

ORDINANCE NO. 14,943

AN ORDINANCE vacating a portion of Locust Street adjoining 1408 Locust Street for use as a sidewalk cafe.

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, as follows:

Section 1. That a portion of Locust Street adjoining 1408 Locust Street, more specifically described as follows, be and is hereby vacated:

The South 4.49 feet of Locust Street right-of-way as presently established, lying North of and adjoining the West 25.50 feet of Lot 2 and lying North of and adjoining all of Lot 3, in Block 2, of J.C. Savery's Park Addition, an Official Plat, all now include in and forming a part of the City of Des Moines, 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:

Roger K. Brown, 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. 10-966), passed by the City Council of said City at a meeting held June 14, 2010 signed by the Mayor on June 14, 2010 and published as provided by law in the Business Record on June 28, 2010. Authorized by Publication Order No. 7154.

Diane Rauh, City Clerk