Record on June 1, 2009. Authorized by Publication Order No. 6614.

Laura Baumgartner,
Chief Deputy City Clerk