

ORDINANCE NO. 15,975

AN ORDINANCE vacating Raccoon Street right-of-way from Southeast 4th Street to Southeast 5th Street, and the north/south segment of alley right-of-way between Southeast 4th Street to Southeast 5th Street from Raccoon Street to East Martin Luther King, Jr. Parkway.

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:

Sec. 1. That a portion of Raccoon Street right-of-way from Southeast 4th Street to Southeast 5th Street, and the north/south segment of alley right-of-way between Southeast 4th Street to Southeast 5th Street from Raccoon Street to East Martin Luther King, Jr. Parkway, more specifically described as follows, be and is hereby vacated:

ALL OF THE RACCOON STREET RIGHT OF WAY LYING NORTH OF AND ADJOINING BLOCK 44, TOWN OF DE MOINE, AN OFFICIAL PLAT, AND ALL THAT PART OF THE NORTH/SOUTH ALLEY RIGHT OF WAY IN SAID BLOCK 44 LYING SOUTH OF THE SOUTH RIGHT OF WAY LINE OF RACCOON STREET AND LYING NORTH OF THE NORTH RIGHT OF WAY LINE OF EAST MARTIN LUTHER KING JR PARKWAY, SAID NORTH RIGHT OF WAY LINE BEING ESTABLISHED BY THE PLAT OF SURVEY RECORDED IN BOOK 14139 AND PAGE 432-433 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.53 ACRES (23,004 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:

Lisa A. Wieland, Assistant City Attorney

Ordinance No. 15,975 cont'd

T. M. Franklin Cownie, Mayor

Attest: I, P. Kay Cmelik, 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. 21-0223), passed by the City Council of said City at a meeting held on February 8, 2021 and signed by the Mayor on February 8, 2021 and published and provided by law in the Business Record on February 26, 2021. Authorized by Publication Order No. 11393.