

ORDINANCE NO. 15,040

AN ORDINANCE permanently vacating the remaining north-south alley right-of-way lying within property located at 1401 East 12th 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:

Sec. 1. That the remaining north-south alley right-of-way lying within property located at 1401 East 12th Street, more specifically described as follows, be and is hereby vacated.

The north 20.0 feet of the north-south alley right-of-way running from Cleveland Avenue to the former Chicago and Northwestern Railway Company's right-of-way, immediately east of Lot 178 and immediately west of Lot 252, Capital Park 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

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. 11-1503), 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. 7750.

Diane Rauh, City Clerk