

ORDINANCE NO. 15,039

AN ORDINANCE vacating a portion of Waveland Golf Course.

WHEREAS, all prior requirements of law pertaining to the vacation of public property have been fully observed; and

WHEREAS, it is desirable that the public property 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 Waveland Golf Course, more specifically described as follows, be and is hereby vacated.

A PORTION OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5<sup>TH</sup> P.M. ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF THE SAID NORTHWEST QUARTER WHICH IS THE SOUTHWEST CORNER OF LOT 17 OF THE OFFICIAL REPLAT OF THE OFFICIAL PLAT OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5<sup>TH</sup> P.M. AND ALSO ON THE NORTH RIGHT-OF-WAY LINE OF OBSERVATORY ROAD, AS PRESENTLY ESTABLISHED; THENCE WEST, PERPENDICULAR TO THE SAID EAST LINE OF THE SAID NORTHWEST QUARTER, A DISTANCE OF 70.00 FEET; THENCE NORTH, PARALLEL WITH THE SAID EAST LINE, A DISTANCE OF 132.19 FEET; THENCE EAST, PERPENDICULAR TO THE SAID EAST LINE, A DISTANCE OF 70.00 FEET TO THE SAID EAST LINE; THENCE SOUTH, ALONG THE SAID EAST LINE, A DISTANCE OF 132.19 FEET TO THE POINT OF BEGINNING.

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. 11-1499), passed by the City Council of said City at a meeting held August 29, 2011 signed by the Mayor on August 29, 2011 and published as provided by law in the Business Record on September 16 2011. Authorized by Publication Order No. 7499.

Diane Rauh, City Clerk