

ORDINANCE NO. 15,028

AN ORDINANCE vacating two segments of the north/south alleys between 13<sup>th</sup> Street and 15<sup>th</sup> Street from Locust Street to the east/west alley.

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 two segments of the north/south alleys between 13<sup>th</sup> Street and 15<sup>th</sup> Street from Locust Street to the east/west alley, more specifically described as follows, be and is hereby vacated.

ALL THAT PART OF THE 16 ½ FOOT NORTH-SOUTH ALLEY EXTENDING FROM THE SOUTH RIGHT-OF-WAY LINE OF LOCUST STREET, AS PRESENTLY ESTABLISHED, TO THE EAST-WEST ALLEY SOUTH OF LOCUST STREET, MORE PARTICULARLY DESCRIBED AS: THE EASTERLY 16 ½ FEET OF LOT 2 OF J.C. SAVERY'S PARK ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

ALL THAT PART OF THE 16 FOOT NORTH-SOUTH ALLEY EXTENDING FROM THE SOUTH RIGHT-OF-WAY LINE OF LOCUST STREET, AS PRESENTLY ESTABLISHED, TO THE EAST-WEST ALLEY SOUTH OF LOCUST STREET, MORE PARTICULARLY DESCRIBED AS: THE 16 FOOT ALLEY LYING WESTERLY OF AND ADJOINING THE WESTERLY LINE OF LOT 12 OF ALLEN'S ADDITION TO THE CITY OF DES MOINES, 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. 11-1147), passed by the City Council of said City at a meeting held June 27, 2011 signed by the Mayor on June 27, 2011 and published as provided by law in the Business Record on July 15, 2011. Authorized by Publication Order No. 7489.

Diane Rauh, City Clerk